



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
March 24, 2016**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, March 24, 2016.

CLOSED SESSION

3:45 p.m. To Discuss Property, Personnel and Litigation

WORK SESSION

4:35 p.m. Council Questions and Comments

4:50 p.m. Discuss Honoring Stein Eriksen by Proclaiming December 21 as Stein Eriksen Day Page 4

5:00 p.m. Update on Progress Toward Affordable Housing Goals and Strategies Page 7

5:30 p.m. Transit, Transportation and Parking Infrastructure Funding Update Page 15

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Manager's Report – Mountain Accord Update Page 22

Manager's Report – Park City Mountain Resort Spring Gruv Concert Operations Page 26

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

IV. CONSIDERATION OF MINUTES

1. Consideration of a Request to Approve the City Council Meeting Minutes from February 25, 2016, March 3, 2016 and March 9, 2016 Page 29

V. CONSENT AGENDA

1. McPolin Barn Historic Preservation Board Review **Page 54**

VI. OLD BUSINESS

1. 2016 Legislative Update **Page 58**

VII. NEW BUSINESS

1. Consideration of Resolution 04-16, a Resolution by the Park City Council to Achieve Net-Zero Carbon by 2022 for the Municipal Government and by 2032 for the Broader Community and for Park City to Invite Other Local Governments to Join Us with the Goal **Page 59**

(A) Public Hearing

(B) Action

2. Consideration of Ordinance 16-13, an Ordinance Amending Title 4-Licensing: Chapter 8, Special Event Permit, of the Municipal Code of Park City, Utah **Page 66**

(A) Public Hearing

(B) Action

3. Consideration of Ordinance No. 16-14, an Ordinance Approving the April Inn Condominiums Record of Survey Plat Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney **Page 102**

(A) Public Hearing

(B) Action

4. Ordinance No. 16-15, an Ordinance Amending the Land Management Code of Park City, Utah, Amending Notice Matrix, Section 15-1-21; Purposes, Section 15-11-5; Park City Historic Sites Inventory, 15-11-10; Historic District or Historic Site Design Review, Section 15-11-12; Historic Preservation Board Review for Demolition Section 15-12.5-15; and Definitions, Section 15-15 **Page 133**

(A) Public Hearing

(B) Action

5. Consideration of Ordinance 16-16, an Ordinance Approving the First Amended Sunnyside Subdivision Lot 10 Plat Amendment Located at 615 Mellow Mountain Road, Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney. **Page 166**

(A) Public Hearing

(B) Action

6. Consideration of a Request to Continue a Public Hearing on an Ordinance Approving an Extension of the October 30, 2014, Approval of the Lot 1 Ontario Mine Bench Condominium Record of Survey Plat, Located at 7700 Marsac Avenue, Park **Page 191**

City, Utah.

(A) Public Hearing

(B) Continuation to May 12, 2016

7. Consideration of a Request to Continue a Public Hearing on an Ordinance Approving an Extension of the October 30, 2014, Approval of the Ontario Mine Bench Subdivision, Located at 7700 Marsac Avenue, Park City, Utah. Page 192

(A) Public Hearing

(B) Continuation to May 12, 2016

VIII. 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. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m. Posted:

See: www.parkcity.org



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

Stein Eriksen, Park City resident, legendary alpine skier, Olympic Gold Medalist, and Deer Valley Director of Skiing for more than 35 years passed away on December 27, 2015. At the request of the Mayor and with the support of the Council, staff was asked to design a lasting recognition of Stein Eriksen's many contributions to the sport of skiing and the resort economy of Park City. Staff recommends naming December 21, the Winter Solstice, as Stein Eriksen Day and commemorating this with a proclamation by City Council and the installation of a plaque at Stein Eriksen Lodge.

Respectfully:

Phyllis Robinson, Public & Community Affairs Manager

City Council Staff Report



Subject: Honoring Stein Eriksen
Author: Phyllis Robinson, Community Affairs Manager
Department: Sustainability
Date: March 24, 2016
Type of Item: Work Session

Summary Recommendation

Staff recommends Council recognize Stein Eriksen's lasting contributions to Park City by designating December 21, the winter solstice, as Stein Eriksen day. Staff further recommends commemorating this recognition with a proclamation and a plaque to be installed in the Stein Erikson Lodge.

Executive Summary

Stein Eriksen, Park City resident, legendary alpine skier, Olympic Gold Medalist, and Deer Valley Director of Skiing for more than 35 years passed away on December 27, 2015. At the request of the Mayor and with the support of the Council, staff was asked to design a lasting recognition of Stein Eriksen's many contributions to the sport of skiing and the resort economy of Park City. Staff recommends naming December 21, the winter solstice, as Stein Eriksen Day and commemorating this with a proclamation by City Council and the installation of a plaque at Stein Eriksen Lodge.

Background & Analysis

Stein Eriksen, Park City resident, legendary alpine skier, Olympic Gold Medalist, and Deer Valley Director of Skiing for more than 35 years passed away on December 27, 2015. Staff recommends Council recognize Stein Eriksen's lasting contributions to Park City by designating the winter solstice December 21 as Stein Eriksen Day. Staff further recommends permanently commemorating this designation with a plaque located at Stein Eriksen Lodge or another preferred location. Russ Olsen, General Manager of Stein Eriksen Lodge, is amenable to a plaque at the hotel.

While there is not a stated policy for Council designating a day to honor a significant person in Park City, staff has evaluated this proposal using the same criteria as 'naming a public area in honor of a person' in the City's naming policy.

- Stein Eriksen made significant contributions to the development of the resort destination economy in Park City. He was involved first in the development of Park City Ski Area and then served for 35 years as the Director of Skiing for Deer Valley Resort.
- Stein Eriksen has been an ambassador for the sport of alpine skiing. He served as an Olympic Ambassador at the 2002 Olympic Winter Games. He was inducted into the Intermountain Ski Hall of Fame in 2003 and the Professional Ski Instructors of America Hall of Fame in 2013. He received the Lifetime

Achievement Award from the Utah Sports Commission and the Outstanding Contribute to Ski Tourism by World Ski Awards in 2015.

- Stein Eriksen has been an advocate for youth development in snow sports through his support of the Youth Winter Sports Alliance. .

If Council provides direction to proceed, Staff will return to Council at a later date with a proclamation and details on a ceremony to honor Stein Eriksen.

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Staff recommends that Council proclaim December 21, the first day of winter, as Stein Erikson Day in Park City and install a plaque a Stein Eriksen Lodge commemorating this proclamation.

Pros

Stein Eriksen was an ambassador for the sport of alpine skiing and for Park City. This lasting designation on the first day of winter is a fitting date for such recognition and has positive impact on our Mountain Resort Town.

Cons

This proposal recognizes an early promoter of skiing in Park City. While there are no direct negative impacts, Council may wish to direct staff to consider potential policy options for recognizing community contributions beyond our existing naming policy.

- 2. Null Alternative:** Should Council not pursue this staff recommendation or other recognition for Stein Eriksen, collectively we miss an opportunity to honor Stein Eriksen as well as recognize the important of alpine skiing in the modern day evolution of Park City.
- 3. Other Alternatives:** Council may direct staff to return with other options to honor Stein Eriksen. Staff would request input from Council on alternative approaches and return at a future date.

Department Review

This report was reviewed by Sustainability, Legal and Executive departments.

Funding Source

Funding for the plaque will be provided by the Community Affairs current budget.



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

This report summarizes the progress toward meeting housing goals established at the February 2015 Council Retreat. Work is summarized in four areas: Regulatory Tools, City Sponsored Development, Land Acquisition and Disposition and the Neighborhood Preservation Pilot Program.

Progress includes:

- Significant progress has been made on the examination of the Housing Resolution and is scheduled for presentation in a Study Session on April 28, 2016.
- In addition, the Blue Ribbon Housing Commission is preparing a list of their own recommendations to be discussed with Council in the same time frame.
- The 1450-1460 Park Avenue affordable housing project has received HPB approval to move the historic homes forward on the property and the design team is now preparing a Conditional Use Permit application for the Planning Commission to approve the overall site plan after which construction documents can be prepared and the project put out to bid.
- Additional projects - including potential joint ventures - are being reviewed for fit with housing goals and the cost as compared to benefit.

Respectfully:

Rhoda Stauffer, Housing Specialist



City Council Staff Report

Subject: Housing Monthly Update
Author: Rhoda Stauffer
Department: Community Development/Sustainability
Date: March 24, 2016
Type of Item: Informational

Summary Recommendation

Staff is providing an update on progress toward affordable housing goals and strategies – one of City Council’s critical priorities: Affordable, Attainable and Middle Income Housing. No Council action is requested.

Executive Summary

This report summarizes the progress toward meeting housing goals established at the February 2015 Council Retreat. Work is summarized in four areas: Regulatory Tools, City Sponsored Development, Land Acquisition and Disposition and the Neighborhood Preservation Pilot Program.

Progress includes:

- Significant progress has been made on the examination of the Housing Resolution and is scheduled for presentation in a Study Session on March 31, 2016.
- In addition, the Blue Ribbon Housing Commission is preparing a list of their own recommendations to be discussed with Council at a work session on April 14.
- The 1450-1460 Park Avenue affordable housing project has received HPB approval to move the historic homes forward on the property and the design team is now preparing a CUP application for the Planning Commission to approve the overall site plan after which construction documents can be prepared and the project put out to bid.
- Additional projects - including potential joint ventures - are being reviewed for fit with housing goals and the cost as compared to benefit.

Acronyms

CUP Conditional Use Permit
EPS Economic & Planning Systems, Inc.
HPB Historic Preservation Board
RDA Redevelopment Agency
SF, sf or s.f. Square Feet

The Problem

As an international resort community with world class recreational, hotel and leisure service amenities, Park City’s job market is dominated by the hospitality and leisure sector. More than 40 percent of all jobs within the city limits are in this sector. In 2014,

the average annual income earned in all sectors was \$44,052. Wages earned in the leisure and hospitality sector averaged \$27,456 – 38 percent below all jobs.

According to Realtor.com, the median listing price for a home in Park City is currently \$1.2 million. For Midway and Heber City, the median listing price is \$345k and \$360k respectively. For homes in Park City to be affordable to the majority of those employed within City limits, prices would need to range between \$200,000 and \$500,000 (this range covers both affordable and attainable). Today, approximately 80% of Park City's workforce lives outside the City limits. High home prices in Park City not only result in the need to import a great percentage of our community's workforce, it causes problems that range from increased traffic to the risk that Park City could lose vibrancy because of lack of full time residents.

Background

- In December 2014 City Council identified Affordable, Attainable and Middle Income Housing as a critical priority.
- On February 5, 2015 the City's Community Affairs Manager, and its Housing Specialist, presented a report on the current state of housing in Park City, 2014 accomplishments, a one-year action plan and five year targets.
- On March 5, 2015 Council provided direction to proceed with city-sponsored housing development at 1450/60 Park Avenue.
- On April 23, 2015 staff refined the housing action plan to reflect actions taken through that date, and actions planned through June 30, 2019 in each of the program areas: Housing Regulatory & Compliance, Housing Development, Land Acquisition and Disposition and Neighborhood Preservation. All areas were on schedule with the timeline proposed during the Council Retreat, staff and Council also discussed income targeting for city-sponsored projects. Staff presented a summary of existing housing affordability levels and anticipated housing targets for proposed projects.
- On June 4, 2015 staff had an extended study session with City Council to provide a housing update and specifically to ask City Council for approval to (1) establish a Blue Ribbon Commission on Housing as we work through Housing Resolution changes, (2) consider housing feasibility on all city-owned parking lots, and (3) conduct a feasibility analysis to rehabilitate the historic home owned by the city located at 664 Woodside Avenue.
- Throughout the Summer and Fall of 2015, staff worked with architects on design of a small in-fill neighborhood at the city-owned site at 1450 & 1460 Park Avenue. Also, throughout the Fall of 2015, staff established the Blue Ribbon Housing Commission and worked with the group as well as EPS (regulatory consultants) to look at ways for the City to improve policy and regulatory tools for increased affordable housing development.

More specific updates for the past 60 days are listed per each of the four categories below:

Regulatory Tools

- Staff continues to work with Economic & Planning Systems, Inc. (EPS) based in Denver, Colorado. EPS has met with the Blue Ribbon Housing Commission two times soliciting input on their findings and recommendations. The draft of their final report will be presented to City Council in a Study Session on April 28, 2016 at which time the findings and recommendations will be presented for an in-depth discussion.
- The Blue Ribbon Housing Commission stepped up their own meetings to weekly sessions in order to complete a review of the findings and recommendations from EPS as well as compile their own additional recommendations beyond the EPS scope of work. The Commission will present their report to Council at their April 14, 2016 work session.
- Staff is again working with an owner of a deed restricted unit at Silver Star to sell their unit to a qualified household. The current owner was discovered to be out of compliance during the annual review process of all deed restricted properties which took place in the Fall of 2015.

City Sponsored Development

1450/60 Park Avenue Status

At the March 5, 2015 City Council meeting, Council directed staff to move forward with a city-sponsored, single-family affordable housing project at this site. The property is zoned Historic Residential Medium density. There are two lots of .21 acres each.

- Staff continues to conduct weekly meetings with Caddis of Boulder, Colorado – the architectural firm approved by City Council on June 25, 2015. On October 29, 2015, City Council provided direction for: if the HPB believed that the homes could be moved, the two historic homes to be moved forward to the current set-back line; the historic homes to be stabilized and moved in order to return them to new footings and foundations and rehabilitated; six new single family homes to be added to the site (five 2-bedroom and one 3-bedroom); and parking to be primarily located on the perimeter of the property.
- A Historic Preservation Plan was reviewed by HPB On February 3 and all items approved with the exception of moving the historic houses forward. Since the vote for that item was tied, staff was asked to return with a more detailed contextual analysis at a follow-up meeting on March 2. At the March meeting, moving the historic houses forward was approved by a vote of 5 to 2.
- The design team is now working on site plans in order to submit a CUP application to the City's Planning Department (CUP is required since a majority of the parking is being placed on the Sullivan side of the property).

Lower Park Avenue Status

Staff completed an RFP which was published on March 21. The design team selected will complete the following:

- Develop an overall implementation and phasing plan that includes a holistic approach to developing City property within the RDA.
- Develop affordable housing options on the fire station parcel that is compatible with Historic District Guidelines and in scale with the surrounding neighborhood. This is the most immediate and highest priority project.
- Implement the City's goals / targets for affordable housing:
 - A mix of housing product and size: studios, 1, 2, and 3 bedroom condos, apartments, townhomes and detached single family homes,
 - Serving household incomes from \$42,500 to \$109,300 (for sale pricing from \$200,000 to \$435,000 and monthly rents from \$1,062 to \$1,800),
 - Preference for Owner Occupied units,
- Maintain an east / west connection through the housing area to allow for neighborhood connections.
- Develop financial alternatives acknowledging current neighborhood realities, pressure stemming from the growing resort economy and is sensitive to the community and social aspects identified in the overall master plan and recent community engagement process.
- Develop a possible menu for net zero design and minimum energy design standards for each site and holistically
- Identify creative opportunities for parking for individual sites and holistically that takes into account the multiple uses in the Lower Park Avenue Area and incorporates the transportation / parking vision and concepts that are currently under study.
- Identify potential uses for Miners Hospital when developing the SeniorCenter options that compliment the area. Included in this is an evaluation of other potential uses for the space when not in use by the Seniors, including daycare and other community center-type needs.
- Analyze current senior center options and tradeoffs, including refurbishing on site, relocating, and rebuilding. Conduct a feasibility analysis for a new senior/community center including a recommended location (s) and program. The exercise should investigate specifically a senior program, teen program and flex space for multiple community stakeholders.
- Evaluate all potential outcomes on multiple levels, balancing financial, social equity, and Park City's critical priorities (housing, energy, and transportation).

Other City-Owned Property

- Other city-owned property continues to be evaluated.

Land Acquisition and/or Disposition

Staff is meeting with several private owners/developers to evaluate the viability of joint public/private ventures to provide new affordable housing options. As options become more clearly viable, they will be presented to Council for consideration.

Neighborhood Preservation Pilot Program

Staff continues to research best practices and program models for acquisition and resale of housing for neighborhood preservation.

Department Review

The following Departments have reviewed this Staff Report: Community Development, Sustainability, City Attorney and Executive.

Funding Source

Funding has been reserved for these programs. A combination of Resort Sales Tax and RDA funding – both Capital budgets.

Attachment: Housing Agenda Chart

Moving Forward: The Housing Agenda

Housing Areas of Focus	Regulatory Tools	City Sponsored Development	Land Acquisition & Disposition	Neighborhood Preservation Pilot
	- Housing Nexus Review - Code Barrier(s) Analysis - Housing Resolution Update - Inclusionary Housing Plans - Compliance	1450/1460 Park Avenue - City-owned land in Lower Park Avenue - New city projects	- Parcel Identification - Feasibility Studies - Policy Development	Neighborhood Preservation Pilot Program
Actions Taken	✓ Deed restrictions for Park City Heights Recorded ✓ Request for Proposals(RFP) for Housing Nexus Review and Housing Barrier Analysis issued ✓ Award of contract for Housing Nexus Review and Barrier Analysis to EPS ✓ IHC Housing Plan approved by Housing Authority ✓ Housing Resolution updated to permit banking of affordable units. ✓ Work with EPS substantially complete ✓ Blue Ribbon Housing Commission appointed, participated in educational presentations and finalized their approval of EPS's work as well as their own separate report.	<u>1450/60 Park Avenue</u> ✓ Massing studies complete ✓ Design Team under contract ✓ Capital budget reserved ✓ Architecture and engineering in full swing ✓ Environmental conditions analysis and initial Historic planning review completed ✓ Site options presented and choice made at November 19 Council Meeting. <u>Lower Park Avenue</u> ✓ Completed Stakeholder interviews and 10 community engagement group exercises ✓ Capital budget reserved ✓ Design Studio completed and outcomes presented ✓ Follow-up direction both with City Council and engaging the community completed <u>New City Projects</u> ✓ Housing feasibility analysis for Brew Pub lot completed ✓ Feasibility studies for city-owned parking lots underway ✓ 664 Woodside feasibility analysis	✓ Potential for affordable housing incorporated into City Property Master Plan. ✓ Capital budget reserved ✓ Sommer property purchased ✓ A number of additional opportunities analyzed	

FY2016: January 1 – June 30, 2016	✓ Annual compliance review of deed restricted units completed ✓ Vail Housing Plan under active review ✓ Park City Heights sales begin ✓ Blue Ribbon Commission preparing final report for April 14 Council meeting. ✓ EPS completing final report for March 31 Council meeting.	<u>1450/60 Park Avenue</u> ✓ Historic Preservation Plan submitted to HPB on February 3. It was continued to March 2 and approved. ✓ CUP application under development <u>Lower Park Avenue</u> ✓ RFP issued for design services of a number of city-owned properties with submission deadline of April 7 ✓ Design team under contract by May of 2016 and work started. <u>New City Projects</u> ✓ Staff analyzing a number of potential joint ventures to produce additional new units ✓ 664 Woodside property sold	✓ Matrix designed by staff to evaluate the cost/benefit of future purchase and/or joint venture opportunities.	✓ Draft Program parameters developed and feedback solicited from the Blue Ribbon Housing Commission
FY 2017: July 1, 2016 – June 30, 2017	✓ Annual compliance review of deed restricted units moved to Spring/Summer annually ✓ Park City Heights sales continue	<u>1450/60 Park Avenue</u> ✓ Sale of units Fall 2016 ✓ Project closeout Fall 2016 <u>Lower Park Avenue</u> ✓ Scope to be determined ✓ Development continues <u>New City Projects</u> ✓ Future milestones to be developed	✓ Feasibility analysis and/or implementation as potential sites are identified	✓ Community outreach/input on proposed program design ✓ Internal coordination with budget and finance
FY 2018: July 1, 2017 – June 30, 2018	✓ Annual compliance review of deed restricted units ✓ Housing Resolution Review ✓ Park City Heights sales continue	<u>Lower Park Avenue</u> ✓ Development continues <u>New City Projects</u> ✓ Future milestones to be developed	✓ Feasibility analysis and/or implementation as potential sites are identified	✓ Begin implementation, if feasible



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

Transportation Planning and Public Works staff are in the process of finalizing several planning and/or scoping documents. The final documents will provide a suite of transportation projects, programs, and services recommendations to be implemented in within planning horizon of 1-5 years, 5-10 years, and 10 - 15 years. In addition to the forthcoming recommendations from the plans under development, there are several improvements and strategies that have not been implemented due to various reasons such other pressing priorities, work load, fiscal and human resources, and required inter-agency coordination and/or authorization. Background related to the scope of the studies currently under development can be found at the following link:

<http://parkcityut.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=2090&Inline=True>

To better understand our transportation investment needs, Staff has developed a comprehensive list of projects, programs, and services based on existing plans and the final draft recommendations from current studies. This list includes a project description, project objective/goal, anticipated cost, and implementation schedule referred hereinto as a "Program of Projects (POP)." The intent of this POP is to identify priority projects and determine the necessary resources to accomplish the projects in expeditious and systematic manner that addresses Park City's short and long term transportation goals. As a result of developing this POP it is abundantly clear that while the City has been successful in developing local revenue streams and has also been successful at receiving state and federal grant funds there is a significant shortfall in the revenue necessary to complete the POP in the time frame desired by the community and City Council.

Last month staff presented various funding options that are available to both the City and County. Regardless of whether the City and County coordinate directly on a funding option, coordination will be essential to the successful implementation of the POP given the cross jurisdictional nature of the local, state, and regional transportation system as well as the relationship to our local economy, neighborhoods, and natural environment. Background related to the local funding options can be found at the following link.

<http://parkcityut.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=2094&Inline=True>

Respectfully:

Alfred Knotts, Transportation Planning Manager

City Council Staff Report



Subject: Transportation Funding and Preliminary Program of Projects
Author: Nate Rockwood – Capital Budget, Debt & Grants Manager
Alfred Knotts - Transportation Planning Manager
Department: Budget, Debt & Grants Department
Community Development Department
Date: March 24, 2016
Type of Item: Informational

Summary Recommendation

No action is requested, however, Council should receive an overview of the preliminary list of transportation projects, programs, and services.

Executive Summary

Transportation Planning and Public Works staff are in the process of finalizing several planning and/or scoping documents. The final documents will provide a suite of transportation projects, programs, and services recommendations to be implemented in within planning horizon of 1-5 years, 5-10 years, and 10 – 15 years. In addition to the forthcoming recommendations from the plans under development, there are several improvements and strategies that have not been implemented due to various reasons such other pressing priorities, work load, fiscal and human resources, and required inter-agency coordination and/or authorization. Background related to the scope of the studies currently under development can be found at the following link:

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Acronyms in this Report

CIP – Capital Improvement Plan

FTA – Federal Transit Administration

FY – Fiscal Year

LRTP – Long Range Transportation Plan

POP – Program of Projects

SRTDP – Short Range Transit Development Plan

TRT – Transient Room Tax

UDOT – Utah Department of Transportation

The Problem

Over the last several years, Park City and the surrounding area have experienced considerable growth in residential development, commercial development and destination and day visitor travel. As a result, Park City's entry corridors and local streets can operate at capacity during peak times, which includes weekday peak travel times as well as peak ski weekends and events. In order to adequately address transportation issues and reduce dependency on the private automobile, substantial investment will be required over the next 20 years which includes local, state, and federal funding.

Background

Following a mid-year review of the 2014 City Council Priorities, "Transportation" and "Housing" were escalated to "Critical Priorities", which are issues that could have a significant negative impact on our community if not addressed expeditiously. This emphasis on the development and implementation of a comprehensive transportation program focused on the accelerated implementation of existing plans such as the adopted "2011 Traffic and Transportation Master Plan" and action elements from other related transportation plans/studies.

On January 8th, 2015 Transportation Planning Staff returned to Council with a Study Session on accelerating many of the goals set forth in the City's Transportation Master Plan. Council directed Staff to pursue the accelerated schedule. A copy of the related Staff report is located at: <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=14272>

All of the improvements identified in the preliminary POP list are consistent with Council direction and the strategy to accelerate implementation of the transportation program.

Recommended Program of Projects

Plan	Status	Completion Date	Notes
SR 248 Corridor Plan review	Update completed December 2015	[date completed]	Working with UDOT now to move the improvements up in priority on the Statewide Transportation Improvement Program list or STIP. Meeting scheduled with UDOT on March 22, 2016 to discuss project development
Short Range Transit Development Plan	Final Draft Plan under development	April 2016	Preliminary recommendations are included under the "Service Improvement Strategies" section of Attachment A.
Bonanza Park/Lower Park Avenue Transportation and Parking Siting and Feasibility Study.	Final Draft received and under review.	April 2016	The final draft contains a list of improvements, scope, schedule, and associated cost adequate to proceed with project development, including budgeting
Transportation Demand Management Plan Study.	Final Plan complete	March 2016	Document will be presented to Council for adoption/acceptance in April 2016
Old Town Parking Plan	Final Draft Plan under development	April 2016	Anticipated recommendations of this plan are captured under the "Transportation Demand Management Strategies" section of Attachment A
Regional Transit Plan	Final Plan complete	October 2015	Plan recommendations being incorporated into SRTDP to ensure consistency with recommendations
Regional Long Range Transportation Plan	Plan under development	July 2016	Regional travel demand model being developed by UDOT in coordination with City and County. Model is the initial task required to develop traffic growth projections

Analysis

As previously mentioned, the POP developed by staff includes not only capital projects but also additional transportation related services and programs intended to develop, establish, and operate and maintain a comprehensive multi-modal transportation system. Below is a preliminary list of the priority improvements for each strategy (please note this is not a prioritized list):

Priority Capital Projects:

- SR 248 Congestion Relief and Safety Improvement Project
- SR 224 Multi-Modal Corridor Enhancement and Safety Improvement Project
- Bonanza Park Park and Ride Garage and Transit Center
- Satellite/Intercept Park and Ride Lots
- Park City Mountain Resort Transit Center

- Local “complete/green streets” improvements
- Silver King/Empire/Deer Valley Drive Intersection Improvements

Priority Service Improvements:

- Increase Transit Level of Service in City (i.e. minimum of 15 min headways)
- PC/SLC Connect Service Expansion (i.e. airport connection, increased service on existing routes)
- Transit Fleet Expansion
- Transit Passenger Improvements (shelters, real-time information, amenities, etc.)
- Inter-regional transit connections and commuter service – Kamas, Oakley, Francis, etc.

Transportation Demand Management Programs:

- Parking Management Program
- Employer Trip Reduction Programs
- E-bike Share Program
- Intelligent Transportation System Improvements

A comprehensive list of projects that includes project description, project objective, project location, and planning level cost is included in “Attachment A.” Staff intends to return to Council in April with a concise list of priority projects that will include a detailed overview of potential new funding sources in which to fund the projects.

Department Review:

The follow departments have reviewed this report: Legal, Budget, Transportation Planning, Community Development, Public Works/Transit Department, and the City Manager.

Significant Impacts:

It is anticipated that significant operating and capital resources will be needed to meet Councils identified Transportation Critical Priority. Council will need to identify appropriate funding sources moving forward to complete needed improvements.

Funding Source:

No funding needs are associated with this report. Any preliminary project funding recommendations from Council will be incorporated in the upcoming 5-year CIP process.

Attachment:

Attachment A: “Draft Transportation Program of Projects”

PARK CITY TRANSPORTATION PROGRAM OF PROJECTS - DRAFT

Capital Improvement Strategies						
Project Strategies	Project Description	Cost (Low End)	Cost (High End)	Project Objective	Location	Implementing Agency
SR 248 Congestion Relief and Safety Improvement Project	Construct Transit/HOV only lanes along SR 248, enhance school access (existing at grade school crossing and ingress/egress), improve access to Richardson Flat P&R lot, construct intersection improvements at Bonanza Drive/SR 248, improve stormwater treatment, improve wayfinding, and enhance aesthetics of corridor.	\$10,000,000	\$14,000,000	VMT/LOS/AQ/WQ/Safety	SR 248 MP 0.0 - 2.1	Park City/UDOT
SR 224 Congestion Relief and Safety Improvement Project	Construct Transit/HOV only lanes along SR 224 from Canyons Drive to Empire/Deer Valley Drive, construct intersection improvements at SR 224/Kearns intersection, enhance existing at grade crossing at Homestake, construct intersection improvements at SR 224/Empire Ave./Deer Valley Drive, improve stormwater treatment, wayfinding, and enhance aesthetics of corridor.	\$15,000,000	\$20,000,000	VMT/LOS/AQ/WQSafety	SR 224 MP 5.8 - 11.5	Park City/UDOT
Bonanza Park Transit Center and Park and Ride Garage	Construct a new parking structure with transit center component to encourage people to switch to non-auto modes before they enter the most congested part of Park City. The transit center would function as one of the primary transit hubs within Park City.	\$25,000,000	\$50,000,000	VMT/LOS/AQ	Bonanza Park	Park City
Satellite and Intercept Park and Ride Lots	Construction of park and ride lots at the entry corridors to Park City and the Snyderville Basin	\$5,000,000	\$7,500,000	VMT/LOS/AQ	Jeremy Ranch, Kimball Junction, and/or Quinns Junction	Park City, Summit County and UDOT
PCMR Transit Center	Construct a new transit facility on the site with more bus bays, improvements to passenger waiting areas, real-time transit information, and bus circulation improvements.	\$1,500,000	\$3,000,000	VMT/LOS/AQ	PCMR Base/Lowell Ave	Park City
Empire/Park Ave./Deer Valley Drive Intersection Improvements	Construct intersection improvements to improve safety and peak traffic flow during ski load in and load out. Improve aesthtics of intersection	\$600,000	\$6,000,000	VMT/LOS/AQ/Safety	SR 224 MP 5/Deer Valley Drive Intersection	Park City/UDOT
Silver King/Empire Intersection Improvements	Construct intersection improvements to improve safety and peak traffic flow during ski load in and load out. Improve aesthtics of intersection to serve as gateway	\$800,000	\$1,500,000	VMT/LOS/AQ/Safety	Silver King/Empire	Park City/Private
Bonanza Drive/Deer Valley Drive Intersection Improvement Project	Construct intersection improvements at Bonanza Drive and Deer Valley Drive, improve stormwater treatment, wayfinding, and enhance aesthetics for gateway experience	\$600,000	\$3,500,000	VMT/LOS/AQ/Safety	SR 224 MR 5.5	Park City/UDOT
Park City Heights/Quinn's Junction Transit Center	construct a new transit facility on the site with more bus bays, improvements to passenger waiting areas, and real-time transit information	\$500,000	\$750,000	VMT/LOS/AQ	Quinn's Junction	Park City
Lower Park Avenue Complete Streets Project	Construct new or widened sidewalks and bulb outs, raised intersections, and public realm improvements along the key pedestrian route from Bonanza Park to Old Town, beginning at Kearns Boulevard. Complete streets elements would help slow vehide speeds and prioritize pedestrian activity in the densest stretch of residential and commercial development in the city.	\$5,000,000	\$10,000,000	Safety/Bike/Ped/WQ	Deer Valley Drive to Heber Ave	Park City
Bonanza Park Circulation Improvements and Transit Priority	Redesign street network to establish East/West and North South transit connection through Bonanza Park which also proposes to include compelte street elements within the Bonanza Park area.	\$2,000,000	\$5,000,000	VMT/LOS/AQ/Safety	Bonanza Park	Park City
Lower Park Avenue East-West Connection	This project would create a bike and pedestrian connection between the base of the Park City Mountain Resort and City Park, via a corridor of city-owned properties and open land. This corridor is currently being evaluated as a location for new workforce housing and an aerial connection.	\$200,000	\$1,000,000	VMT/LOS/AQ/Safety	Park Avenue to Empire	Park City
Union Pacific Rail Multi-modal Corridor	Develope a new two-way transit-only corridor in the historic Union Pacific Railroad right-of-way, running from Bonanza Drive to Wyatt Earp Way or Richardson Flat Road while accommodating the existing rail trail as is, or the trail could be reconstructed on one side of the right-of-way.	\$40,000,000	\$65,000,000	VMT/LOS/AQ	Richardson Flat to Bonanza Park	Park City
Aerial Tramway to PCMR and Old Town	aerial tramway would connect the center of Bonanza Park to Lower Park Avenue, Park City Mountain Resort, and, in a possible future phase, Old Town. The aerial is would be a visually distinctive form of public transportation. As a unique and distinct amenity, this improvement could help incentivize employees and visitors to use a park-and-ride lot in Bonanza Park or to use transit to get from their place of residence or lodging all the way to their destination in the major trip-generating areas of Park City.	\$18,000,000	\$65,000,000	VMT/LOS/AQ	Bonanza Park to PCMR	Park City/Private
Capital Improvement Strategies Total		\$125,700,000	\$252,250,000			
Service Improvement Strategies						
Project Strategies	Project Description	Cost (Low End)	Cost (High End)	Project Objective	Location	Implementing Agency
PC Transit Service Expansion	Establish 15 minute headways on all City routes	\$1,000,000	\$2,000,000	VMT/LOS/AQ	Park City/Summit County	Park City/Summit County
PC Transit Capital Enhancements	Transit Vehicle replacement and expansion. Accounts for conversion to electric vehicles	\$10,000,000	\$15,000,000	VMT/LOS/AQ	Park City	Park City
Transit Passenger Improvements	Transit shelters, real time information, amenities, etc.	\$300,000	\$500,000		Park City	Park City
PC-SLC Connect Service Expansion - SLC, U of U, and SLC Int'l Airport	Expand service of PC/SLC Connect to U of U and establish regularly scheduled airport service	\$750,000	\$1,000,000	VMT/LOS/AQ	SLC to Park City	UTA, Summit County, and Park City
Inter-regional Transit Service - Heber Valley	Expand City/County service to Heber Valley	\$40,000	\$210,000	VMT/LOS/AQ	Park City to Heber City	Park City, Wasatch County, Summit County, and Heber City
Inter-regional Transit Service - Kamas, Oakley, Francis	Expand City/County service to Kamas, Oakley, and Francis	\$40,000	\$200,000	VMT/LOS/AQ	Park City, Summit County, Oakley, Kamas, and Francis	Park City, Summit County, Oakley, Kamas, and Francis
Deer Valley Drive Peak Direction Reversible Transit Only Lane	Reconfigure right-of-way to accomodate a transit-only lane in the center of Deer Valley Drive that would reverse to serve the peak direction. It would be constructed through a section of the roadway with a wide right-of-way and no abutting land-uses, enabling transit vehicles to benefit from a continuous protected alignment between Bonanza Park and Heber Avenue, facilitating a short connection via Swede Alley to the Old Town Transit Center.	\$30,000	\$800,000	VMT/LOS/AQ	Park City	Park City
Service Improvement Strategies Total		\$12,160,000	\$19,710,000			
Transportation Demand Management Program Strategies						
Project Strategies	Project Description	Cost (Low End)	Cost (High End)	Project Objective	Location	Implementing Agency
Parking Management Program	Implement parking management strategies such as paid parking and associated parking management infrastructure	\$500,000	\$1,000,000	VMT, LOS, AQ	Park City	Park City
Employer Trip Reduction Programs	Establish employer trip reduction programs such as paid incentives, parking cash-out, van pool programs, guaranteed ride home programs	\$100,000	\$150,000	VMT, LOS, AQ	Park City	Park City/Private
E-bike share Program	Establish a e-bike share program at various locations within Park City	\$75,000	\$125,000	VMT, LOS, AQ	Park City	Park City/Private
Intelligent Transportation System Improvements	Expand ITS infrastructure - Traffic monitoring, VMS signs, snowblow technology,	\$300,000	\$500,000	VMT, LOS, AQ, Safety	Park City	Park City/UDOT
Program Demand Strategies Total		\$975,000	\$1,775,000			
Program of Projects Total		\$138,835,000	\$273,735,000			



MANAGER'S REPORT – 3/24/2016

Submitted by: Ann Ober
Subject: Mountain Accord Update

Mountain Accord is eight months into Phase II of its process. Signed in July 2015, the Accord outlines the next steps following the visioning and associated policy discussions.

Mountain Accord staff have been working on Requests For Proposal's (RFPs) to achieve the items outlined. Specific to Park City, the Mountain Accord Executive Committee has funded \$400,000 towards the I-80 Transportation Study and \$250,000 towards the Environmental Dashboard.

The team has also been working to shift the form of governance to allow for a more nimble structure in this implementations phase. This manager's report provides an update on this project.

Respectfully:

Ann Ober, Community Relations



City Council Manager's Report

Subject: Mountain Accord Update
Author: Ann Ober
Department: Executive/Sustainability
Date: March 24, 2016
Type of Item: Informational

Manager's Report:

Mountain Accord is a public process committed to preserving the mountains for future generations, to addressing immediate concerns, and to realizing a long-term vision for the future. Park City, along with 22 other partners, has been meeting for over two years to achieve these goals. Summit County and Wasatch County joined Park City in Phase I representing the Wasatch Back. Several months ago, Wasatch County determined that their role in the process is minimal and decided not to participate in this second phase. Summit County continues to participate.

Mountain Accord is eight months into Phase II of its process. Signed in July 2015, the Accord outlines the next steps following the visioning and associated policy discussions. Mountain Accord staff have been working on a Requests For Proposal/Request For Qualifications (RFP/RFQ) to assist in project development activities and technical assistance. Specific to Park City, the Mountain Accord Executive Committee has provided funding in the amount of \$400,000 towards the I-80 Transportation Study and \$250,000 towards the Environmental Dashboard.

The team has also been working to shift the form of governance to allow for a more nimble structure in this implementations phase.

I-80 Study

The I-80 Alternatives Analysis (AA) will evaluate connections between the Salt Lake Valley and the greater Park City area. The Alternatives Analysis will evaluate modes, existing and future travel demand within the corridors and logical termini between Salt Lake City and Salt Lake County and the greater Park City area.

The intent of the Alternatives Analysis is to obtain concurrence on a Locally Preferred Alternative that addresses short- and long-term mobility needs on three regional travel corridors: I-80, SR-224, and SR-248. Given the project development activities that have already occurred on SR-248, the specific emphasis of the AA will be focused on SR-224 between Kimball Junction and Park City with a higher level analysis on the I-80 corridor. The AA will incorporate the existing recommendations that have been developed for the SR 248 corridor to ensure a comprehensive system of improvements and services are implemented in a coordinated manner.

In addition to the analysis of mass transit modes, the AA will also evaluate multi-modal bicycle and pedestrian connections, including regional trail connections. Upon adoption of a Locally Preferred Alternative by the cooperating jurisdictions, and if a federal action is required under the National Environmental Policy Act (NEPA), a federal lead agency will be identified. The role of the federal lead agency will be to oversee the NEPA environmental review process for proposed action, including operational and infrastructure improvements, and ultimately make a finding associated with project approval or denial.

The RFP /RFQ is scheduled to be released by March 31, 2016 with an intention of getting underway Summer 2016. Caroline Ferris with Summit County will be leading the study. Alfred Knotts is also playing a critical role in assuring that the needs of Park City are met and AA recommendations are consistent with the City's General Plan, Traffic and Transportation Master Plan, Short Range Transit Plan, and all other applicable plans. We are joined by Salt Lake City, Salt Lake County, Wasatch Front Regional Council, Utah Department of Transportation, Utah Transit Association and others.

Environmental Dashboard

Salt Lake County is serving as the lead agent for the Environmental Dashboard. This project develops a report that compiles data currently collected throughout the Wasatch Mountains in a way that provides a picture of the complete health of the mountain range, as well as a mechanism for measuring the health moving forward.

The Brendle Group has been selected as the lead consultant, with an impressive list of sub-consultants including Wild Utah Project, Colorado State University and the University of Utah. They expect to meet with local scientists and data managers in late April to start the process moving forward. The project will be completed 18 months later.

Governance

The Mountain Accord process is currently managed by a 23 person Executive Board, with a Management Committee of seven. The process to get scopes and invoices approved is very cumbersome and has created significant difficulties for the consulting teams. For the past year, there has been a significant conversation about moving the team into a non-profit or similar organization to reduce the processing time and effort.

During the legislative session, these difficulties came to a head when Mayor Dolan left the Management Committee. In an effort to make the meetings more efficient to hold the team together, Mayor McAdams introduced legislation to create the new governance structure. There were some issues surrounding the legislation, including the lack of time for preparation. In the end the legislation was killed, but the concept remained.

At the last Executive Meeting, the board voted to develop a six person governance committee. Park City, represented by Councilman Beerman, was asked to serve. Summit County was not provided a seat, though Councilman Robinson expressed his

acceptance of that decision as long as the committee remained small. Other representatives include Sandy City, Salt Lake County, Salt Lake City, UDOT and Cottonwood Heights.

The Executive Board has been transitioned into a strong Advisory Committee. Councilman Robinson, Summit County, will continue to serve in this capacity.

Staff has also recently been asked to describe the benefits of remaining in the Mountain Accord and is making those benefits available to the Council and Community through this document. Cons have also been included.

Benefits

- Partnering with surrounding agencies and governments create relationships for when we need them most.
- Jointly managing projects increases the likelihood that they will be funded. The Federal government has expressed in preference for projects designed in this manner when providing grant funding across all agencies.
- Specific to the Dashboard, we don't know what we don't know. The Dashboard will provide us a new tool for understanding how our environment is affected by development, recreation and changes in climate.
- Participating has allowed us a better understanding of regional perspectives and needs. It has also done the inverse of teaching other communities about our issues.
- Participating as a member allows us influence areas outside of our jurisdiction, including possible much needed parking and transportation solutions in Salt Lake City.
- Ties our problems (and solutions) to boarder funding packages and negotiations.
- Protects lands adjacent to our boundaries which diversify Park City's offerings as a resort community.
- Mountain Accord is currently the only collaborative process endorsed by various local, state, and federal agencies to evaluate and address land use, water quality, air quality, and transportation at a regional issues scale.

Protections

- Assures that Guardsman Pass road remains in its current condition or at least provides us early information for changing political interests.
- Assures that there is no work around for a train coming into Park City without our explicit involvement and sign off. Empowers our local land-use authority.

Cons

- Park City is currently paying \$100,000 per year in hard costs associated with the Mountain Accord. There are also associated staffing costs.



MANAGER'S REPORT – 3/24/2016

Submitted by: Tommy Youngblood
Subject: Park City Mountain Resort Spring Gruv Concert Operations

On Saturday March 26th, Park City Mountain Resort will be hosting the final event of their Spring Gruv Celebration with an on-mountain concert at the base.

Respectfully:

Tommy Youngblood, Events Coordinator

Manager's Report

Tommy Youngblood

Topic: Spring Gruv Concert Management Plan

On Saturday March 26th Park City Mountain will be hosting the final event of their Spring Gruv Celebration with an on-mountain concert at the base.

The concert headliner is Michael Franti which staff and Park City Mountain staff estimates could draw 5000+ attendees. There is an opening band starting at 4:30pm, the headliner plays from 6pm-8pm.

This activity is reviewed and processed by Special Events along with other winter events at the Park City Base, such as World Cup and Superpipe Events.

The Canyons Resort has hosted this concert in the past and will still retain portions and other related concerts of the Spring Gruv Celebration which runs for a 16 day period. However this is the first year activity will be hosted within city limits. Park City Mountain anticipates more cross resort interactions of this type.

After several meetings between staff and Park City Mountain we anticipate the peak congestion at two periods where we have focused our planning efforts.

The first period is from 3pm – 6pm as people that want to exit Park City Base after the ski day cross with non-skier traffic coming in just for the concert. The challenge will be that 75% - 80% of the existing parking at the Park City Base will be full. Successfully directing guest to available off- resort or Canyons Village parking will be critical.

The second period is after the concert is concluded at 8pm. This should be similar to the load-out pattern from the resort on a high volume skier day.

Staff will be taking this opportunity to put in place a few traffic and transportation management strategies with the goals of:

1. Maintaining a safe and effective travel lanes
2. Giving up-to-date travel and parking information to the public
3. Maximizing use of public transportation to the event

Park City staff including members of Public Safety, Transportation Planning, Transit, Streets, Parking Services and Special Events are working closely with Park City Mountain staff on a multi-tier strategy that will include the following:

- VMS messaging along 224 and 248: Directing to available parking at High School and adjacent district properties
- Barricading of critical corridors around Park City Base to maintain travel lanes
- Deployment of additional Traffic Control Officers

- Increase in Park City Transit capacity for concert
- Addition of Lewis Brother Private Transit to route for additional point to point capacity
- Additional static signs a High School and adjacent district property directing to parking and where to pick up the bus/shuttle
- Canyons Base Area on-mountain messaging
 - a. Static signs in parking lots, on-mountain in plaza, social media pushes messaging advising:
 - “ If you are going to the concert at Park City Base take transit from Canyons”

Staff anticipates the request for more events of this magnitude at the Park City Base. We look forward to implementing and evaluating these measures to find those that are most effective to resolving traffic and transportation concerns.



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the City Council meeting minutes for February 25, 2016, March 3, 2016 and March 9, 2016. Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder



PARK CITY COUNCIL MEETING MINUTES
445 MARSAC
PARK CITY, UT 84060
SUMMIT COUNTY, UTAH

February 25, 2016

The Council of Park City, Summit County, Utah, met in open meeting on February 25, 2016, at 2:15 p.m. in the City Council Chambers.

Council Member Worel moved to close the meeting to discuss property, litigation, and personnel at 2:15 p.m. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

STUDY SESSION

1. Park City Strategic Planning Discussion:

Jed Briggs indicated this session would focus on the priority of being a world class multi-seasonal resort destination. He showed a graph of results taken from an annual survey that indicated the City rated higher than the average benchmark of former years. Discussion ensued with regard to the "good" and "excellent" ratings. The majority of the Council requested that the "excellent" ratings be shown in future analyses so it could be determined if those ratings were increasing.

Briggs reviewed the recent successes and current challenges which were included in the packet materials. Council Member Worel stated she heard it was very difficult to get ice time at the ice arena, which was why the City was considering adding another sheet of ice. Amanda Angevine, Ice Operations Manager, indicated that the ice was booked year round. The challenge of parking at the golf course was also discussed. Council Member Beerman stated a challenge that was gaining momentum was non-resident users of the City's facilities and trails. Council Member Henney wondered if facilities were being built for residents or for the visitors and resorts, and felt that if the focus was on the residents, the visitors and resorts would fare well too. Mayor Thomas thought the focus had been misaligned as the City focused on the tourism component of the community. Council Member Henney hoped the focus could shift back to the community. Council Member Gerber thought focus could be put on the downtown area

1 as well. There was further discussion on the proper focus of the City with regard to this
2 priority.

3
4 Desired Outcomes for this priority were reviewed. Briggs indicated the desired
5 outcomes should be renamed, and he would bring some alternatives back to the
6 Council. He talked about the trends and opportunities shown in the packet and stated
7 these were some things that could be on the horizon and should be considered. Blake
8 Foncesbeck, Public Works Operations Manager, asserted there were some new
9 technologies he was seeing in Transit, including clean emissions and Wi-Fi service in
10 the buses. Discussion ensued on electric buses.

11 **WORK SESSION**

12 **Council Questions and Comments:**

13 Council Member Henney stated he attended Representative Powell's open house at the
14 library, and indicated he was proud of having Representative Powell represent Park City
15 at the Legislature. He attended a Joint Transportation Advisory Board (JTAB) meeting
16 and indicated they were finishing up the studies and moving to the implementation
17 phase. He attended a Long-Range Transportation Planning Executive Committee
18 meeting, and the Council of Governments (COG) meeting, where he heard a
19 presentation on solar power. Council Member Henney also spoke about the Utah
20 Wildland Fire Policy update. He went to the Recycle Utah Board meeting, as well as the
21 Prospectors Square Property Owners Association meeting. He also attended the Park
22 City "Day at the Legislature," and thanked Matt Dias and Ann Laurent for their efforts
23 with that event.

24
25 Council Member Worel indicated she was continuing her orientation with every City
26 department. She attended the transportation meeting. She enjoyed the Consent
27 Training held with the County. She also attended the Park City "Day at the Legislature,"
28 and felt bridges were being built between the entities.

29
30 Council Member Gerber indicated she attended the Historic Park City Alliance (HPCA)
31 meeting, where parking issues were discussed and a Sundance debrief was given. She
32 also attended the Planning Commission meeting.

33
34 Council Member Matsumoto stated she attended the Library Board meeting. She also
35 attended the Historic Preservation Board, and noted they were working on guideline
36 changes and they wanted to get the word out so feedback could be received. She
37 attended the Consent Training and Summit Lands meeting as well.

38
39 Council Member Beerman stated he attended the Legislative Policy meeting, and many
40 meetings with the Mountain Accord, which was restructuring so as to govern it going
41 forward. He attended the Citizens Open Space Advisory Committee (COSAC) meeting,
42 as well as the Park City "Day at the Legislature." Council Member Beerman indicated
43 that Moab, St. George and Provo were interested in matching the Park City energy goal

1 and would like to see a resolution pertaining to that goal that could be used as a
2 template for their cities. He also noted the Community Choice Aggregation (CCA)
3 discussion was continuing, with the group looking for energy alternatives, and stated
4 Summit County would be asking for financial support for this group. He suggested
5 having a discussion with regard to the financial support at an upcoming work meeting.
6

7 Mayor Thomas attended the Consent Training, the Park City “Day at the Legislature,”
8 and he also met with the new director of the Holy Cross Ministries, Maria Harrington,
9 who would begin discussions in this area with regard to poverty issues.
10

11 **2. Community Engagement Quarterly Update 2016:**

12 Phyllis Robinson, Communications and Public Affairs, presented this item. She
13 reviewed that a set of guiding principles were created for community outreach in 2014.
14 Council Member Beerman asked if the City could be multi-channeled, taking advantage
15 of social media to get the word out to the community. Council Member Gerber echoed
16 that thought, asking that different methods be used to reach the different groups within
17 the City. Council Member Henney liked emphasizing community outreach at the early
18 stages of different projects. Council Member Worel favored the proactive aspect of the
19 guiding principles, and felt the City should initiate communication so feedback could be
20 received upfront.
21

22 Robinson reviewed the engagement process and indicated the different methods used
23 in 2015 to reach out to the community – educating the residents on the upcoming
24 projects, events, etc. She also spoke about the use of Twitter and other social media.
25 Robinson discussed the projects planned for 2016 and the outreach involved with those.
26 A possible blog connected to the City website was also proposed. She noted the blog
27 would be good to collect data via surveys.
28

29 Mayor Thomas expressed his support for community engagement and stated the right
30 tool was necessary for each project, event, etc., so the right groups could be reached.
31 Council Member Henney thought that having an hour on KPCW each Friday for
32 discussion on community issues would be excellent. Council Member Gerber liked that
33 idea. She also felt the problem with lack of community engagement should be identified.
34 She thought if the problem was included with the project, the community might be more
35 interested. Another issue was the timing of the outreach meetings, and she suggested
36 lunch meetings or evening meetings might draw more people as opposed to the 5:00
37 p.m. or 6:00 p.m. meeting time slots. Council Member Worel liked the ideas that Council
38 Members Henney and Gerber suggested. She thought it might be valuable to
39 brainstorm more ideas like these in a future work meeting. Council Member Beerman
40 asked if more videos were being produced to educate citizens. Craig Sanchez,
41 Sustainability, indicated there were some videos and they would be shown at the
42 Council retreat. He also felt it was important to share the City’s critical priorities with the
43 community. Council Member Matsumoto agreed with the other Council members and
44 spoke about the “What’s Next?” step.

1
2 Foster indicated that some of the brainstorming sessions could take place at the retreat
3 if the Council desired. Mayor Thomas thought time should be allotted at the retreat for a
4 community outreach discussion. Foster also asked if staff should prepare a State of the
5 City presentation for April.
6

7 **3. Discuss Potential Amendments to Internal Personnel Policies and**
8 **Procedures:**

9 Brooke Moss, Human Resources Manager, presented this item. She reviewed that the
10 Council requested that her team come up with some benefits that might entice
11 employees to stay with the City long-term since the job market was very competitive.
12

13 Council Member Worel asked why subsidized child care was not recommended. Moss
14 stated it was a very expensive benefit, and it would only target part of the employees.
15 Moss indicated the main focus was on the pay plan. Council Member Gerber asked
16 about maternity and paternity leave. Moss indicated six weeks of paid maternity leave
17 was given to full time employees, and paid paternity leave was increased from one
18 week to three weeks last year, but added that her committee could revisit that benefit if
19 the Council so desired. Council Member Beerman stated it was a challenge not to be
20 competitive with other cities. He felt childcare would conform with the City's priorities
21 and suggested partnering with an organization that already provided that care so the
22 City wouldn't have to create its own program. He also thought subsidized housing would
23 be a great incentive for employees to live in town. Council Member Henney asked about
24 the housing allowance. Moss explained that employees living within the three Park City
25 zip codes were eligible for the allowance.
26

27 Foster stated that only 40% percent of job applicants were qualified, so it was
28 imperative that the City remain competitive. Moss stated she hoped the increased pay
29 would help commuters as well as employees that lived in Park City absorb the high
30 costs associated with housing or commuting. Council Member Henney stated he would
31 like to discourage commuting and encourage those that lived in the City by increasing
32 affordable housing options. Rhoda Stauffer, Affordable Housing Specialist, indicated
33 that 20% of full time employees lived within the City limits, 10% lived within the school
34 district boundaries, and the rest lived in the County and valley. There was discussion on
35 the affordable housing dilemma. The Council was supportive of the benefits as
36 presented.
37

38 **4. Discuss Storm Water Utility and User Fee:**

39 Jason Christensen, Public Utilities, presented this item with Clint McAfee, Water
40 Manager. McAfee stated the goal was to use the revenue from the proposed Storm
41 Water User Fee to provide a higher level of service. Christensen stated this was a large
42 system and it was easy to forget about it. Mayor Thomas asked what problems would
43 arise if this higher level of service wasn't performed. McAfee referred to the flooding
44 that took place in 1989. There also was runoff from construction sites and trash in

streams that needed to be cleared. The goal was to keep water free flowing in order to minimize risks. Council Member Beerman stated this program would happen, but the question was how this would be funded. Christensen agreed that many elements of the program were required, but in addition, the maintenance of infrastructure should not be ignored. Council Member Henney asked what the higher level of service included. McAfee stated the City was currently reactionary in dealing with the water systems, noting sink hole repairs and other problems. This fee would increase cleaning programs with a vac truck, requiring more inspections of construction sites, and other services. He noted that most of the expense of offering a higher service would come from hiring additional personnel.

Christensen reviewed the fee estimates of implementing a Storm Water User Fee. He stated this user fee would be assessed in addition to the water impact fee, and it would be tied to the water energy intensity of the property. There was discussion on Equivalent Surface Units (ESUs) and the associated water rates. It was also noted that this fee would be included with property's water bill. Christensen stated that if this fee was implemented, an appeal process would be set up for property owners with extenuating circumstances.

Christensen presented four options to the Council: Option Zero-Don't assess a storm water fee, Option One-Have a low fee that would only cover the MS4 required costs, Option Two- Assess a medium fee that would cover all operational costs, as well as using resort sales tax revenue, and, Option Three- Assess a high fee for all costs, as well as using a small portion of resort sales tax revenue. The Council supported Option Three. McAfee noted that Option Three wouldn't cover capital projects because projects were normally covered by the resort sales tax, and a bond might be necessary at some point. Council Member Henney stated that the resort sales tax could still be used for capital projects if it was unassigned because it could be reassigned as needed.

REGULAR MEETING

II. Roll Call

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

1 **III. Communications and Disclosures from Council and Staff:**

2 Foster indicated that she had considered adding a Council meeting on March 17, but in
3 looking at the workload, she did not recommend adding that meeting. The Council
4 agreed.

5
6 **Manager's Report – McPolin Farm Ecker Hill Middle School (EHMS) Art Class:**

7 No comments were given.

8
9 **Manager's Report – 2015 Building Activity Yearly Report:**

10 No comments were given.
11

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

14 Sarah Pearce, Sundance Institute, expressed her thanks for the City's help with the
15 Sundance Festival by presenting a framed poster signed by award winning filmmakers.
16 She appreciated the support from Council and staff, and gave a special thank you to
17 Dave Gustafson, Chad Root and his team, Michelle Downard, Tate Shaw, the Police
18 Department and Hugh Daniels.

19
20 Bill Humbert, stated he rides the bus eight times a week and thanked the transit group
21 for a job well done. He also wanted to talk about dogs. His daughter and granddaughter
22 were walking and two dogs that were off-leash presented a threat. He felt there was no
23 safe place to walk in Park City without being threatened by off-leash dogs. He thought
24 the irresponsible dog owners were reflecting back on the responsible dog owners, and
25 suggested creating a City animal control department that could go after these
26 irresponsible dog owners. He also suggested ending the pilot program immediately.

27
28 Susan Johnson asked if muzzles could be required for off leash dogs. She also stated
29 she was here on behalf of the Park City youth. She indicated the youth of the City had
30 nowhere to go without spending money, and she recommended establishing a youth rec
31 center. She noted her daughter needed a place to socialize.

32
33 Lori Wilson stated there were house parties that the police had to break up and
34 suggested using the Miner's Hospital for a youth rec center.

35
36 Sonoma Mougenot, 16, replied to Council Member Gerber's comment that teens might
37 not want to go to a teen center, and indicated that if there was, for example, a movie
38 room, ping pong tables and a snack bar, she would go. Council Member Henney asked
39 to hear from a room full of youth.

40
41 Holly Flanders stated she had raised children here for 27 years and had seen kids fall
42 through the cracks, and she thought a youth rec center was a good idea.
43

V. Consideration of Minutes

1. Consideration of a Request to Approve the City Council Meeting Minutes from February 4, 2016 and February 5, 2016:

Council Member Beerman moved to approve the City Council Meeting minutes from February 4, 2016 and February 5, 2016. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VI. Consent Agenda

1. Request to Authorize the City Manager to Execute an Amendment to the Park Avenue Pathways Design and Engineering Agreement with Horrock's Engineering, in a form Approved by the City Attorney, as Change Order No. 1, for an Increase to the Contract in an Amount not to Exceed \$71,188, in a Total Contract Amount not to Exceed \$368,674:

2. Request to Authorize the City Manager to Enter into an Addendum 2 to the Professional Service Provider Agreement in a Form Approved by the City Attorney's Office with MGB+A, in the Amount of Thirty Nine Thousand Nine Hundred Fifty Dollars (\$39,950):

3. Request to Authorize the City Manager to Enter into a Contract in a Form Approved by the City Attorney's Office with Caddis Architectural in an Amount not to Exceed One Hundred and Thirty Seven Thousand, Five Hundred and Sixty Dollars (\$137,560) for Phases II and III of the 1450-1460 Park Avenue Affordable Housing Project:

4. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Horrocks Engineers for Design and Construction Services for the Thaynes Canyon Subdivision Improvements Project in an Amount of \$43,408.00:

5. Request to Authorize the City Manager to Execute Contract Change Order No. 4 to Construction Agreement with Beck Construction and Excavation in a Form Approved by the City Attorney for Additional Construction Services Related to the Construction of Phase 2 for Deer Valley Drive in an Amount up to \$52,475.47 for a New Total Cost of \$963,355:

6. Request to Authorize the City Manager to Execute the Second Amendment to the Professional Services Agreement, in a Form Approved by the City Attorney, with CH2M Hill Engineers, Inc., for Judge and Spiro Tunnels Mining-Influenced-

Water Treatment Evaluation Phases IB-2 and IC Engineering Services and for an Increase to the Agreement in an Amount not to Exceed \$420,000:

7. Request for Authorization to Purchase Mining Influenced Water (M-I-W) Piloting Equipment from Intuitech, Inc. in an Amount of \$77,700 to Support the Treatment Evaluation Being Performed by CH2M for the Judge and Spiro Tunnel Waters:

Council Member Worel moved to approve the Consent Agenda. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VII. Appointments and Resignations

1. Planning Commission Appointment:

Mayor Thomas indicated that Laura Suesser was appointed as a Planning Commission member.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VIII. Old Business

1. 2016 Legislative Update:

Matt Dias, Assistant City Manager, presented this item. He reviewed the bill tracking list that was distributed to the Council, and noted the nightly rental bill was a concern to the City, indicating it was an attempt to take away local authority of where the rentals could be designated and regulated. He also thanked the Council members who attended the legislative event last night and noted he received two thank you emails from Representative Kraig Powell and Senator Kevin Van Tassell.

IX. New Business

1. Consideration of Resolution 02-16, a Resolution Amending Section 10, Miscellaneous Fees, and Replacing and Repealing Resolution 08-14 in its Entirety:

Jenny Diersen, Special Events Coordinator, presented this item. She requested the approval of the special event fee amendments.

Council Member Beerman moved to approve Resolution 02-16, a resolution amending Section 10, Miscellaneous Fees, and replacing and repealing Resolution 08-14 in its entirety. Council Member Gerber seconded the motion.

1 **RESULT: APPROVED**

2 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

3
4 **2. Consideration of Resolution 03-16, a Resolution Creating a Park City**
5 **Municipal Dog 'Task Force' and Appoint the Recommended At-Large Community**
6 **Members to the Park City Dog Task Force:**

7 Heinrich Deters, Sustainability, presented this item. He indicated the task force
8 members included Tod Frohnen, Barbara Maw, Alison Childs, Becky Burns, and Ed
9 Parigian. Council Member Worel asked how many of the applicants owned dogs. It was
10 indicated that four of the five members owned dogs. Deters asked if a Council member
11 would be willing to be a liaison for this task force. Council Member Gerber volunteered
12 to be the liaison.

13
14 Council Member Matsumoto moved to approve Resolution 03-16, a resolution creating
15 a Park City Municipal Dog 'Task Force' and appoint the recommended at-large
16 community members to the Park City Dog 'Task Force' as noted in the staff report, as
17 well as assign Council Member Gerber to be the liaison for this task force with Council
18 Member Henney as an alternate liaison. Council Member Henney seconded the motion.

19 **RESULT: APPROVED**

20 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

21
22 **3. Consideration of Ordinance 16-08, an Ordinance Approving the One Empire**
23 **Pass Condominiums Record of Survey Plat, Located at 8910 Empire Club Drive,**
24 **Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law, and**
25 **Conditions of Approval in a Form Approved by the City Attorney:**

26 Mayor Thomas recused himself for this item because he helped work on a master plan
27 for this project. Kirsten Whetstone, Senior Planner, presented this item. She reported
28 that the Planning Commission forwarded a recommendation to approve this plat
29 amendment.

30
31 Mayor Pro Tem Beerman opened the public hearing.

32
33 Ed Parigian stated there were dark sky ordinances in the town and he hoped the lights
34 would be limited to what was on the books.

35
36 Mayor Pro Tem Beerman closed the public hearing portion of the meeting.

37
38 Whetstone stated this was a conditional use permit and there were design guidelines
39 which the developer had complied with. Council Member Gerber asked if commercial
40 development was proposed in this area. Whetstone stated the development was all
41 residential in this case.

Council Member Matsumoto moved to approve Ordinance 16-08, an Ordinance approving the One Empire Pass Condominiums Record of Survey Plat, located at 8910 Empire Club Drive, Park City, Utah, pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

4. Review the Update from the Design Team of CRSA and Authorize the City Manager to Enter into a Construction Manager at Risk (CMAR) Agreement in a Form Approved by the City Attorney's Office with Hogan and Associates, Inc., in the Amount of Twenty One Thousand Nine Hundred Dollars (\$21,900):

Jonathan Weidenhamer, Economic Development Manager, Steven Cornell, CRSA, Dave Anderson, Hogan Construction, and Brent Goodman, BHB Structural Engineers, presented this item. Weidenhamer also acknowledged that Denise Carey, Golf Coordinator, and Anya Grahn, Planning, also worked on this project. Cornell displayed photos of the barn, and stated the goal was to stabilize the barn so as to make it accessible. They indicated they would be upgrading the snow load capacity on the roof and the building would resist snow, wind and seismic forces.

Council Member Worel asked if this could be an event space. Goodman stated the upgrades were being done for a low occupancy barn so there were no plans for heating and cooling, but there would be lights. It would take a higher upgrade to make it accessible to large groups.

Council Member Henney liked the proposal for the structural upgrade. He stated if the community would like this to be an event space at a later date, another phase could be implemented. Carey stated a survey was distributed and the response was to retain the barn as it was, and 75% of respondents wanted to be able to tour the facility.

Council Member Henney moved to approve the Construction Manager at Risk (CMAR) Agreement in a form approved by the City Attorney's Office with Hogan and Associates, Inc., in the amount of Twenty One Thousand Nine Hundred Dollars (\$21,900). Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

5. Consideration to Authorize the City Manager to Enter into a Professional Service Provider Agreement in a Form Approved by the City Attorney's Office with GSBS Architects, in the Amount of Nine Hundred Fifty Three Thousand Three Hundred Fifteen Dollars (\$953,315) for Phase 2 Schematic Design, Design Development, Construction Documents and Administration:

Council Member Beerman recused himself for this item. Jonathan Weidenhamer, Economic Development Manager, presented this item. David Brems and Clio Rayner from GSBS Architects were also present. Weidenhamer explained that this contract would design the project, including the parking. He requested that the contract be approved for whatever design is approved by the Council.

Council Member Worel asked if the cost of this contract was over and above the project cost. Weidenhamer confirmed that these costs were not included in the project cost and would be about 10% of the project cost, which was very reasonable in his opinion. Council Member Worel was concerned that this agreement might be premature since the community had not voiced their approval. Weidenhamer stated there had been community outreach and he stated additional outreach would continue and the design would be refined based on the continuous feedback.

Council Member Matsumoto remembered that a lot of community outreach was conducted at the end of last year and direction had been given with regard to the scope. Council Member Gerber indicated that staff had distributed letters to the surrounding area noticing a meeting for this project, and she felt a good job had been done with regard to community outreach.

Brems indicated a dual design was being worked on with onsite parking and offsite parking. Council Member Henney shared a concern with the cost, but he felt the Council had made the decision that this project was important. He acknowledged that he was really struggling with the parking cost. Mayor Thomas stated that when the Council received a cost model, a decision would be made and the costs would be reevaluated.

Mayor Thomas opened the meeting for public input.

Thea Leonard stated this project kept expanding, and she wanted the project to keep moving. She noted that she was shocked this project was so expensive and hoped there was a way to bring the project back to a sane amount. She supported having the parking onsite.

Mayor Thomas closed the public input portion of the meeting.

Council Member Matsumoto didn't think this project had gone overboard yet, and it needed to move forward with the soil study so decisions could be made. Further discussion ensued. It was indicated that some of the sales tax resort revenue that would be saved because of a storm water user fee could be used towards this project.

Council Member Worel stated she was open to approving a phased contract with GSBS. Council Member Henney agreed but knew the proposed contract was for up to this certain amount, which was built-in phasing. He favored a contract that spelled out the phases.

Brems explained that this process could go through the dual process through the schematic design. At the end of this phase, a decision would be able to be made with regard to parking.

Council Member Matsumoto moved to approve the process through the schematic design with additional services including the geotech service, approved by staff in an amount not to exceed \$240,000 with GSBS Architects. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, and Matsumoto

NAY: Council Member Worel

RECUSED: Council Member Beerman

X. Adjournment

With no further business, the meeting was adjourned.

Michelle Kellogg, Park City Recorder



PARK CITY COUNCIL MEETING SUMMARY

445 MARSAC AVENUE

PARK CITY, UT 84060

SUMMIT COUNTY, UTAH

March 3, 2016

The Council of Park City, Summit County, Utah, met in open meeting on March 3, 2016, at 2:00 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property, litigation, and security at 2:00 p.m. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Matsumoto moved to adjourn from Closed Meeting. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

STUDY SESSION

1. Park City Strategic Planning Discussion:

Jed Briggs, Budget Operations Manager, indicated this session focus on the City priority of having an inclusive community that values historic preservation, economic diversity, and the arts and culture. The Council discussed proposed changes to the desired outcomes for this priority. Briggs noted he would break out Key Indicators to show the "Excellent" ratings, and would send that out as part of the retreat packet. He noted the increase in building permits over the past five years, the rise in library attendance, the increase in Planning applications, etc. Briggs reviewed the recent successes listed in the packet, as well as the challenges in this priority. The Council gave suggestions for the different bullet points. Briggs displayed the Trends and Opportunities. Affordable housing was discussed as well as recreation facilities and programs as a means for bringing the community together. Council Member Worel stated being welcoming to the Latino community would be another goal for the City.

Briggs then reviewed the staff action plan. Nate Rockwood, Capital Budget Manager, then explained the 10 year projection of the City's financial condition. He noted that sales tax revenue and property tax revenue had been equal in former years, but the growth in the economy had boosted sales tax revenue, which now comprised 36% of the City's total revenue. He indicated that sales tax revenue was a more volatile source of income and if it diminished in the future, projects would have to be reevaluated.

Rockwood displayed the budget compared to short term projections, and noted the Building, Planning, and Engineering (BPE) fees were also volatile, depending on the year, and were a very unstable revenue source. He indicated that the budget looked very good overall, and stated one issue was that some sources of revenue could not go into the General Fund, so a challenge was to accommodate the demand growth with a fixed General Fund base. It was indicated that further discussion on this topic would take place next week at the Council Retreat.

WORK SESSION

2. 2016 Monthly Energy Update: Part One – Georgetown University Energy Prize:

Matt Abbott, Sustainability, and Mary Christa Smith, Project Manager of the Georgetown Energy Prize for this area, Summit Community Power Works, presented this item. Smith reviewed that Summit County and Park City combined to compete for a \$5 million prize for the entity that reduced its energy use the most, between January, 2015, and December, 2016. Four strategic initiatives were the focus of this project: LED light bulbs, smart thermostats, weatherization education and a solar energy program. Stakeholder groups included residents, local government and schools. She reviewed the progress of the stakeholders with regard to each of the initiatives. Smith felt that this project united the community in reaching the City's energy goal. She thought the free market helped make the program a success, and she related the savings achieved by schools and businesses that changed their lights to LED.

3. Discuss Potential Funding Options for Anticipated Transit, Transportation and Parking Improvements

Nate Rockwood, Capital Budget Manager, and Alfred Knotts, Transportation Planning Manager, presented this item. It was indicated that the City was working with the County to reach solutions to transportation problems. Knotts reviewed the significant priority projects. The SR 248 Congestion Relief and Safety Improvement Project included adding HOV lanes, having access improvements to Richardson Flat, school crossing improvements and Bonanza Drive/SR 248 intersection improvements. The SR 224 Multi-Modal Corridor Enhancement Project would include HOV lanes, pedestrian crossing, signal preemption and SR224/Kearns intersection improvements. Knotts noted that his team was still waiting for the final results of the transportation study and the associated recommendations. Another project was Transit Centers and Park and Ride Lots, which would include land acquisition, transit centers at Park City Heights/Quinn's Junction, Park City Mountain Resort (PCMR) and Bonanza Park, a parking structure, access improvements, passenger amenities and Intelligent Transportation Systems (ITS) infrastructure. Other improvement possibilities were Silver King/Empire intersection improvements, Deer Valley Drive/ Bonanza Drive intersection improvements, Deer Valley Drive/ Empire Avenue/ Park Avenue intersection improvements, aerial connections, and regional transit connections.

1 Rockwood noted some funding options for these projects that Summit County
2 presented, included a property tax levy, a quarter cent sales tax, a county option for
3 mass transit or fixed guideway, and a county tax that would go into a state pool to be
4 distributed according to need.

5
6 Options for taxes the City could levy, that would align with the County taxes, included a
7 quarter cent transit sales tax. This option would require a vote from the public. Another
8 option was a 1% Transient Room Tax (TRT) for transit and could be enacted by a City
9 Council vote. Council Member Henney asked if this tax could support a bond.

10 Rockwood stated the majority of the funds could be dedicated to the bond in order to
11 strengthen the bond rating. Federal and State grants would be other options to fund
12 these projects. Another option would be to assess a property tax and then transfer
13 those funds into the Transportation Fund. Other funding options included paid parking
14 revenue, collaborating with regional partners, having public/private partnerships,
15 increasing business license fees for transit, and instituting a fare.

16
17 Council Member Henney stated the general obligation bonds were tied to a property tax
18 increase, which would put a burden on the taxpayer. He wondered who the Council
19 wanted to put the burden on, whether it would be the property owners, sales tax on all
20 who buy within the City limits, or nightly visitors. Council Member Beerman stated the
21 GEO bonds wouldn't handle the operating costs. He hoped to have more details to
22 present to the community once the study was finalized. He asked what the timing for
23 this recommendation would be. Knotts stated a recommendation would come before the
24 Council on the 24th of this month. Foster stated a joint meeting with the County Council
25 would take place in April to discuss this issue further.

26
27 Council Member Worel asked when the final studies would be done. Knotts stated the
28 studies would be finalized by the end of March to the middle of April. Council Member
29 Worel felt it was important that the day visitors should share in the cost as well as those
30 that lived in the community. Council Member Matsumoto felt the SR248 and SR224
31 improvements were both safety related. She understood that a combination of funding
32 sources was needed. She thought the Transient Room Tax (TRT) could be one source
33 and recognized other sources would be needed as well. Knotts stated with the TRT, the
34 Council could decide what portion of that would be used for these projects. He also
35 indicated that because of the safety reasons for this project, more funding options would
36 be available.

37
38 **4. Discuss the Citizens Open Space Advisory Committee's (COSAC)**
39 **Recommendation Associated with the Proposed Preservation Easement on the**
40 **Clark Ranch Properties:**

41 Heinrich Deters, Sustainability, Meg Ryan, Utah League of Cities and Towns (ULCT),
42 Steve Joyce, Planning Commission, and Wendy Fisher, Utah Open Lands, presented
43 this item on behalf of Citizens Open Space Advisory Committee (COSAC). Ryan stated
44 the Council asked the committee last year to recommend options for this parcel. They

asked two questions: Should we consider the east side of Clark Ranch for a conservation easement, and, What value would the whole parcel have if it was all set aside as a conservation easement. Ryan reviewed the process the committee engaged in to get to the recommendation. Three things were presented for the Council to consider: Preserve, protect the corridor and wiggle room for uses for this parcel. She displayed a map of the area, and stated growth was coming to the City. She thought this parcel might be the only open space between Kimball Junction and Jordanelle in 10 years. Joyce stated indicated the committee used four areas as criteria for their decision: Recreation, Aesthetics, Critical Conservation and Community Character, and he reviewed each area considered. He stated the committee's recommendation was to preserve both the east and west sides of the Clark Ranch property. He suggested that if the Council did construct buildings on this parcel, a good place would be adjacent to the Park City Heights subdivision. Other recommendations were also displayed in his presentation.

Mayor Thomas stated the Council felt this property was important. Council Member Beerman stated COSAC was a dedicated group and had spent a year analyzing these properties. He knew this recommendation was made with a lot of premeditation and thought. He thanked the committee for all their work.

REGULAR MEETING

I. Roll Call

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

Council Questions and Comments:

Council Member Matsumoto stated she attended the Historic Preservation Board meeting, noting that it was difficult and some tough decisions were made.

Council Member Gerber indicated she attended the Ice Rink 10th Anniversary, the Mountain Recreation meeting at the MARC, the Park City Area Lodging Association meeting, and the Planning Commission meeting.

Council Member Beerman stated he went to the Capitol for a Legislative Policy meeting, and updated the Council that the Nightly Rental bill had been pushed to the Interim Session. He spoke with the interim CEO of UTA, and indicated that UTA was involved in major restructuring. The CEO was pleased with the Salt Lake Connect program and asserted that he would like to work with Park City to bring a bus up to Park City from the airport. Council Member Beerman also attended the GOED meeting on hyperloop technology. He also looked at the General Plan, Natural Environment section, per the Council's request, and recommended that some sections be amended in order to comply with the City's current goals. Harrington suggested the Planning Commission start that process.

Council Member Henney stated he attended the Dog Task Force meeting and the Recreation Advisory Board meeting. He noted that a bill in Oregon was passed requiring the public utilities to get off coal in the next 13 years. He was encouraged by this energy bill and hoped for the same for Utah.

Council Member Worel indicated she went to a community open house for Park City Tots. The facility was already full for infants and was projected to be totally full by the end of August. She felt this spoke to the needs of the community with regard to affordable child care.

Mayor Thomas stated he went to the Legislative Policy meeting, a Utah Valley University (UVU) discussion on their expansion, the GOED meeting and the Park City Historical Society meeting.

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Manager's Report - Public Lighting Update:

Council Member Worel asked for clarification as to why the City was not meeting the standards. Matt Cassel, City Engineer, stated there were urban standards for lighting and he did not think Park City wanted to meet those standards because he didn't think of Park City as an urban entity; but he indicated he would look at that more carefully. Council Member Henney asked why the standard wasn't necessarily a requirement. Cassel asserted the lighting standard was not a requirement, but noted that if someone tripped and hurt themselves, the City might be liable if it didn't meet the standard. Council Member Beerman asked if there was a cost to remove and dispose of the old lighting. It was noted that the cost was \$300 per light.

2. Manager's Report - Skating Instructor Success:

No comments were given.

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

No comments were given.

1 **IV. CONSIDERATION OF MINUTES**

2 **1. Consideration of a Request to Approve the City Council Meeting Minutes**
3 **from February 11, 2016:**

4 Council Member Gerber moved to approve the City Council Meeting minutes from
5 February 11, 2016. Council Member Matsumoto seconded the motion.

6 **RESULT: APPROVED**

7 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

8
9 **V. CONSENT AGENDA**

10 **1. Consideration to Approve an Amendment to the BOARD Software**
11 **Maintenance Contract Entered into with Neubrain, with the Total Cost of the**
12 **Maintenance Extension Being \$16,719.84:**

13
14 **2. Request to Authorize the City Manager to Execute a Service Provider**
15 **Agreement with the Historic Park City Alliance to Continue to Provide Business**
16 **Promotion Activities Within the Main Street Business Improvement District in**
17 **Which the City Collects a \$243 Tax Levied on the Qualified Businesses Within the**
18 **District and Redistributes the Total Collection to the Service Provider on an**
19 **Annual Basis:**

20
21 Council Member Henney moved to approve the Consent Agenda. Council Member
22 Beerman seconded the motion.

23 **RESULT: APPROVED**

24 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

25
26 **VI. OLD BUSINESS**

27 **1. 2016 Legislative Update - Week 5:**

28 Mayor Thomas thanked Matt Dias, Assistant City Manager, for his work at the
29 Legislature. Dias stated the Nightly Rental bill would not pass this year. The downside
30 to this was that the bill was now in an interim committee, so it could come back next
31 year. He indicated the biggest challenge at the Legislature now was the Internet Sales
32 Tax bill. Council Member Matsumoto asked about the Reusable Bag bill. Dias indicated
33 that if the Reusable Bag bill passed, a \$.10 tax would be put on each plastic bag filled
34 with products at all stores in Utah, but he noted that he didn't think it would pass.

35
36 **VII. NEW BUSINESS**

37 **1. Consideration of Amending Municipal Code of Park City Title 11, Chapter**
38 **13, Section 1 et seq as it Pertains to the Imposition of Water Impact Fees on**
39 **Outdoor Dining Areas:**

Jonathan Weidenhamer, Economic Development Manager, stated outdoor dining areas did not contribute to a high water demand, so he recommended that these areas be put on a special fee schedule. He indicated that if the Council was amenable to this, Clint McAfee, Water Manager, would bring back an amendment for approval. Council Member Henney asked who initiated this proposed amendment. Weidenhamer stated the restaurants brought this to the City's attention. McAfee reviewed the history of the fees for dining areas.

Council Member Beerman disclosed that he was a landlord for a restaurant with outdoor dining. He stated that outdoor dining had a very short season here, so an impact fee was not equitable with other restaurants. McAfee stated that data was taken on restaurant sales and the peak demand was in the winter, when outdoor dining was not offered. Council Member Beerman stated the restaurant was still receiving revenue and every little bit would contribute to the water systems. McAfee indicated the outdoor dining area impact was very small.

Mayor Thomas stated currently the City was collecting fees from outdoor dining, and asked what would be the consequence of amending the fee. Weidenhamer stated that would be hard to project, but the Water Department did not predict an impact for these users. Discussion ensued with regard to this topic.

Mayor Thomas opened the meeting for a public hearing.

Allison Kuhlown-Butz, Historic Park City Alliance, asked the Council to consider amendments for other parts of town as well.

Mayor Thomas closed the public hearing portion of the meeting.

Council Member Beerman stated he thought these fees were too high, but in fairness, a small fee should be required. Council Member Henney agreed and asked if some options could be brought back for policy recommendations. McAfee stated the code would strike "including outdoor decks" and it would be under the non-standard use category.

Tom Daley stated the idea was to give the Building Official discretion as to when to charge the impact fee. He felt this would encourage more outdoor dining areas.

The Council was in favor of having an amended policy brought back for approval.

Council Member Henney moved to approve the consideration of amending the Water Impact Fee Schedule to move outdoor dining decks into a non-standard formula. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

2. Consideration to Approve the Level Three Special Event Permit for Thin Air Innovation Festival, Scheduled to be Held April 6-8, 2016 with a Road Closure on Lower Main Street, from 7th Street to 9th Street, on Thursday and Friday April 7-8, 2016:

Jenny Diersen, Special Events, and Bob Kollar, Chamber of Commerce, presented this item. Kollar reviewed the agenda for the festival and indicated it was hoped that this would become an annual event. It was noted that this event was brought up at the Special Events Advisory Committee (SEAC) and no concerns were raised.

Council Member Worel indicated she was in favor of the event. She asked what the impact to merchants on lower Main Street would be when the streets were closed. Diersen indicated merchants were notified and there were no complaints.

Mayor Thomas opened the public hearing portion of the meeting.

Allison Butz, Historic Park City Alliance, stated the committee reviewed the event and they were in favor of having this event.

Mayor Thomas closed the public hearing portion of the meeting.

Council Member Beerman moved to approve the Level Three Special Event Permit for Thin Air Innovation Festival, scheduled to be held April 6-8, 2016 with a Road Closure on Lower Main Street, from 7th Street to 9th Street, on Thursday and Friday April 7-8, 2016. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

3. Consideration of Ordinance No. 16-09, an Ordinance Approving a Zoning Map Amendment from Historic Residential (HR-1) District to Residential (R-1) District at 408/410/412 Deer Valley Loop Pursuant to Findings of Fact and Conclusions of Law in a Form Approved by the City Attorney:

Francisco Astorga, Planning Department, indicated the applicants requested a rezoning of the lots because of access reasons. They also requested a plat amendment to consolidate the three lots to two lots. The access would still be from Deer Valley Loop Road. Also, no duplexes would be allowed on the lots. He noted in changing the zoning district, it would change what was allowed and not allowed. One change would be that a triplex would be a conditional use.

Council Member Beerman asked about the mine shafts. Astorga stated they were platted in the 2009 survey, and indicated that if a structure was to be built over it, a structural engineer would need to verify that the mine was closed properly and the land could support a structure. Council Member Matsumoto referred to the map in the packet and confirmed the surrounding area was already zoned R-1 Residential. Astorga confirmed the area on the map that was being changed.

Mayor Thomas opened the public hearing portion of the meeting for Item Three of the agenda. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Mayor Thomas opened the public hearing portion of the meeting for Item Four on the agenda. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Worel moved to approve Ordinance No. 16-09, an Ordinance approving a Zoning Map Amendment from Historic Residential (HR-1) District to Residential (R-1) District at 408/410/412 Deer Valley Loop pursuant to findings of fact and conclusions of law in a form approved by the City Attorney. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

4. Consideration of Ordinance No. 16-10, an Ordinance Approving the Gateway Estates Replat - Second Amended Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

The public hearing for this item was held in conjunction with the prior agenda item.

Council Member Worel moved to approve Ordinance No. 16-10, an Ordinance approving the Gateway Estates Replat - Second Amended Plat Amendment pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

5. Consideration of Ordinance 16-11, an Ordinance Approving the Lodges at Deer Valley Phase One, First Amended Record of Survey Plat, Utah Expandable Condominium Project Located at 2900 Deer Valley Drive, Park City Utah, Based

on the Findings of Fact, Conclusions of Law and Conditions of Approval (A)

Public Hearing (B) Action:

Makena Hawley, Planning Department, presented this item, and indicated The Lodges at Deer Valley had requested this amendment to turn the assigned parking into common area.

Mayor Thomas opened the public hearing portion of the meeting. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Matsumoto moved to approve Ordinance 16-11, an Ordinance approving the Lodges at Deer Valley Phase One, First Amended Record of Survey Plat, Utah Expandable Condominium Project located at 2900 Deer Valley Drive, Park City Utah, based on the findings of fact, conclusions of law and conditions of approval.

Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

6. Consideration of Ordinance 16-12, an Ordinance Approving the 1043 and 1049 Park Avenue Plat Amendment, Located at the 1043 and 1049 Park Avenue, Park City, UT Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Anya Grahn, Planning Department, presented this item. She indicated this amended plat would remove some interior lot lines and the City would receive some snow storage easements.

Mayor Thomas opened the public hearing portion of the meeting. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Gerber moved to approve Ordinance 16-12, an Ordinance approving the 1043 and 1049 Park Avenue Plat Amendment, located at the 1043 and 1049 Park Avenue, Park City, UT, pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, Park City Recorder



PARK CITY COUNCIL MEETING MINUTES

445 MARSAC AVENUE

PARK CITY, UT 84060

SUMMIT COUNTY, UTAH

March 9, 2016

The Council of Park City, Summit County, Utah, met in open meeting on March 9, 2016, at 12:20 p.m. in the City Council Chambers.

Roll Call

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

WORK SESSION

1. Open Meetings Training:

Polly Samuels McLean, Legal Department, led a training session on the Open Meetings Act. She indicated the State mandated the training annually. Mark Harrington, City Attorney, noted that these group trainings were required even if Council members had received the training individually with the League of Cities and Towns. At the conclusion of the training, the Council went into Closed Meeting.

Council Member Henney moved to close the meeting to discuss personnel at 1:10 p.m. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Matsumoto moved to adjourn from Closed Meeting. Council Member Beerman seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

1 **ADJOURNMENT**

2 With no further business, the meeting was adjourned.
3
4
5
6

Michelle Kellogg, Park City Recorder

DRAFT



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

In support of Council's Goal of Historic Preservation, staff is proceeding with the Historic District Design Review through the Planning Department and Historic Preservation Board approvals for the McPolin Barn Structural Upgrades project.

Respectfully:

Matthew Twombly, Senior Project Manager



City Council Staff Report

Subject: McPolin Barn Structural Upgrade -
Historic District Design Review - Historic
Preservation Board Review

Author: Matthew A. Twombly

Department: Sustainability

Date: March 24, 2016

Type of Item: Administrative – Award of Contract

Summary Recommendations:

Allow staff to proceed with the McPolin Barn Structural Upgrade project's Historic District Design Review (HDDR), and have the Historic Preservation Board (HPB) participate in the HDDR beyond the required HPB approval for the Material Deconstruction work necessary outlined in Land Management Code (LMC) 15-11-12.5.

Executive Summary:

On February 25, 2016, Council discussed the proposed structural upgrades as presented by CRSA and awarded the Construction Manager at Risk contract to Hogan Construction to proceed with the McPolin Barn Structural Upgrades. In order to proceed with the structural upgrades, the team submitted an HDDR application for Planning and HPB review. The structural upgrades to the McPolin Barn help to meet City Council's desired outcomes, notably historic preservation, on arguably the Community most iconic manmade historic structure.

Acronyms in this Report:

HDDR	Historic District Design Review
HPB	Historic Preservation Board
PCMC	Park City Municipal Corporation
RFP	Request for Proposals

Background:

In February 2015, Council expressed its overt commitment to protecting and preserving the McPolin Barn structure via a structural retrofit. At the June 11, 2015, Council meeting, staff presented a Manager's Report with an overview of the various retrofit options. Staff recommended a code level upgrade, which was consistent with the draft preservation plan being conducted by the City's Historic Planners in the City's Planning Department. The code level upgrade maintains existing uses, allows temporary occupation (guided tours only) of less than 50 people, and requires no new systems (i.e. mechanical) for human occupancy or uses such as offices or other. In other words, Council and staff agreed to maintain the existing level of uses for the historic and iconic structure. This level of upgrade, however, in no way precludes additional upgrades in the future if additional uses were necessary.

On February 25, 2016, Council reviewed the update from the design team of CRSA. The upgrades include the installation of steel framing at three locations on the interior of the building. The steel framing will be attached to new micropile footings in the crawl space under the Barn. The framing will also attach to new sheer walls from the foundation to the roof inside the building. There will also be new trusses installed on the inside to support the roof and attach to the steel framing. All of the work will be interior to the building except that sections of the roof and shingles will need to be de/reconstructed to install these improvements.

Staff believes the proposed upgrades best addresses Council direction to preserve and protect the Barn without requiring changing the existing Conditional Use Permit, while allowing a limited number of people to tour the inside of the barn. The upgrades will not allow the building to be “occupied” for any other uses such as an office, meetings... To upgrade for “occupancy” would be significantly impactful and expensive to bring the building up to all the Building Codes. Mechanical systems, electrical systems, plumbing, restrooms, lighting, elevator, insulation, flooring, finishes... It would no longer be an old barn.

Analysis:

In order to proceed with the structural upgrades to the Barn, staff has begun the Planning Department process which includes administrative HDDR) through Planning staff and HPB approval for dis/reassembly of a historic building on a Landmark Site. Material Deconstruction work outlined in Land Management Code (LMC) 15-11-12.5 shall be reviewed by the HPB as part of the HDDR approval process.

Per LMC 15-11-6(A), the HPB may, at the direction of City Council, participate in the design review of any City-owned project located within the designated Historic District. In the recent past and for example, the HPB has provided design review input on the Park City Library renovation. The Barn is not in the Historic District; however, staff felt it appropriate that the HPB provide design review input on the proposed structural upgrades as they will already review the material deconstruction work on the Landmark Building and the proposed upgrades help explain the de/reconstruction of the roof. Staff anticipates the HPB to review the McPolin Barn HDDR at the April 6, 2016, meeting.

Department Review:

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

Alternatives:

A. Approve:

Approve the request, and allow the Historic Preservation Board to participate in the Historic District Design Review of the McPolin Barn: **(Staff recommendation)**

B. Deny:

Council could choose to not continue with the project at this time.

C. Modify:

Council could choose to modify the project, which would likely delay the schedule.

D. Continue the Item:

Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.

E. Do Nothing:

Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Varied and extensive event offerings + Multi-seasonal destination for recreational opportunities + Internationally recognized & respected brand	+ Abundant preserved and publicly-accessible open space + Enhanced conservation efforts for new and rehabilitated buildings - Reduced municipal, business and community carbon footprints	+ Preserved and celebrated history; protected National Historic District + Entire population utilizes community amenities + Community gathering spaces and places + Entire population utilizes community amenities + Vibrant arts and culture offerings	+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Positive 	Very Positive 	Positive 
Comments:				

Funding Source:

There is currently approximately \$800,000 budgeted for the project, with additional funding requested in next year's CIP request. McPolin Farm, Sustainability, Planning, Building, Budget, Public Utilities, Public Works and on a limited basis other City staff resources will be required to complete the project.

Recommendation:

Staff recommends that the City Council allow staff to proceed with the McPolin Barn Structural Upgrade project HDDR and have the HPB participate in the HDDR beyond the required HPB approval for Material Deconstruction work outlined in Land Management Code (LMC) 15-11-12.5.



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

Staff will provide a verbal update regarding the 2016 Legislative Session, as well as provide an updated bill tracking spreadsheet at the meeting for Council review.

Respectfully:

Michelle Kellogg, City Recorder



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

During adoption of the Energy Critical Priority Goal, Council expressed interest in having other communities join us in reducing their carbon footprint. In January 2016, Mayor Jackie Biskupski announced that Salt Lake City is joining us in achieving a net-zero carbon community by 2032. Staff and elected officials have been contacted about other cities interest in joining the goal. This resolution invites those communities to join us and provides them a resolution for their Council's adoption. A sample, second resolution is included for other communities to use. This draft resolution will allow interested parties a way to initiate the conversation with their staff and other Council members.

Respectfully:

Ann Ober, Community Relations



City Council Staff Report

Subject: Energy Critical Priority – Resolution
Author: Ann Ober
Department: Executive/Sustainability
Date: March 24, 2016
Type of Item: Administrative

Summary Recommendation

Adoption of a resolution inviting other local governments to join Park City in its goals for the City to be net-zero carbon by 2022 and the Community be net-zero carbon by 2032. Approval of a separate draft resolution for other communities interested in joining us in this challenge.

Executive Summary

During adoption of the Energy Critical Priority Goal, Council expressed interest in having other communities join us in reducing their carbon footprint. In January 2016, Mayor Jackie Biskupski announced that Salt Lake City is joining us in achieving a net-zero carbon community by 2032. Staff and elected officials have been contacted about other cities interest in joining the goal. This resolution invites those communities to join us and provides them a resolution for their Council's adoption. A sample, second resolution is included for other communities to use. This draft resolution will allow interested parties a way to initiate the conversation with their staff and other Council members.

The Problem

- Park City is a relatively small community. In order to affect Climate Change, we must have other communities join us in achieving a no carbon lifestyle as soon as possible.
- Moving our energy sources to clean energy will have a very small impact on the broader portfolio of Rocky Mountain Power.
- Other communities do not have the resources available to Park City to achieve this goal. They need partners to make many of the large lifts.

Background

- On September 24, 2015 City Council elevated Energy to a Critical Priority and set a goal of net zero carbon emissions for municipal operations by 2022 and citywide by 2032.
- On February 25, 2016 City Council requested that a resolution be drafted and presented to Council specific to our Energy Critical Priority, inviting other communities to join us in our goal.
- This resolution is also serving as the March 2016 Energy Critical Priority Update.
- Past Energy Critical Priority Updates may be found at:

<u>Date</u>	<u>Item</u>
September 3, 2015	City Council requested that staff return to discuss the possibility of elevating Carbon Reduction and/or Energy Conservation to a Critical Priority
September 24, 2015	City Council Critical Priorities: Should carbon reduction and/or energy conservation be added as a third Critical Priority? (pg. 33)
October 29, 2015	Monthly Update: Carbon Reduction & Energy Conservation (pg. 141)
November 19, 2015	Monthly Energy Update: Background Discussion (pg. 4)
December 17, 2015	Monthly Energy Update: Road Map (pg.37)
January 28, 2016	Monthly Energy Update: Utilities (pg. 23)
March 3, 2016	Monthly Energy Update: Georgetown University Energy Prize (pg. 62)

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Adopt the proposed resolution and approve the draft resolution for other communities.

Pros

- a. The draft resolution provides Mayor's and Councilmembers interested in joining us in our 2022 and 2032 goals an easy forum for introducing the topic to their other elected officials.
- b. Participation by other communities will dramatically affect the amount of carbon reduction we achieve. Pressure from more conservative communities could also place pressure at the state level to change our broader portfolio.
- c. Setting an aggressive goal provides staff with a clear target to achieve.

Cons

- a. Taking a leadership role on a topic that is unpopular in the state could negatively impact relationships at the state legislature and in surrounding, more conservative communities.
 - b. If the goal is not met, having adopted a resolution will make *not* meeting the goal more visible to the public.
- 2. Null Alternative:** If nothing is done, than fewer communities are likely to join us in this goal.
 - 3. Other Alternatives?** We could also just meet with other government agencies, staff to staff. However, this is unlikely to move communities in the same way as a Council push through a formal resolution.

Department Review

Legal and Executive

Funding Source

No funding is required for or by this resolution.

Attachments

- A RESOLUTION BY THE PARK CITY COUNCIL TO ACHIEVE NET-ZERO CARBON BY 2022 FOR THE MUNICIPAL GOVERNMENT AND BY 2032 FOR

THE BROADER COMMUNITY AND FOR PARK CITY TO INVITE OTHER LOCAL GOVERNMENTS TO JOIN US WITH THE GOAL.

RESOLUTION NO. 04-16

A RESOLUTION BY THE PARK CITY COUNCIL TO ACHIEVE NET-ZERO CARBON BY 2022 FOR THE MUNICIPAL GOVERNMENT AND BY 2032 FOR THE BROADER COMMUNITY AND FOR PARK CITY TO INVITE OTHER LOCAL GOVERNMENTS TO JOIN US WITH THE GOAL

WHEREAS, Climate Change is deeply affecting our community through changes in weather patterns including droughts, volatile snow events, and warmer temperatures; and

WHEREAS, Park City is nestled in the Wasatch Range and is dependent on world class snow and moderate temperatures to sustain our resort economy and support our high quality of life; and

WHEREAS, our community has expressed deep concerns for the environment we live in. Many citizens have chosen to move to Park City because of our beautiful natural setting, clean air, expansive open spaces, and snow covered mountains; and

WHEREAS, local governments are the front line of the climate change. The federal government has found success working with local governments to address climate change. Grassroots efforts are nimble and more directly affected by the impacts of Climate Change; and

WHEREAS, our community came out with strong support, asking that we address this issue, not just for our municipal government, but for our broader community impact; and

WHEREAS, as a resort community, we have an opportunity to broadly influence opinions on Climate Change. We are an international brand known for our natural setting and recreation.

WHEREAS, we have a disproportionately sized carbon footprint due our cool climate, large homes, visitor travel, and high quality of life. This is not sustainable utilizing our current energy sources; and

WHEREAS, Park City cannot solve Climate Change alone. We need other communities to join us in solving Climate Change as soon as possible.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of Park City and the Park City City Council strongly urge other local governments to join us in our goal of becoming a net-zero carbon government agency by 2022 and a net-zero carbon community by 2032.

FURTHER, BE IT RESOLVED, that the City distribute the attached resolution to other interested communities for their approval.

PASSED by the City Council of Park City this ____ day of _____, 2016.

RESOLUTION NO. __ of 2016

A RESOLUTION BY THE _____ MAYOR AND CITY COUNCIL TO
ACHIEVE NET-ZERO CARBON BY 2022 FOR THE MUNICIPAL GOVERNMENT AND BY
2032 FOR THEIR BROADER COMMUNITY.

WHEREAS, Climate Change is deeply affecting our community through changes in
weather patterns including droughts, volatile precipitation events, and warmer temperatures;
and

WHEREAS, _____ is dependent on our current climate conditions; and

WHEREAS, our community has formed around the natural settings we exist in and
cherish the opportunity to recreate and engage with that natural setting for their quality of life;
and

WHEREAS, local governments are the front line of the climate change. The federal
government has found success working with local governments to address climate change.
Grassroots efforts are nimble and more directly affected by the impacts of Climate Change;
and

WHEREAS, we advertise as a state all over the world to encourage people to move to or
visit Utah for our natural setting; and

WHEREAS, Park City recently set an audacious goal of achieving net zero as a
government agency by 2022 and as a community by 2032.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of _____ and the

_____ City Council direct staff to become a net-zero carbon government agency by 2022
and a net-zero carbon community by 2032.

PASSED by the City Council of _____ this ____ day of _____, 2016.



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

Staff requests the City Council review and approve an amendment to, Park City Municipal Code 4-8 passed January 28, 2016. The amendment adds Public Safety Personnel to Park City Municipal Code 4-8-9, with regards to City Service fee reduction and clarifies minor grammatical edits.

Respectfully:

Jennifer Diersen,



City Council Staff Report

Subject: Title 4, Chapter 8 Special Event Code Amendment
Author: Minda Stockdale, Special Events Department Intern
Jenny Diersen, Special Events Coordinator
Jason Glidden, Economic Development Project Manager
Department: Sustainability
Date: Thursday, March 24, 2015
Type of Item: Legislative

Summary Recommendations:

Staff requests the City Council review and approve an amendment to, Park City Municipal Code 4-8 passed January 28, 2016. The amendment adds Public Safety Personnel to Park City Municipal Code 4-8-9, with regards to City Service fee reduction and clarifies minor grammatical edits.

Executive Summary:

Staff is requesting an amendment to the ordinance making changes to Municipal Code Chapter 8 of Title 4, for section 4-8-9 Fee Reductions, as well as minor grammatical edits for clarity (Attachment 1). This amendment will add 'Public safety personnel' fees as eligible for fee reductions through the fee reduction process. The amendment will also add clarity to language in the code for when an event should be permitted as 'series' event.

Background:

On January 28, 2016, staff reported to Council with updates on a Fee Reduction policy (Attachment 2):

Fee Reductions – Currently, the City uses the fee waiver request process as a tool to help facilitate events. Fee waiver requests currently are evaluated and reviewed on an event-by-event basis. As the Special Events Department has improved its accounting and tracking of city service costs required for events, fee waiver requests have become a necessary option for event organizers, especially those in the non-profit sector and our community partners, which host more than 70% of events. The proposed edits to fee reduction policy in the Code will provide clarity on a fee reduction process for both the event organizer and City Departments. The proposed process will evaluate reduction requests on a bi-annual basis, and will continue to follow the City's Purchasing Policy including when it is necessary for City Manager or City Council approval. The recommended changes also include criteria used by SEAC and City staff to evaluate and recommend level of city services to be provided to an event. Special Events staff is working to establish a threshold of requested waived city service costs above which SEAC would review and provide a recommendation. Recommended changes reflect the Fee Reduction Policy (Attachment 2), which Special Events staff has developed based on tracking of city service costs required for events, which for fiscal year 2015 was approximately two hundred thousand dollars (\$200,000).

Staff intended for 'Public Safety Personnel' to be included in Code redlines to Chapter 8 of Title 4, approved January 28. As report exhibits indicated on January 28th (Attachment 2), fee reductions include 'Public safety personnel' fees as eligible for reduction. Staff is returning to ensure this item is consistent in Municipal Code, as 'Public safety personnel' list item was omitted from the original code amendment attachment (Attachment 1).

Public Safety Personnel fees are included for consideration in the current Fee Waiver process. Moving forward to the Fee Reduction process, which will begin for events starting July 1, and policy as outlined in the code amendments which were approved on January 28th, Public Safety Personnel fees were included in the estimated total cost of city services that are reduced annually for special events. For fiscal year 2015 total for all reduced City Service fees was approximately two hundred thousand dollars (\$200,000).

Inclusion of 'Public Safety Personnel' in reducible city service fees for Special Events is critical.

- The applicant's request for fee reduction for Public Safety Personnel make up 65% of the total annual fee reduction request.
- Public Safety Personnel ensure safety and welfare during Special Events, and are therefore an necessary aspect of regulation and mitigation of impacts during events.

Alternatives:

A. Approve:

This is staff's recommendation. Approve the proposed Municipal Code Changes. These changes will allow City staff to better manage events by:

- Adhering to a well-defined and highly structured fee reduction policy that aligns with the City's budget process and facilitates the reduction of event fees for events that provide positive impacts to the community.
- Providing clarity to types of events that should be permitted.

B. Modify:

Council could choose to modify the proposed Municipal Code Changes and provide edits to staff to ensure that City Council's goals are met. Modifying the code changes beyond what is outlined in Attachment 1, would cause changes that have not been discussed with Staff and various other departments.

C. Continue the Item:

Council could choose to continue the item and request that staff bring additional information back to Council. If the item is continued, staff would request direction for additional information.

D. Do Nothing:

Council could take no action. This would not provide direction to staff. This would cause the fee reduction policy and municipal code to be inconsistent and unclear to both staff and organizers of events.

E. Deny:

Council could choose to deny the modifications to the Municipal Code as proposed. This would cause the addition of public safety personnel to not be included in the code as a possible area of fee reduction. This will cause financial hardship on event applicants, and inconsistency with what has already been discussed with the effected City departments. This would contradict staff's ability to better manage events by adhering to a

well defined and highly structured fee reduction policy that aligns with the City's budget process.

Analysis:

Special Event staff has been moving forward following approval of Special Event code changes. In reviewing the adopted changes, staff has noticed the omission of 'Public Safety Personnel' in City Service Fees and is requesting to amend the error. Staff seeks council approval to amend the resolution accepting changes to Municipal Code Chapter 8 of Title 4, 4-8-9 Fee Reductions. This amendment will add 'Public safety personnel' fees as eligible for reductions through the fee reduction process and allow staff to stay consistent with changes as discussed with applicants and, City departments moving forward.

During the review of the adopted code changes, staff also noticed marginal errors in clarity in language used with regards to permitting events in a series. Staff has redlined these edits as well and is requesting they be noted and amended in the code. These changes will provide no effect to changes as were previously discussed, but will provide clarity in the Title 4, Section 8 of the Municipal code.

Department Review:

Sustainability, Executive, Legal and Special Events Departments have reviewed this report.

Funding Source:

All funding for fee reductions would come from the City's General Fund.

Recommendation:

A. Approve:

City Council should hold a public hearing and approved the proposed edits to the Municipal Code as proposed in the attached ordinance. These changes will allow City staff to better manage events by:

- Adhering to a well-defined and highly structured fee reduction policy that aligns with the City's budget process and facilitates the reduction of event fees for events that provide positive impacts to the community.
- Providing clarity to types of events that should be permitted.

Attachments:

Attachment 1 – Title 4, Chapter 8 Code Amendments

Attachment 2 – Fee Reduction Policy as was attached in the January 28th Council Packet.

Attachment 3 – Resolution to amend ordinance 16-07 and include Public Safety Personnel as part of the Fee Reduction Process.

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Upon request, both the City and the licensee shall be entitled to discovery of the other's list of witnesses to be called at the hearing, including the names and addresses of such witnesses. The parties shall be entitled to have copies of, or have access to any documents to be used by either side during the course of the hearing. No other formal discovery shall be required. The standard of proof required for any action adverse to the licensee shall be that of proof by a preponderance of the evidence.

The presiding officer, if the City Council hear the matter itself, or the Licensed Hearing Examiner, shall prepare written findings of fact. In the case of an Licensed Hearing Examiner, the Examiner shall submit said findings, to the City Council. The City Council shall either accept or reject the findings of fact, or enter its own findings, and shall state the basis from the record upon which the divergence from the Licensed Hearing Examiner's recommended findings. The City Council shall prepare written conclusions of law and an order.

The Order formally entered by the City Council may be to:

- (1) dismiss the action against the licensee;
- (2) suspend the license for a specified period;
- (3) place the licensee on probation upon such conditions as the City Council may order;
- (4) permanently revoke the license in question; or

- (5) any combination of the above.

Any licensee aggrieved by an order of the City Council entered pursuant to this section may maintain an action for relief therefrom in any court of competent jurisdiction, where said court deems itself the appropriate forum for the appeal from the City Council's action. The licensee shall be required to follow orders and procedures of the appropriate court with regard to time for filing.

Nothing herein shall be construed to require a showing that the licensee shall have been first convicted in a court of laws of any violation of any law, rule or regulation. All notices required by this section may be made by personal service or by certified mail, mailed to the licensee's address as it appears in the business regulation records of the City, postage prepaid, certified, return receipt requested.

CHAPTER 8 – SPECIAL EVENT PERMIT

4- 8- 1. DEFINITIONS.

For the purpose of this Chapter the following terms shall have the meanings herein prescribed.

- (A) **APPLICANT**. The person, or group of people, who is or are the organizer(s) and with whom the responsibility for conduct of the event lies. The Applicant signs the Special Event Permit application and all other documents relevant to the event. If the Applicant is a corporation, corporate sponsor, or business, or any other entity,

which is not a natural person, the co-applicant or responsible party must be a natural person or persons. See sponsor.

(B) **CONCESSION**. A privilege to sell food, beverages, souvenirs, or copyrighted or logoed event memorabilia at a permitted event.

(C) **FEES**. Charges assessed by Park City for permitting, staffing, equipment use/rental, property use/rental, set-up, clean up, inspections, public employees, or public equipment assessed to a Special Event and established within the event permitting process.

(D) **PERMITTEE**. The Applicant, as defined above, becomes the "Permittee" when the Special Event Permit is signed by the Economic Development Manager or his/her designee, upon meeting all the criteria in this Chapter. As the permit holder, the Permittee becomes the sole proprietor of the event and inherits the responsibilities connected with all licenses and permits, fee assessments, and insurance liabilities connected with the permitted event.

(E) **SPECIAL EVENT PERMIT**. A permit sought by an Applicant for an event as defined in 4-1-1-48 of this Code, granted through the Special Events Department.

(Amended by Ord. No. 01-31; 16-07)

4-8-2. UNLAWFUL TO OPERATE WITHOUT A LICENSE; EXCEPTIONS.

(A) It is unlawful for any person to conduct a Special Event with or without

charge for admission, on public or private property, without first applying for and being granted a Special Event Permit for the specific event and its venue(s). All permits issued pursuant to this Title are non-transferrable and expire at the completion of the given event, or upon revocation, whichever is earlier.

(B) **EXCEPTIONS.**

(1) Funeral processions by a licensed mortuary;

(2) Activities lawfully conducted by a governmental agency within the scope of authority;

(3) Filming activities, if a permit for such activities has been issued by the city;

(4) First Amendment activities: If it is not reasonably possible to obtain a permit in advance of a First Amendment Event, no permit shall be required providing that the prohibitions of subsections B, C, D and E of section 4-8-5 are not violated.

(Amended by Ord. No. 01-31; 16-07)

4-8-3. RENEWAL OF PERMIT(S).

Permittees under the provisions of this Chapter who successfully operate a Special Event under the provisions of this Chapter and who wish to have the event on an annual or periodic basis, must renew each Special Event Permit as outlined in Section 4-8-4 herein. Event levels will be determined through the renewal process, regardless of

recurrence or previously determined event levels. Activities that occur in series, falling under the criteria established in this Chapter, must have a Special Event Permit, which specifically authorizes each [concert activity](#) in the series, even if the same [performer activity](#) is [performing held](#) on separate occasions.

(Amended by Ord. No. 01-31; 16-07)

4- 8- 4. SPECIAL EVENT PERMIT APPLICATION PROCEDURE.

(A) **APPLICATION SUBMITTAL.** All requests for Special Event Permit(s) shall be made on a Special Event application or First Amendment Event application prescribed by the city and submitted to the Special Events Coordinator. Application materials are available at City Special Events Department and online at the city's website, and must be completed and submitted to the Special Event Coordinator not less than ninety (90) days prior to the scheduled opening of any Level Three Event, not less than sixty (60) days prior to the scheduled opening of any Level Two Event, and not less than thirty (30) days prior to the scheduled opening of any Level One or First Amendment Event unless otherwise approved by the City Council, or by the Economic Development Manager or his/her designee for Special Events, upon a showing of good cause.

(B) In addition to an application for a Special Event Permit, the Economic Development Manager or his/her designee shall require the Applicant to provide as necessary:

- (1) Insurance coverage, waiver and release of damages and indemnification as described in 4-8-10;
- (2) Supplemental documents, including a transport and traffic control plan, contingency plan, and site maps described in 4-8-11;
- (3) Proof that the applicant has obtained any applicable city, county, [state](#) or other [environmental governmental](#) agency approvals, permits or licenses as described in 4-8-7.

(C) **CITY COUNCIL REVIEW.** The City Council of Park City shall review and either approve, approve with conditions, or deny the following applications:

- (1) Applications for new Level Three Events;
- (2) Applications for Level Three Event permit renewals where material elements of the event have substantially changed from the previous application; and
- (3) Appeals of administrative decisions made pursuant to Subsection (D) Administrative Review, herein.
- (4) As used herein, a 'new Level Three Event' shall mean any Level Three Event being proposed for the first time, an event renewal of a Level One, Level Two or First Amendment Event that now qualifies as a Level Three Event, or a Level Three Event which was not renewed for a period exceeding one (1) year.

The City Council shall review applications for compliance with the standards for permit approval described at Section 4-8-5 herein as follows:

(a) **Staff Review and Recommendation.** Upon receipt of a complete Level Three Event application and accompanying fee, City staff shall review the application for compliance with Section 4-8-5 herein. Staff shall subsequently return a copy of the application to the Applicant with comments and a recommendation, i.e., approve as is, approve with changes and/or conditions, or cause for denial. Incomplete applications will be returned to the Applicant and noted accordingly. Following review of the Level Three Event application and notice to the Applicant, the Special Events Coordinator shall schedule the application for a public hearing before the City Council.

(b) **City Council Hearing.** Level Three Event applications requiring City Council review and appeals of administrative Special Event decisions shall be heard at a duly noticed public hearing of the City Council. The City Council shall review the application for compliance the standards set

forth at Section 4-8-5 herein, and shall record its decision with written findings of fact, conclusions of law, and condition of approval, if applicable. Written notice of the City Council's decision shall be delivered to the Applicant within ten (10) days of the date of decision.

(D) **ADMINISTRATIVE REVIEW.** The Economic Development Manager or his/her designee shall review and shall have the authority to administratively approve, approve with conditions, or deny the following applications:

(1) Level One and Level Two Event applications;

(2) First Amendment Event applications;

(2) Applications for Level Three Event renewals where material elements of the event have not substantially changed from the previous application. Upon receipt of a complete Level Three Event application and accompanying fee, the Special Events Coordinator shall review the application for compliance with Section 4-8-5 herein.

Upon receipt of a complete Special Event Permit application and accompanying fee, the Special Events Coordinator shall review the application for compliance with Section 4-8-5 herein. Following review of the application, the Special Events Coordinator shall record his/her decision with written

findings of fact, conclusions of law, and conditions of approval, to the Economic Development Manager or his/her designee for final administrative approval. Once approved by the Economic Development Manager or his/her designee, the Special Event Coordinator will deliver written notice of such decision to the Applicant.

Any Applicant whose application has been administratively denied may appeal the decision to the City Council by filing a written request to the Special Events Coordinator within ten (10) days of the date of decision. The City Council shall hear the matter de novo and with public hearing.

~~Upon receipt of a complete Special Event Permit application and accompanying fee, the Special Events Coordinator shall review the application for compliance with Section 4-8-5 herein. Following review of the application, the Special Events Coordinator shall record his/her decision with written findings of fact, conclusions of law, and conditions of approval, if applicable, and deliver written notice of such decision to the Applicant.~~

(Amended by Ords. 01-31; 16-07)

4- 8- 5. STANDARDS FOR LICENSE APPROVAL.

Applications for Special Event Permit(s) shall be reviewed for compliance with the standards provided herein. The Economic Development Manager or his/her designee or City Council may deny or restrict any Special Event whenever any of the conditions enumerated in this Section cannot be eliminated or sufficiently mitigated by Conditions of Approval to ensure public

safety and consistency with the Park City General Plan.

(A) The Special Event does not provide positive economic, cultural or community value, or is not in accordance with the goals outlined in the Park City General Plan. The economic, cultural and community value shall be determined by the City pursuant to the following criteria:

- (1) Unreasonably restricts existing public access or adversely impacts shared space or the public, due to the number of events, nature of the event, proposed location and/or location conditions;
- (2) Diversity of existing event calendar and uniqueness of proposed event;
- (3) Degree of commercial activity of the event: event is not primarily retail and/or solely to avoid more restrictive general zoning and license regulations;
- (4) Degree of economic benefit to the City through tax benefits, resort visitation, or marketing or branding value, compared to community impacts and costs of services.

(B) The conduct of the Special Event will substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its venue.

(C) The conduct of the Special Event will require the diversion of so great a

number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.

(D) The concentration of persons, vehicles, or animals will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health and safety services.

(E) The Special Event will substantially interfere with any other Special Event for which a permit has already been granted or with the provision of City services in support of other such events or governmental functions.

(F) Where applicable, the Applicant fails to provide the following:

(1) The services of a sufficient number of traffic controllers, signs or other City required barriers or traffic devices;

(2) Monitors for crowd control and safety;

(3) Safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the Special Event will be conducted without creating unreasonable negative impacts to the area and with due regard for safety and the environment;

(4) Adequate off-site parking and traffic circulation in the vicinity of the event;

(5) Required insurance, cash deposit, or other security; or

(6) Any other services or facilities necessary to ensure compliance with City ordinance(s).

(G) The event created the imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.

(H) The Applicant demonstrates inability or unwillingness to conduct the event pursuant to the terms and conditions of this Chapter or has failed to conduct a previously authorized event in accordance with the law or the terms of a permit, or both.

(I) The Applicant has not obtained the approval of any other public agencies, including the Park City Fire District, within whose jurisdiction the event or a portion thereof will occur.

(J) **EXCEPTIONS.** Applications for First Amendment Event permits will be reviewed for compliance with the standards outlined in subsections B, C, D, E, G, and H above. In reviewing any Application for a permit for a First Amendment Event, the Economic Development Manager or his/her designee may place reasonable time, place and manner of restrictions on the First Amendment Event. No such restriction shall be based on the content of the beliefs expressed or anticipated to be expressed during the First Amendment Event, or on factors such as the identity or appearance of persons expected to participate in the assembly.

(Amended by Ord. Nos. 01-31; 16-07)

4-8-6. CONFLICTING PERMIT APPLICATIONS.

(A) No more than one (1) Special Event shall be approved for the same date(s) unless the Economic Development Manager or his/her designee finds that the events will not adversely impact one another and that concurrent scheduling of the events will not adversely impact the public health, safety, and welfare. In making this determination, the Economic Development Manager or his/her designee will apply the following criteria:

- (1) Geographic separation of the events;
- (2) Proposed time and duration of the events;
- (3) Anticipated attendance volumes;
- (4) Necessity for public personnel, equipment, and/or transportation services at the events; and
- (5) Anticipated traffic and parking impacts.

(B) In cases where an event double booking conflict arises, the Economic Development Manager or his/her designee will encourage any secondary, or subsequent, Applicant to review the feasibility of collocating with the original Applicant. If collocating proves impractical, the Economic Development Manager or his/her designee will encourage any

secondary, or subsequent, Applicant to offer a viable alternative strategy that meets the needs of all Applicants, while also ensuring adequate public safety measures remain intact.

(C) If no voluntary agreement is reached, then the Economic Development Manager or his/her designee shall resolve the issue based on the following order of priorities:

- (1) The Special Event that provides the greatest overall value to the City based on economic, cultural and community impacts, which for recurring events may be based on annual event debrief with recommendations from the Special Event Advisory Committee.
- (2) Special Events planned, organized, or presented by state, federal, or City governmental entities or their agents shall have priority over conflicting applications if:
 - (a) The application is timely filed and processed by the City;
 - (b) Said governmental application is made in good faith and not with the effect or purpose of improperly chilling constitutional rights of conflicting Applicants

(D) If no voluntary agreement is reached, then the first-in-time application shall be given priority. The conflicting Applicant shall be advised of other open dates on the City's events calendar.

(Amended by Ord. Nos. 01-31; 16-07)

4-8-7. LICENSES NECESSARY FOR A SPECIAL EVENT PERMIT.

The Applicant/licensee shall procure any applicable city, county, [state](#) or other government~~total~~ agency approvals, permits or licenses.

(Amended by Ord. Nos. 01-31; 16-07)

4-8-8. FEES TO BE ASSESSED; EXCEPTIONS.

(A) **APPLICATION FEE.** Special Event application Fees shall be assessed according to the fee resolution. All application fees are due and payable upon submission of a completed application. Applications shall be considered incomplete unless and until the application fee is paid in full. An Applicant for a recurring event that qualifies a new event level is responsible for fee amounts of the given level.

(B) **CITY SERVICE FEES.** Upon receipt of a completed Special Event Permit application, the Special Events Coordinator will provide the Applicant with an estimate of fees based on estimated costs for City services arising from the event, including but not limited to the use of City personnel and/or equipment, City transportation services, inspections, and user fees. A final assessment of City costs will occur upon completion of the Special Event. All City service fees will be adjudged to reflect actual cost. Unless reduced pursuant to Section 4-8-9, all City service fees must be paid in full within thirty (30) days of the final assessment of City costs for the Special Event.

(C) **FINANCIAL SECURITY.** The Special Events Coordinator is authorized to require an Applicant to post a cash deposit or other security accepted by the Legal Department for all estimated contingent costs prior to the issuance of a Special Event Permit, as a guarantee against fees, damages, clean up, or loss of public property.

(D) **EXCEPTIONS.** Specified Fees do not apply to an application for a First Amendment Event permit if the Applicant demonstrates, by sufficient evidence, that the imposition of Fees would create a financial hardship on the Applicant or would have a detrimental effect on services provided to the public.

(Amended by Ord. Nos. 01-31; 16-07)

4-8-8.5 EVENTS IN PARKING STRUCTURES.

Applications for Special Events taking place within a parking structure shall be reviewed for compliance with all Municipal codes relating to Special Events along with the standards provided below.

(1) Location – Special Events or hospitality functions taking place within a parking structure shall only take place in Historic Recreation Commercial (HRC) District and Historic Commercial Business (HCB) District zones.

(2) Duration – Permitted Special Events or hospitality events taking place within a parking structure may not exceed 10 calendar days in duration.

(3) Frequency – Individual parking structures will be eligible to be converted into an event or hospitality use no more than two times during one calendar year.

(4) Application Requirements – In addition to the Special Event application requirements, Applicants wishing to utilize a parking structure for a temporary assembly use as part of a special event or hospitality function must also provide the following:

- a. An original set of design plans stamped by a Utah licensed mechanical engineer that meet the intent of required ventilation standards as per the International Mechanical Code Section 403.3.1.1 for both occupancies. This plan must be approved by the Building Official.
- b. Design plans that demonstrate a plumbing systems and fixtures provided within the event space that meet the intent of the plumbing fixture requirements of IBC Chapter 29. This plan must be approved by the Building Official.
- c. All plans must be approved by the Deputy Fire Marshal and shall demonstrate compliance with

the International Fire Code.

(Amended by Ord. No. 14-52; 16-07)

4- 8- 9. FEE REDUCTIONS.

(A) Annually, the city will allocate up to two hundred thousand dollars (\$200,000) to be used to reduce Fees required for Special Events. Allocation of reduced Fees will be determined at the sole discretion of the Economic Development Manager and Budget Manager(s), City Manager or City Council. Unmet thresholds at the end of a year will not be carried forward to future years.

(B) The Economic Development Manager and Budget Manager(s) may reduce the following Special Event permitting and associated Fees up to a total of twenty five thousand dollars (\$25,000) upon a finding of eligibility pursuant to the criteria provided herein:

- (1) Application;
- (2) Building permit;
- (3) Facility and/or equipment rentals;
- (4) Field and/or park rentals;
- (5) Special use of public parking permit;
- (6) Bleachers; and
- (7) Trail.

(8) Public Safety Personnel

If the total fee [waiver-reduction](#) request exceeds twenty five thousand dollars (\$25,000) or includes other City serve Fees outside the Fees mentioned above, then the request must be approved by City Council in a Public Meeting.

(C) All fee reduction requests will be reviewed twice a year. All event fee reduction requests must be submitted to the Special Events Coordinator 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.

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

(D) Fee reduction applications will be evaluated by the Special Event Advisory Committee (SEAC) and a recommendation will be submitted to the Special Events Department. Special Events staff will make a recommendation to the Economic Development Manager and Budget Manager(s). Final determinations will be made by these parties as outlined above. All decisions may be appealed with the final decision given by the City Council. Eligibility for a full or partial fee reduction shall be determined by the City pursuant to the following criteria, none of which shall be individually controlling:

(1) Charges event admission or fees for participation and policy for attendees or participants unable to pay such fees;

(2) Event provides free programs, or raises funds for organizations that provide free programs, benefiting local youth, seniors or underserved constituents;

(3) Provides positive tax benefits, raises funds or provides revenue opportunities to the City to offset City services and costs required by the event;

(4) Provides event opportunities during resort off seasons, defined as September 21 – November 21, and April 1 – May 15, excluding holidays;

(5) Demonstrates that the imposition of fees would create a financial hardship on the Applicant or would have a detrimental effect on services provided to the public.

Fee reduction requests must be filed bi-annually, unless otherwise approved in a City services agreement by the City Council. Approval of a fee reduction for any application shall not create a precedent for future requests.

(Amended by Ord. Nos. 01-31; 06-57; 16-07)

4- 8-10. INSURANCE REQUIREMENTS.

Upon receipt and review of a Special Event Permit application, the Special Event Coordinator will submit the application with a recommendation for final authority by the City Attorney's Office for amount of liability insurance pursuant to the hazard matrix or more to be determined within ten business days (10) following submittal. The Special Event Coordinator will deliver written notice of such determination to the Applicant. Applicants shall provide proof of liability insurance in the determined amount no later than fourteen days (14) prior to the first set-up day of a Special Event. The City Attorney's Office shall require the Applicant to further name Park City Municipal Corporation as an additional insured. All Applicants shall further indemnify the City from liability occurring at the event, except for any claim arising out of the sole negligence or intentional torts of the City or its employees. Any reduction of these requirements must be approved by the City Attorney's Office prior to permit approval.

(Amended by Ord. No. 01-31; 16-07)

4- 8-11. PERMIT APPLICATION SUPPLEMENTAL DOCUMENTS

(A) Transportation and traffic control requirements and considerations.

- (1) All traffic and transportation control is the responsibility of the Applicant. A traffic and transportation control plan shall be provided to, and approved by, the Economic Development Manager or his/her designee upon recommendation by the Transportation Department by the event date. Plans are determined

through collaboration with the Special Events Coordinator, and shall include determinations on transit impacts and traffic control, including pedestrian, bicycle, motorized and other methods of transport required for the event.

- (2) Road closures will require appropriate traffic control. Appropriate traffic control may include by uniformed state, county or local police officers, or a private company, identified event staff, or physical devices, as determined by the Economic Development Manager or his/her designee;

- (3) The Economic Development Manager or his/her designee may require an alternate route, or alternative time, if the proposed Event occurs when traffic volumes are high, active road construction is present, an alternative event is already occupying the road, a safer route to accommodate the event, or the event poses a significant inconvenience to the traveling public.

- (4) The Applicant shall restore the road or trail segment, or impacted area to its original condition, free from litter and other material charges;

- (5) The Economic Development Manager or his/her designee may monitor and ensure compliance with the terms and conditions of any Special Event Permit.

(B) Contingency Plan Requirements.

(1) Considering the nature of the planned Special Event, the Applicant shall develop:

- (a) Contingency or emergency plans, including Emergency Medical Service, fire and police;
- (b) Operations plan and timeline;
- (c) Weather date and/or weather conditions plan;
- (d) Residential notification and mitigation plan;
- (e) Planned rest areas, water and toilet facilities, and trash and recycling cleanup, and
- (f) Plans to ensure that participants obey the conditions of the Special Event Permit and all other generally applicable traffic laws, lights and signs;
- (g) The Economic Development Manager or his/her designee may require that the Applicant provide notice to participants, bystanders, or the public of all plans enumerated in subsection (1) of this Rule. The amount of and method of notice shall be dependent on the circumstances of the Special Event Permit.

(C) Special Event Site Identification and Private Property Use Requirements.

The Applicant shall provide a detailed map showing the proposed course and direction of the event. Locations of parking areas, signs and banners, water stations, power sources, toilet facilities and other appropriate information shall also be included on this map. The Applicant is responsible for obtaining appropriate permission to locate these facilities on private property.

(Created by Ord. No. 16-07)

4- 8-12. FILM-MAKING.

Film-making shall be considered Special Events unless such event does not create substantial public impact or requires substantial City service. Any filming undertaken by any business or corporation, must first be licensed as a business under Chapter 2, Business Licenses. Corporations falling under the provisions of this Chapter or who are specifically in film-making or promotions on public or private property must, as a provision of their permit, provide proof of insurance, shooting schedule or schedule of events, produce written permission of property owners, and provide access to any set or site for purposes of Code enforcement.

(Amended by Ord. Nos. 01-31; 16-07)

4- 8-13. CRIMINAL PENALTY.

Any person who willfully violates any provision of this Chapter shall be guilty of a Class B misdemeanor. Persons conducting Special Events without having first obtained

a Special Event Permit are subject to arrest and the Special Event is subject to closure.

(Amended by Ord. Nos. 01-31; 16-07)

4- 8-14. REVOCATION FOR CAUSE; NOTICE TO CURE.

(A) **NOTICE TO CURE.** If the Special Events Coordinator or any sworn law enforcement officer determines that the conditions of any permit issued pursuant to this Chapter have been or are being violated, then notice shall be given to the Permittee, sponsor, or designated organizer's representative of the Special Event to cure the violation.

(B) **FAILURE TO CURE.** It is unlawful for the Permittee, sponsor, or on-site organizer's representative of an authorized Special Event to fail to take reasonable steps to promptly cure any notice of violation of this Chapter. It is also unlawful for any participant or spectator to fail to comply with lawful directions issued by any sworn law enforcement officer or by the Permittee, sponsor, or on-site organizer's representative to cure their violation of this Chapter.

(C) **CLEAR AND PRESENT DANGER.** If a sworn law enforcement officer determines, after consultation with the Chief of Police or the Chief of Police's designee, that any failure to cure a violation of this Chapter creates a clear and present danger of immediate significant harm to life, public safety, or property which cannot be reasonably mitigated by increased public safety enforcement and which, on balance, outweighs the constitutionally protected rights of the organizers or participants in the

Special Event, the Permittee, sponsor, or on-site organizer's representative of the Special Event shall be promptly notified that the permit is revoked and that the Special Event must immediately cease and desist.

(D) **VIOLATION OF CEASE AND DESIST ORDER.** If a Special Event Permit is revoked as specified in Subsection (C) above, then it shall be unlawful for any person to fail to obey the order to cease and desist from illegal activities.

(Amended by Ord. Nos. 01-31; 16-07)

CHAPTER 8A - PUBLIC OUTDOOR MUSIC PLAZAS

(Created by Ord. 00-36)

4-8A-1. TITLE FOR CITATION.

This section shall be known and may be referred to as the Public Outdoor Music Plaza Ordinance.

4-8A-2. PURPOSE: REASONABLE LICENSING PROCEDURES.

It is the purpose and object of this Chapter that the City establish reasonable and uniform regulations governing the licensing and manner of operations of public outdoor music plazas in Park City. This Chapter shall be construed to protect the legitimate and important governmental interests recognized by this Chapter in a manner consistent with constitutional protections provided by the United States and Utah Constitutions. The purpose of these regulations is to provide for the regulation and licensing of public outdoor music plazas

within the City in a manner which will protect the property values of surrounding businesses and neighborhoods, and residents from the potential adverse secondary effects, while providing to those who desire to perform in and patronize public outdoor music plazas the opportunity to do so. The purpose of this Chapter is to prevent and control the adverse effects of public outdoor music plazas and thereby to protect the health, safety, and welfare of the citizens and guests of park City, protect the citizens from increased noise, preserve the quality of life, preserve the property values and character of the surrounding neighborhoods.

4-8A-3. APPLICATION OF PROVISIONS.

This Chapter imposes regulatory standards and license requirements on certain activities, which are characterized as "public outdoor music plazas". It is not the intent of this Chapter to suppress any speech activities protected by the First and Fourteenth Amendments to the United States Constitution and the Constitution of the State of Utah, but to impose content-neutral regulations which address the adverse secondary effects of public outdoor music plazas. This Chapter is intended to supersede any other related ordinances including, but not limited to, Title 6 Chapter 3, Noise and Title 15, Land Management Code, of the Municipal Code.

4-8A-4. DEFINITIONS.

For the purpose of this Chapter, the following words shall have the following meanings:

(A) AMPLIFIED EVENT OR

MUSIC. An event or music utilizing an amplifier or other input of power so as to obtain an output of greater magnitude or volume through speakers or other electronic devices.

(B) **STAGES.** The raised and semi-enclosed platforms that are designed to attenuate sound, or as otherwise approved by special events staff.

4-8A-5. SPECIAL EVENT PERMIT; REVIEW PROCEDURE.

The public outdoor music plazas identified at Section 4-8A-6 herein may be programmed for public performances and outdoor music, subject to the regulations and conditions of this Chapter and subject to Special Event permitting review pursuant to Title 4, Chapter 8, Special Event Permit. No permittee or performer shall accrue any vested rights under this revocable license.

(Amended by Ord. Nos. 03-18; 03-31; 04-13; 16-07)

4-8A-6. PUBLIC OUTDOOR MUSIC PLAZAS.

The following locations, dates and times may be programmed for public performances and outdoor music:

(A) LOWER SUMMIT WATCH PLAZA.

(1) **LOCATION.** On the north end of Summit Watch Plaza. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/**

HOURS/MONTHS. This stage may be programmed a maximum of three (3) days per week from June 1st through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 Noon and conclude no later than 8:30 p.m. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.

(3) **TYPE OF MUSIC.** Amplified and acoustic with prerecorded music allowed during breaks. For amplified events or music on Summit Watch Plaza, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of ninety (90), as measured twenty-five feet (25') in front of the stage.

(B) **MINER' S PLAZA.**

(1) **LOCATION.** 415 Main Street.

(2) **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of two (2) days per week from June 1st through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 Noon and conclude no later than 8:30 p.m. Programming of this stage shall not conflict with any City-sponsored or duly licensed Special Event as approved by the Special Events Department, including but not

limited to dates reserved for the Park City Arts Festival. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.

(3) **TYPE OF MUSIC.** Solo and duo acts with microphones for vocal, with prerecorded music during breaks. For amplified events, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage.

(C) **TOWN LIFT PLAZA.**

(1) **LOCATION.** 825 Main Street.

(2) **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of three (3) days per week from June 1st through Labor Day. The maximum duration of programming per day shall not exceed four (4) hours and shall begin no earlier than 12:00 Noon and must conclude no later than 8:30 p.m. Programming of this stage shall not conflict with any City-sponsored or duly licensed Special Event as approved by the Special Events Department, including but not limited to dates reserved for the Park City Arts Festival. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.

(3) **TYPE OF MUSIC.**

Amplified and acoustic acts with microphones for vocal, with prerecorded music during breaks. For amplified events, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of ninety (90), as measured twenty-five feet (25') in front of the stage.

(D) **UPPER SUMMIT WATCH PLAZA.**

(1) **LOCATION.** On the south end of Summit Watch Plaza. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of three (3) days per week from June 1st through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 Noon and must conclude no later than 8:30 p.m. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.

(3) **TYPE OF MUSIC.** Amplified and acoustic with prerecorded music allowed during breaks. For amplified events or music at on Upper Summit Watch Plaza, the program manager shall be responsible to ensure that the sound

system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage.

(Amended by Ords. 01-20; 02-12; 03-18; 03-31; 03-35; 04-13; 16-07)

4-8A-7. GENERAL REGULATIONS.

(A) The program manager, or his/her designee, shall provide on-site management for each event.

(B) A sound technician shall provide on-site noise monitoring for each event with music, amplified or otherwise, and any amplified event.

(C) Except as otherwise provided at Subsection 6(A) herein, for amplified events or music, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage. The data currently available to the City indicates that a maximum decibel level of 90 satisfies the purpose of this ordinance. The City may amend this ordinance consistent with newly acquired data.

(D) All events shall be open to the public and free of charge.

(E) No event shall exceed 250 people at one time unless a separate Special Event Permit is granted for that event.

(F) The Police Department or other

proper City official shall have access at all times to all public outdoor music plazas under this Chapter, and may make periodic inspection of said premises whether the officer or official is in uniform or plain clothes.

(G) All events shall take place only on authorized stages and shall have clean-up services directly following each event so as to leave the plazas in a clean and litter free manner.

4-8A- 8. ALCOHOL.

It is unlawful for the Permittee or any person or business to allow the sale, storage, supply, or consumption of alcoholic beverages at the public outdoor music plazas, unless licensed pursuant to Chapters 4-6 of Title 4, as applicable.

(Amended by Ord. 16-07)

4-8A- 9. LICENSE HOLDER, PROGRAM BOARD.

(A) The Permittee(s) will hire a program manager, approved by the City, said approval not to be unreasonably withheld. The program manager will be responsible for general management of each public outdoor music plaza and on-site oversight for each event. Agreements with the individual property owners will be provided to the City Special Events Department by the program manager.

(B) The Permittee(s) shall schedule events in accordance with the regulations set forth in this Chapter. Nothing herein shall allow the City to regulate the content or otherwise censor plaza productions or

speech. The Permittee(s) shall at all times hold the City harmless and indemnify the City from all claims, actions and liability arising from the Permittee(s)' use of the public outdoor music plazas. The Permittee(s) shall maintain their own liability insurance, with the City listed as an additional insured in a form approved by the City Attorney.

(C) Nothing in this Chapter shall be interpreted to create a contract or implied-contract between the City and any performer, or public outdoor music plaza owner.

(Amended by Ords. 03-31; 04-13; 16-07)

4-8A-10. ON-GOING COMPLIANCE EVALUATION.

(A) Permittee(s) shall post a phone number at each venue so that individuals may phone in comments. Based upon such comments, the special events staff may issue additional conditions consistent with the intent of this Chapter to the program manager, including decreasing DB levels in three (3) DB increments with at least three (3) days between each reduction. A summary of, and recommended response to comments will be forwarded to the City Council within seven (7) days of the end of each month of operation, or sooner if requested by the program manager to resolve any issue.

(B) The Police Chief, or his/her designee, may suspend the permits granted herein and schedule a revocation hearing before the City Council at the next regularly scheduled City Council meeting for any of the following causes:

(1) Any violation of this Chapter as evidenced by a citation issued by the Police Department.

(2) Any violation of law or City ordinance.

(3) Upon any other evidence that the program manager or entertainer constitutes a hazard or nuisance to the health, safety, or welfare of the community.

(Amended by Ords. 03-31; 04-13; 16-07)

4-8A-11. TRANSFER LIMITATIONS.

The Special Event Permit(s) granted under this Chapter are not transferable without the written consent of the Mayor. It is unlawful for an individual to transfer a public outdoor music plaza Special Event Permit without City approval as provided herein. If any transfer of the controlling interest in a public outdoor music plaza permit occurs without City approval, the permit is immediately null and void and the public outdoor music plaza shall not operate until a separate new permit has been properly issued by the City as herein provided. The City will not unreasonably withhold consent of transfer provided the proposed licensee is a non-profit organization within Park City, meets all the criteria of this Chapter, and demonstrates experience managing Special Events.

(Amended by Ord. No. 16-07)

4-8A-12. PLAZA PERMITS IN LIEU OF ADMINISTRATIVE

PERMITS FOR OUTDOOR MUSIC AND OUTDOOR SPEAKERS.

The Special Event Permits granted under this Chapter are in lieu of any administrative conditional permit (CUP) for outdoor music, including outdoor speakers, pursuant to Title 15 of the Municipal Code, Land Management Code. The Planning Department shall not issue any outdoor music permits in the Historic Commercial Business (HCB) zoning district north of Heber Avenue. The City may still issue outdoor music permits in conjunction with an approved Special Event Permit.

(Amended by Ords. 04-13; 16-07)

CHAPTER 9 - SEXUALLY ORIENTED BUSINESSES

4- 9- 1. TITLE FOR CITATION.

This Chapter shall be known and may be referred to as the Sexually Oriented Business Licensing Ordinance.

(Amended by Ord. No. 06-81)

4- 9- 2. PURPOSE: REASONABLE LICENSING PROCEDURES.

It is the purpose and object of this Chapter that the City establish reasonable and uniform regulations governing the licensing and manner of operations of Sexually Oriented Businesses and their Employees in Park City. This Chapter shall be construed to protect the governmental interests recognized by this Chapter in a manner consistent with constitutional protections provided by the United States and Utah

Constitutions. The purpose of these regulations is to provide for the regulation and licensing of Sexually Oriented Businesses within the City in a manner which will protect the property values of surrounding businesses and neighborhoods,

Special Event Fee Reduction Policy

Park City Municipal Corporation is committed to facilitating Park City's community vibrancy and economic development by hosting special events, and to mitigating for the impact of these events. In this effort, the city will annually allocate up to two hundred thousand dollars (\$200,000) to be used towards reducing fees required to provide city services for special events. Fees eligible to be reduced include: application, building permit, facility or equipment rental, public safety personnel, field and park rental, special use of public parking permit, bleacher and trail fees. Fees will be reduced for qualifying first-time and recurring events. In order to be eligible for a Special Event Fee Reduction, applications must be filled out in their entirety.

A. Special Event Fee Reduction Evaluation Criteria

The City will consider the following when reviewing a special event fee reduction request:

1. **Criterion 1:** Charges event admission or fees for participation, and policy for attendees or participants unable to pay such fees;
2. **Criterion 2:** Provides free programs, or raises funds for organizations or free programs, benefitting local youth, seniors or underserved constituents;
3. **Criterion 3:** Provides positive tax benefits, raises funds or provides revenue opportunities to the city to offset City services and costs required by the event;
4. **Criterion 4:** Provides event opportunities during resort off seasons, defined as September 21-November 15, and April 1-May 15, excluding holidays;
5. **Criterion 5:** Demonstrates that the imposition of fees would create a financial hardship on the Applicant or would have a detrimental effect on services provided to the public.

The City's Special Events Advisory Committee (SEAC) and Special Events Department will review all applications and submit recommendations to a panel consisting of the Economic Development Manager and Budget Manager(s). The Panel may approve event fee reductions up to a total of fifteen thousand dollars (\$15,000). The City Manager may approve fee reductions from fifteen thousand dollars (\$15,000) to twenty five thousand dollars (\$25,000). If the total fee reduction request exceeds twenty five thousand dollars (\$25,000), or includes city service fees other than those indicated above, the request must be approved by City Council in a Public Meeting or through an approved City Services Contract. In the case of appeal, the City Manager will have final authority in determining whether an applicant meets these criteria for fee reduction requests fewer than fifteen thousand dollars (\$15,000). Determinations on fee reductions between fifteen thousand and twenty five thousand dollars (\$15,000-\$25,000) can be appealed to the City Council.

B. Special Event Fee Reduction Appropriations

The City currently reduces fees for Special Events through collaboration with multiple city departments. Of the fees required for city events, no more than two hundred thousand dollars (\$200,000) per annum will be waived; allocation of fee reductions will be determined at the sole discretion of the Economic Development and Budget Manager(s), City Manager or City Council. Unmet thresholds at the end of a year will not be carried forward to future years.

C. Special Event Fee Reduction Categories

Applications for Special Events Fee Reductions will be placed in five potential categories for tracking and evaluation processes. Categorization is determined by the event meeting at least one criterion listed for each category:

1. Local/Community Cultural Event: Events of or relating to artistic or social pursuits, hosted by organizations from Summit and Wasatch counties, and including vendors and/or participants and marketed to audiences within the state of Utah;
2. Local/Community Recreational Event: Events of or relating to sporting or competitive pursuits, hosted by organizations from Summit and Wasatch counties, and including vendors and/or participants and marketed to audiences from within the state of Utah;
3. Regional Cultural Event: Events of or relating to artistic or social pursuits, hosted by organizers from Utah counties including Summit and Wasatch counties, or from states including but not limited to Colorado, New Mexico, Arizona, Nevada, Idaho, Wyoming, or Montana, and including national vendors and/or participants and marketed to national audiences;
4. Regional Recreational Event: Events of or relating sporting or competitive pursuits, hosted by organizers and including vendors and/or participants from Utah counties including Summit and Wasatch counties, or from states including but not limited to Colorado, New Mexico, Arizona, Nevada, Idaho, Wyoming, or Montana, and including national vendors and/or participants and marketed to national audiences;
5. National and/or International Event: Events of or relating to artistic or social, sporting or competitive, or other pursuits determined to be valuable by the City, hosted by international or national organizations from states excluding those defined as 'regional', listed above, and including vendors and/or participants and marketed to national or international audiences.

D. Application Process

Application forms may be downloaded from the City's www.parkcity.org website, available via email from the Special Events Coordinators, or within the Special Events Office of City Hall. In order to apply for a Fee Reduction, applicants must request an estimate of event fees from the Special Events Department; estimates will be made available by the Special Events Department no later than thirty days (30) prior to the Application deadline. Estimates are not binding on the City; event organizers should anticipate fluctuations in final costs based on estimated fees. Appeals to estimated Special Events fees must be submitted to City Council.

E. Deadlines

All applications for Special Events Fee Reductions must be received no later than the following dates each year to be eligible for bi-annual consideration;

- October 1st for events occurring January 1st through June 30th, and
- April 1st for events occurring July 1st through December 31st.

Applications received outside the scheduled application process may be considered when the applicant demonstrates an immediate need for funding and provides justification for why the application was not filled within the specified deadline, unless otherwise directed by the Council.

Extraordinary requests received must meet all of the following criteria to be considered:

1. The request must align with the Special Event Fee Reduction Evaluation Criteria;
2. The applicant must show that the requested fee waivers represent an immediate fiscal need that could not have been anticipated before the deadline; and
3. The applicant must demonstrate significant consequences of not being able to wait for the next semiannual review.
 - i. Significant consequences could include inability to hold event due to event date or immediate fiscal need, but not wish or preference.

F. Award Policy

The reduction of Special Events fees shall be administered pursuant to applications and evaluation criteria established by the Special Events Department and Special Events Advisory Committee, and approved by the Economic Development and Budget Managers or City Manager upon the determination that such action is consistent with the overall goals of the City.

The Special Events Department and Special Events Advisory Committee will review all applications on a bi-annual basis, and forward a recommendation to the Economic Development and Budget Managers or the City Manager for authorization. All potential awards of fee reductions will be publicly noticed 48 hours ahead of a City Council action.

Nothing in this policy shall create a binding contract or obligation of the City. Individual event permits and their associated fees may vary from permit to permit at the discretion of City. Any reduction of Special Event fees is valid only for the permit specified therein and shall not constitute a promise of future reward. The City reserves the right to reject any and all applications, and to waive any technical deficiency at its sole discretion. All submittals shall be public records in accordance with government records regulations ("GRAMA") unless otherwise designated by the applicant pursuant to UCA Section 63-2-308, as amended.

Ordinance No. 16-13

**AN ORDINANCE AMENDING TITLE 4-LICENSING:
CHAPTER 8, SPECIAL EVENT PERMIT, OF THE MUNICIPAL CODE OF PARK
CITY, UTAH**

WHEREAS, special events within the city limits of Park City continue to grow; and

WHEREAS, Park City desires to facilitate events that provide positive impacts to the local resort economy, contribute to the unique historic character and cultural vitality of the City, and help to build a higher quality of life for city residents, visitors and the local business community; and

Whereas, special events range from very small neighborhood-level events to city-wide, multimillion dollar productions; and

Whereas, special events held in the City impact public safety and impede the flow of pedestrian and vehicular traffic; and

Whereas, a special event permit application process will allow the City to manage neighborhood impacts of private events and balance the competing uses of its public spaces to ensure that members of the public are able to access public spaces; and

WHEREAS, Park City Municipal Corporation wants to ensure public health, safety, and welfare during all permitted events; and

Whereas, when more than one event occurs in the same general area, the occupancy level of venues, public property, adjacent city streets and sidewalks increases, which may create an unsafe condition and strain the City's resources and infrastructure; and

WHEREAS, limiting the number of special events that may occur simultaneously will allow the City to prevent people from being injured due to overcrowding, overcapacity streets and sidewalks, and will allow the City to better manage its resources and infrastructure; and

WHEREAS, citizens need to quickly access public space to respond to current events through spontaneous speech.

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

SECTION 1. AMENDMENTS TO TITLE 4 – Licensing of the Municipal Code Chapter Eight (Special Event Permit). The recitals above are incorporated herein as findings of fact. Chapter 8 of the Municipal Code of Park City is hereby amended as redlined (see Attachment 1).

SECTION 2. This ordinance shall become effective upon publication.

PASSED AND ADOPTED BY THE Park CITY COUNCIL this ____ day of _____, 2016.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

The property owner proposes to record a Condominium Record of Survey that creates a total of seven (7) units: three (3) commercial units (existing on Main Street, street level), three (3) residential units (existing on Main Street, 2nd and 3rd levels), and one (1) residential unit on Park Avenue with a parking garage that will serve the Park Avenue residence as well as the three (3) existing residential units on Main Street.

Respectfully:

Francisco Astorga, Senior Planner



PLANNING DEPARTMENT

City Council Staff Report

Subject: April Inn Condominiums
Author: Francisco J Astorga, AICP, Senior Planner
Project Number: PL-16-03089
Date: 24 March 2016
Type of Item: Legislative – Condominium Record of Survey

Summary Recommendations

Staffs recommends the City Council hold a public hearing and consider approving April Inn Condominiums Record of Survey Plat located at 545 Main Street/550 Park Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant: 545 Main Street Holdings, LLC,
represented by Marshall King, Alliance Engineering, Inc.
Location: 545 Main Street / 550 Main Street
Zoning: Historic Commercial Business (HCB) and Historic
Residential-2 (HR-2) District
Adjacent Land Uses: Commercial and Residential
Reason for Review: Condominium Record of Surveys require Planning
Commission review and City Council review and action

Executive Summary/Proposal

The property owner proposes to record a Condominium Record of Survey that creates a total of seven (7) units: three (3) commercial units (existing on Main Street, street level), three (3) residential units (existing on Main Street, 2nd & 3rd levels), and one (1) residential unit on Park Avenue with a parking garage that will serve the Park Avenue residence as well as the three (3) existing residential units on Main Street.

Acronyms found in this Staff Report

HCB - Historic Commercial Business
HR-2 - Historic Residential-2
LMC - Land Management Code
CUP - Conditional Use Permit

Background

On January 19, 2016, the City received a completed Condominium Record of Survey application for the April Inn Condominiums. The property is located at 545 Main Street in the HCB District and at 550 Park Avenue in the HR-2 District. The subject property consists of Lot 1 of the Cardinal Park Plat Amendment approved by the City Council in November 2015, and not yet recorded at Summit County.

The Cardinal Park Plat Amendment is located at 545 Main Street and 550, 554, 560 Park Avenue. The property is in the Historic Commercial Business (HCB) and Historic Residential-2 (HR-2) District, respectively. The Cardinal Park Plat Amendment consisted of Lot 1 of the 545 Main Street Plat and Lot 32, 33, 34, and 35 of Block 9 of the Amended Plat of the Park City Survey. The Main Street lot has a non-historic building known as the April Inn. The Cardinal Park Plat Amendment reconfigured these five (5) lots into three (3) lots of record by removing and shifting lot lines.

During the February 24, 2016 Planning Commission meeting, the Commission forwarded a positive recommendation to the City Council, the vote was unanimous (4-0).

Analysis

A condominium is not a type of use but a form of ownership. The proposed Condominium Record of Survey plat identifies private, common, and limited common ownership areas within the existing and proposed building.

HCB District

A Multi-Unit Dwelling is an allowed use in the HCB District. The proposal complies with the allowed uses in the HCB District. Lot 1 of the Cardinal Park Plat Amendment is 8,425.5 square feet in total with 5,800.5 square feet of it within the HCB District and the remainder is located in the HR-2 District. The minimum lot area within the HCB District is 1,250 square feet. The HCB zoned portion of Lot 1 is 5,800.5 square feet and complies with the required minimum lot area. The minimum lot width within the HCB District is twenty five feet (25'). The lot width of the HCB zoned portion of Lot 1 is 77.34 feet and complies with the minimum lot width.

There are no minimum front, rear, or side yard setback dimensions in the HCB District. The maximum Floor Area Ratio (FAR) within the HCB District is 4.0 or 23,202 square feet (5,800.5 square feet x 4.0). The existing gross area of the HCB zoned portion of Lot 1 is 15,539 square feet. The existing FAR is 2.68 ($15,539 \div 5,800.5$) and meets the maximum FAR. The maximum Building volume for the HCB Zoned lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane. The maximum Building volume is met.

HR-2 District

A single-family dwelling is an allowed use in the HR-2 District. Although the unit is part of a lot with several units on it, the Planning Director has determined that this use is as a single-family dwelling. The minimum lot area for a single-family dwelling is 1,875 square feet. The area of Lot 1 is 8,425.5 square feet in total with 2,625 square feet of it within the HR-2 District and the remainder is located in the HCB District. The HR-2 zoned portion of Lot 1 is 2,625 square feet and complies with the required minimum lot area. The minimum lot width allowed in the HR-2 District is twenty-five feet (25'). The

lot width of the HR-2 zoned portion of Lot 1 is thirty five feet (35') and complies with the minimum lot width.

The proposed single-family dwelling/parking garage structure shall be subject to the parameters outlined in the HR-2 District. The following table shows applicable development parameters in the Historic Residential-2 District:

LMC Provision	HR-2 Requirements
Building Footprint	1,132.5 square feet max. (based on HR-2 zoned lot area)
Front/Rear Yard Setbacks	10 feet minimum.
Side Yard Setbacks	5 feet minimum, 10 feet total.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.
Parking spaces	Two (2) spaces.

Staff finds Good Cause for the Condominium Record of Survey as the requested form of ownership is not detrimental to the overall character of the neighborhood. In addition, it allows for the sale of the individual units. It is a requirement of the underlying subdivision, the Cardinal Park Plat Amendment, that units are required to be subdivided through a Record of Survey application before individual sale.

This application, as shown on the proposed plat, allows the following units to be platted as private ownership:

- Commercial Unit A – 1,392 square feet.
- Commercial Unit B – 1,541 square feet.
- Commercial Unit C – 1,556 square feet.
- Residential Unit D – 2,994 square feet, plus a 213 square foot garage.
- Residential Unit E – 2,855 square feet, plus 220 square foot garage.
- Residential Unit F – 2,808 square feet, plus a 220 square foot garage.
- Residential Unit G – 1,826 square feet, plus a 232 square foot garage.

Units A, B, and C are found on the street level directly off to the Main Street sidewalk and are of a commercial designation. The commercial units cannot be used as offices per the current *vertical zoning ordinance*. Units D, E, and F are found above commercial units on the second and third level of the existing building. Units A – F are addressed as 545 Main Street. Residential unit G is a single-family dwelling and

parking garage structure to be built and will have the 550 Park Avenue address. The total private ownership of this entire project is 15,857 square feet.

The proposed Record of Survey consists of common area, private residential, limited common residential, and private commercial. The exterior and boundary walls, floor joists, foundations, roofs, mechanical areas, utility chase, etc. are to be platted as common space. The four (4) residential units, D, E, F, & G, are to be platted as private residential including the four (4) garages to be access off the alley via Main Street. The three (3) commercial units, A, B, & C, are to be platted as private commercial. The storage areas accessed through the three (3) garages, external parking space adjacent to Unit G, exterior decks, internal circulation, etc., are platted limited common residential.

Condominium Conversions

Land Management Code (LMC) § 15-4-12 indicates that existing structures shall not be converted to condominium ownership without first receiving the review and recommendation of the Planning, Engineering and Building Departments, City Attorney, and Record of Survey Plat approval from the City. Furthermore, required public improvements and landscaping shall be completed at the time of conversion or security provided to ensure completion as provided by ordinance. The structure must be brought into substantial compliance with the Building code as a condition precedent to plat approval.

In September 2014, the City issued a building permit to remodel the April Inn, 545 Main Street, into the six (6) units. The applicant is still working on this active building permit. The structure, as approved on plans, is to be built per current building codes as approved. The combination single-family dwelling/parking garage structure at 550 Park Avenue is not yet built and the applicant has not submitted a building permit for it. The Planning Commission's approval of the steep slope Conditional Use Permit (CUP) and the parking garage use expires on October 28, 2016, if a building permit is not issued or if an extension request is not granted.

Soils Boundary

The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Prior to building permit issuance, a soils management plan must be submitted and final construction must comply with the Soils Ordinance.

Process

The approval of this Condominium Record of Survey application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-18.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record according to requirements of the Land Management Code.

Public Input

No public input has been received by the time of this report.

Alternatives

- The City Council may approve the April Inn Condominiums Record of Survey Plat or
- The City Council may deny the April Inn Condominiums Record of Survey Plat and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on April Inn Condominiums Record of Survey Plat; or
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Planning Department's Recommendation

The proposed building would remain as is and the property owner would not have the option to sell the units individually.

Summary Recommendation

Staffs recommends the City Council hold a public hearing and consider approving April Inn Condominiums Record of Survey Plat located at 545 Main Street/550 Park Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Condominium Record of Survey plat
Exhibit B – Applicant's Project Intent
Exhibit C – Existing Conditions & Topographic Map
Exhibit D – Aerial Photograph
Exhibit E – Site Photographs
Exhibit F – 24 February 2016 Planning Commission Minutes (DRAFT)

Exhibit A: Draft Ordinance

Ordinance No. 16-14

AN ORDINANCE APPROVING THE APRIL INN CONDOMINIUMS RECORD OF SURVEY PLAT LOCATED AT 545 MAIN STREET & 550 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 545 Main Street/550 Park Avenue have petitioned the City Council for approval of the Condominium Record of Survey; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 24, 2016, to receive input on plat amendment; and

WHEREAS, the Planning Commission, February 24, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 24, 2016, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the April Inn Condominiums Record of Survey Plat.

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

SECTION 1. APPROVAL. April Inn Condominiums Record of Survey plat 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 545 Main Street in the HCB District and at 550 Park Avenue in the HR-2 District.
2. The subject property consists of Lot 1 of the Cardinal Park Plat Amendment approved by the City Council in November 2015, and not yet recorded at Summit County.
3. The Cardinal Park Plat Amendment shall be recorded prior to the recordation of this Condominium Record of Survey.
4. In October 2015, the Park City Planning Commission approved a request for a

Steep Slope Conditional Use Permit (CUP) for a new single-family dwelling over a parking structure on a vacant site and a CUP for a *Residential Parking Structure with five (5) or more spaces, associated with a residential Building on the same Lot*,

5. The property owner proposes to record a Condominium Record of Survey that creates a total of seven (7) units.
6. A condominium is not a type of use but a form of ownership.
7. A Multi-Unit Dwelling is an allowed use in the HCB District.
8. The proposal complies with the allowed uses in the HCB District.
9. Lot 1 of the Cardinal Park Plat Amendment is 8,425.5 square feet in total with 5,800.5 square feet of it within the HCB District and the remainder is located in the HR-2 District.
10. The minimum lot area within the HCB District is 1,250 square feet.
11. The HCB zoned portion of Lot 1 is 5,800.5 square feet and complies with the required minimum lot area.
12. The minimum lot width within the HCB District is twenty five feet (25').
13. The lot width of the HCB zoned portion of Lot 1 is 77.34 feet and complies with the minimum lot width.
14. There are no minimum front, rear, and side yard setback dimensions in the HCB District.
15. The maximum Floor Area Ratio (FAR) within the HCB District is 4.0 or 23,202 square feet (5,800.5 square feet x 4.0).
16. The existing gross area of the HCB zoned portion of Lot 1 is 15,539 square feet.
17. The existing FAR is 2.68 ($15,539 \div 5,800.5$) and meets the maximum FAR.
18. The maximum Building volume for the HCB Zoned lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane.
19. The maximum Building volume is met.
20. A single-family dwelling is an allowed use in the HR-2 District.
21. The minimum lot area for a single-family dwelling is 1,875 square feet.
22. The area of Lot 1 is 8,425.5 square feet in total with 2,625 square feet of it within the HR-2 District and the remainder is located in the HCB District.
23. The HR-2 zoned portion of Lot 1 is 2,625 square feet and complies with the required minimum lot area.
24. The minimum lot width allowed in the HR-2 District is twenty-five feet (25').
25. The lot width of the HR-2 zoned portion of Lot 1 is thirty five feet (35') and complies with the minimum lot width.
26. The proposed single-family dwelling / parking garage structure shall be subject to the parameters outlined in the HR-2 District.
27. The proposed Condominium Record of Survey Plat as the requested form of ownership is not detrimental to the overall character of the neighborhood.
28. This application allows the following units to be platted as private ownership:
 - a. Commercial Unit A – 1,392 square feet.
 - b. Commercial Unit B – 1,541 square feet.

- c. Commercial Unit C – 1,556 square feet.
 - d. Residential Unit D – 2,994 square feet, plus a 213 square foot garage, totaling 3,207 square feet.
 - e. Residential Unit E – 2,855 square feet, plus 220 square foot garage, totaling 3,075 square feet.
 - f. Residential Unit F – 2,808 square feet, plus a 220 square foot garage, totaling 3,028 square feet.
 - g. Residential Unit G – 1,826 square feet, plus a 232 square foot garage, totaling 2,058 square feet.
- 29. The total private ownership of this project is 15,857 square feet.
 - 30. Units A, B, and C are found on the street level directly off to the Main Street sidewalk and are of a commercial designation.
 - 31. Units D, E, and F are found above commercial units on the second and third level of the existing building.
 - 32. Units A – F are addressed as 545 Main Street.
 - 33. Residential unit G is a single-family dwelling and parking garage structure to be building and will have the 550 Park Avenue address.
 - 34. The proposed Record of Survey consists of common area, private residential, limited common residential, and private commercial.
 - 35. The exterior and boundary walls, floor joists, foundations, roofs, mechanical areas, utility chase, etc. are to be platted as common space.
 - 36. The four (4) residential units, D, E, F, & G, are to be platted as private residential including the four (4) garages to be access off the alley via Main Street.
 - 37. The three (3) commercial units, A, B, & C, are to be platted as private commercial.
 - 38. The storage areas accessed through the three (3) garages, external parking space adjacent to Unit G, exterior decks, internal circulation, etc., are platted limited common residential.
 - 39. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Prior to building permit issuance, a soils management plan must be submitted and final construction must comply with the Soils Ordinance.
 - 40. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

- 1. The Condominium Plat is consistent with the Park City Land Management Code and applicable State law regarding condominium record of survey plats.
- 2. Neither the public nor any person will be materially injured by the proposed Condominium Plat.
- 3. Approval of the Condominium Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

- 1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code,

- and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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. The Cardinal Park Plat Amendment shall be recorded prior to the recordation of this Condominium Record of Survey.
 4. Required public improvements and landscaping, as applicable, shall be completed at the time of conversion or security provided to ensure completion as provided by ordinance.
 5. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Prior to building permit issuance, a soils management plan must be submitted and final construction must comply with the Soils Ordinance.

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

PASSED AND ADOPTED this 24th day of March, 2016.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

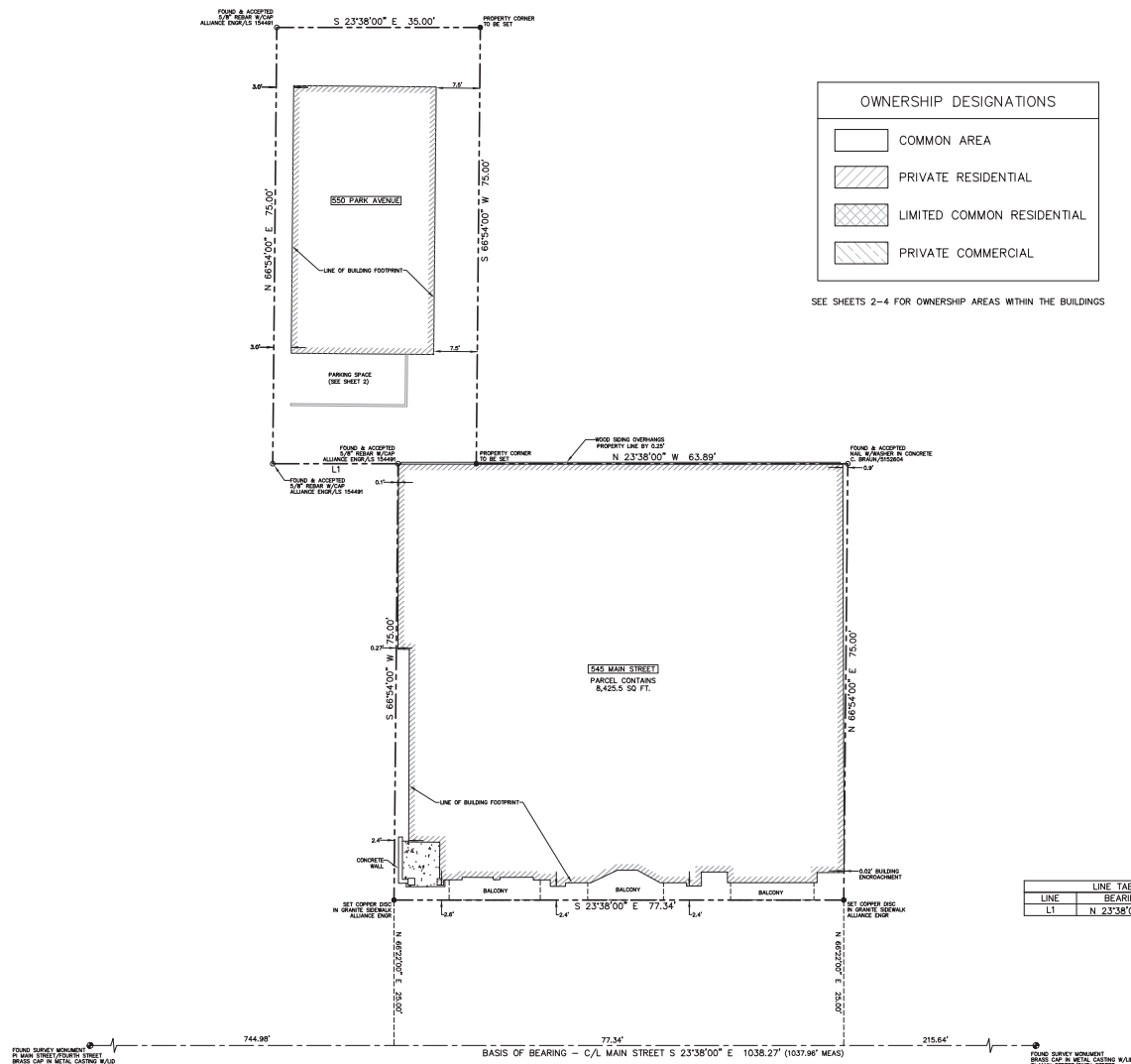
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Attachment 1 - Proposed Condominium Record of Survey



SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners this Record of Survey map of the APRIL INN CONDOMINIUMS has been prepared under my direction, and that the same has been monumented on the ground as shown on this plot.

BOUNDARY DESCRIPTION

PARCEL 1
Lot 1, 545 MAIN STREET, Lot Line Adjustment Plat, Park City, Utah, according to the official plat recorded October 21, 1997, as Entry No. 490199, thereof on file and of record in the Summit County Recorder's Office.
Also being described as and being located within the following: All of Lots 13, 14 and 15, and the North 2.4 feet of Lot 12, Block 9, PARK CITY SURVEY OF BUILDING LOTS.

PARCEL 2
Beginning at the easternmost corner of Lot 35, Block 9, Park City Survey, and running thence South 66°54'00" West 75.00 feet; thence North 23°38'00" West 35.00 feet; thence North 66°54'00" East 75.00 feet; thence South 23°38'00" East to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that 545 MAIN STREET HOLDINGS, LLC, an Oklahoma limited liability company, the undersigned owner of the herein described tract of land to be known hereafter as APRIL INN CONDOMINIUMS, does hereby certify that it has caused this condominium plat to be prepared, and does hereby consent to the recordation of this plat.

In witness whereof, the undersigned set her hand this ____ day of _____, 2016.

545 Main Street Holdings, LLC, an Oklahoma limited liability company

By: _____
Nichole Lipps, Vice President

ACKNOWLEDGMENT

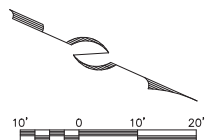
State of: _____
County of: _____

On this ____ day of _____, 2016, Nichole Lipps 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 she is the Vice President of 545 Main Street Holdings, LLC, an Oklahoma limited liability company, and that said document was signed by her on behalf of said corporation by authority of its Bylaws, or Resolution of its Board of Directors, and she acknowledged to me that she executed this plat of April Inn Condominiums.

By: _____
A Notary Public commissioned in _____

Printed Name _____
Residing in: _____
My commission expires: _____
Commission No. _____

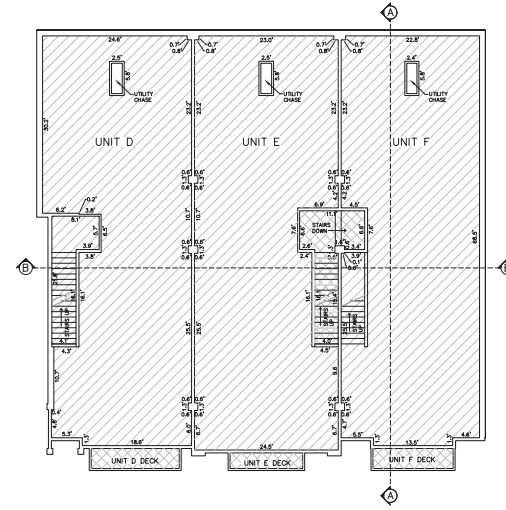
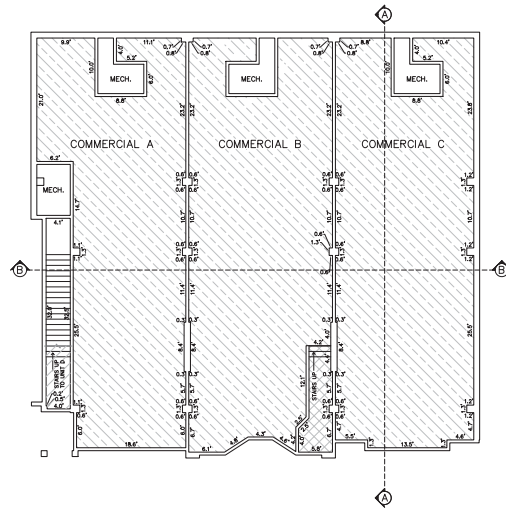
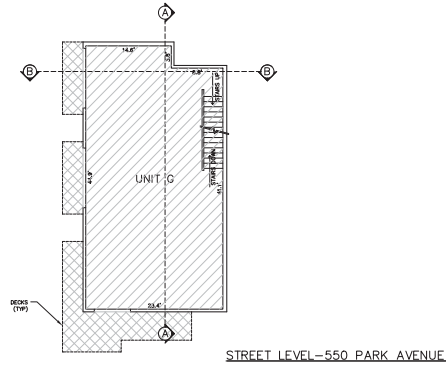
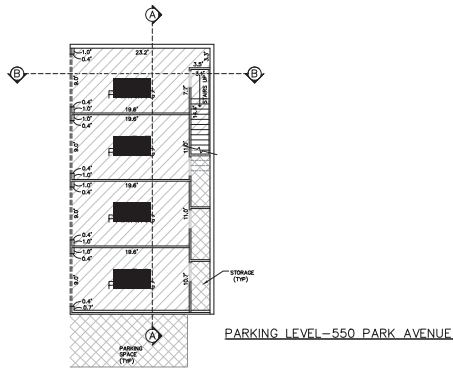
- NOTES**
1. The survey monument at Fourth Street and Main Street shown on the Park City Monument Control Map, recorded November 2, 1982, as Entry No. 197765 was destroyed. A may nail was set at its original location based on survey information obtained from previous surveys.
 2. The dimensions of the interior spaces shown on this plot are taken from architectural drawings. It is the intent that the units be constructed as shown, though variations may occur.
 3. This condominium plat is subject to the Conditions of Approval in Ordinance 16-_____.



A PARCEL COMBINATION PLAT
IN BLOCK 9, PARK CITY SURVEY
APRIL INN CONDOMINIUMS

LOCATED IN BLOCK 9, PARK CITY SURVEY AND ALSO IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

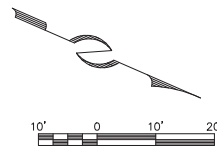
 (435) 649-9457 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2864 Park City, Utah 84302-2864	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2016 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2016 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2016 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2016 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2016 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2016 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____
	1/28/16 JOB NO.: 1-3-14 FILE: X:\ParkCitySurvey\dwg\ar\plat2014\010314.dwg						

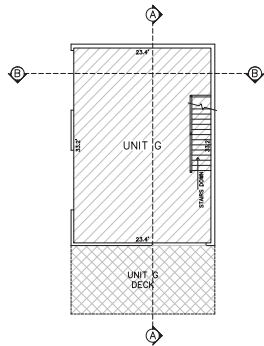


UNIT AREA TABLE		
UNIT	PRIVATE OWNERSHIP AREA	GARAGE AREA
COMMERCIAL A	1392 SQ FT	N/A
COMMERCIAL B	1541 SQ FT	N/A
COMMERCIAL C	1556 SQ FT	N/A
UNIT D	2994 SQ FT	213 SQ FT
UNIT E	2855 SQ FT	220 SQ FT
UNIT F	2808 SQ FT	220 SQ FT
UNIT G	1826 SQ FT	232 SQ FT

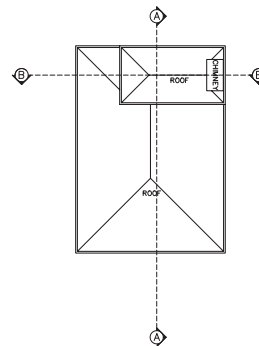
OWNERSHIP DESIGNATIONS	
	COMMON AREA
	PRIVATE RESIDENTIAL
	LIMITED COMMON RESIDENTIAL
	PRIVATE COMMERCIAL

APRIL INN CONDOMINIUMS

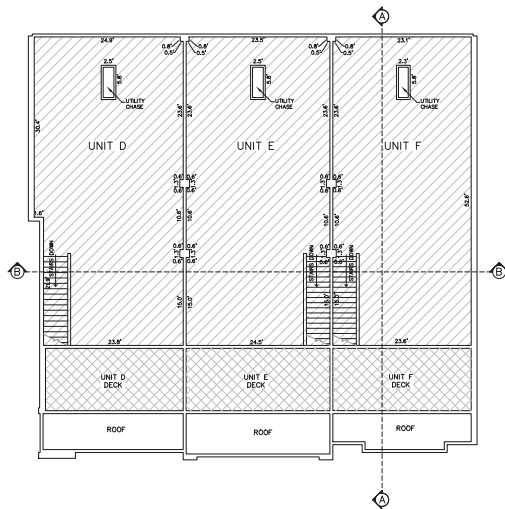




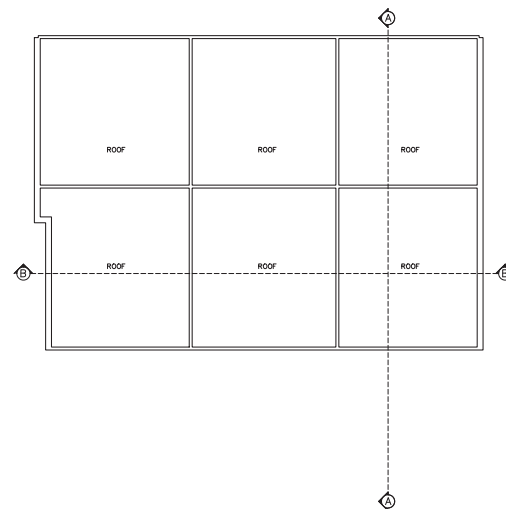
UPPER LEVEL-550 PARK AVENUE



ROOF LEVEL-550 PARK AVENUE



THIRD LEVEL-545 MAIN STREET



ROOF LEVEL-545 MAIN STREET

UNIT AREA TABLE

UNIT	PRIVATE OWNERSHIP AREA	GARAGE AREA
COMMERCIAL A	1392 SQ FT	N/A
COMMERCIAL B	1541 SQ FT	N/A
COMMERCIAL C	1556 SQ FT	N/A
UNIT D	2994 SQ FT	213 SQ FT
UNIT E	2855 SQ FT	220 SQ FT
UNIT F	2808 SQ FT	220 SQ FT
UNIT G	1826 SQ FT	232 SQ FT

OWNERSHIP DESIGNATIONS

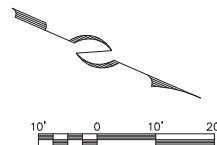
	COMMON AREA
	PRIVATE RESIDENTIAL
	LIMITED COMMON RESIDENTIAL
	PRIVATE COMMERCIAL

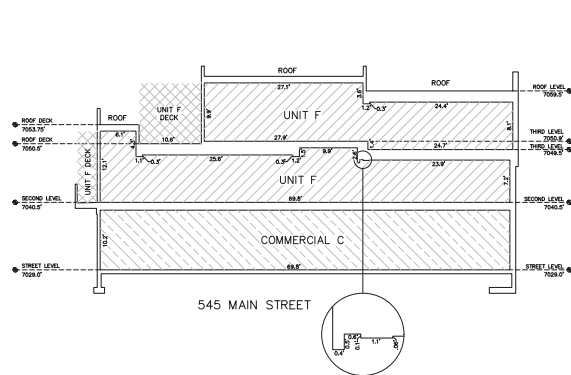
APRIL INN CONDOMINIUMS

SHEET 3 OF 4

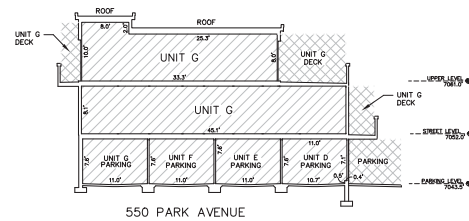
JOB NO.: 1-3-14 FILE: X:\ParkCitySurvey\dwg\april\plot2014\010314.dwg

1/29/14
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ ENTRY NO. _____
FEE _____ RECORDER _____

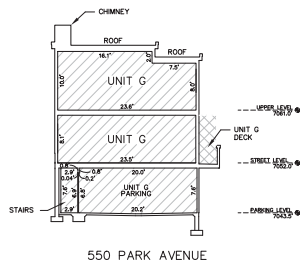




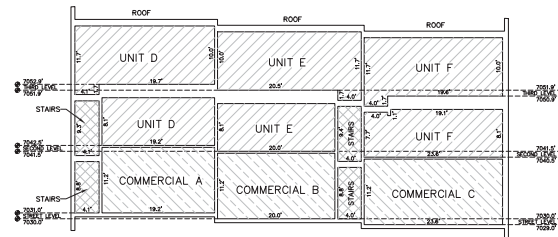
SECTION (A)



SECTION (B)



SECTION (C)



OWNERSHIP DESIGNATIONS	
	COMMON AREA
	PRIVATE RESIDENTIAL
	LIMITED COMMON RESIDENTIAL
	PRIVATE COMMERCIAL

APRIL INN CONDOMINIUMS

SHEET 4 OF 4

JOB NO.: 1-3-14	FILE: X:\ParkCitySurvey\dwg\april\plat2014\010314.dwg
1/29/14	
RECORDED	
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED	
AT THE REQUEST OF _____	
DATE _____	TIME _____ ENTRY NO. _____
FEE _____	RECORDER _____



CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2864 Park City, Utah 84302-2864



545 MAIN STREET CONDOMINIUMS

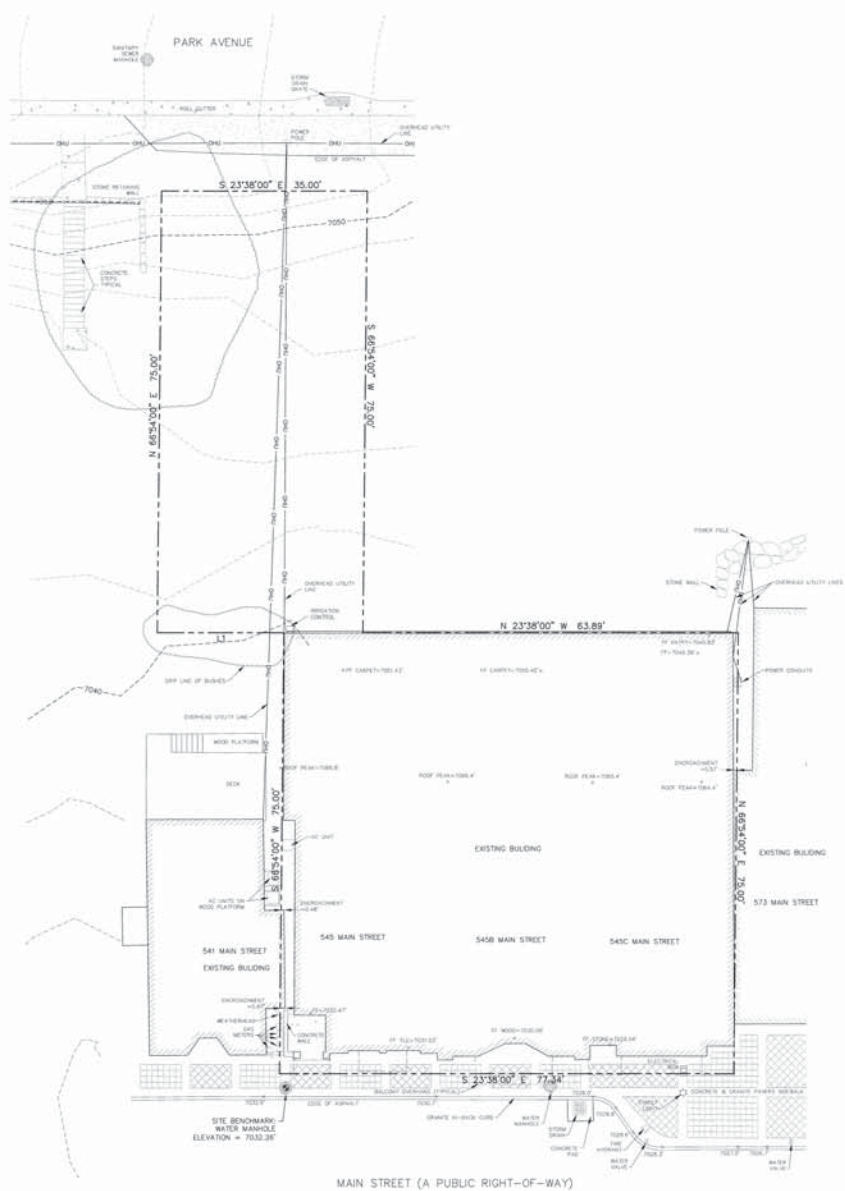
PROJECT INTENT

545 Main Street Lot Line Adjustment Plat was recorded October 21, 1997, as Entry No. 490199. An existing building that is currently under renovation, and known as the April Inn, occupies the property within this plat. The Cardinal Park Plat Amendment that is currently in the process of being finalized and recorded includes the 545 Main Street Lot Line Adjustment Plat as well as a parcel on Park Avenue that abuts the 545 Main Street Lot Line Adjustment Plat. The 545 Main Street property and the property on Park Avenue will be combined to create Lot 1 of the Cardinal Park Plat Amendment.

This current submittal proposes a condominium plat which will include the 545 Main Street property and the Park Avenue property. It is proposed to create parking on the Park Avenue property with a residence above. The parking will serve the Park Avenue residence as well as the three units at 545 Main Street.



Exhibit C – Existing Conditions & Topographic Map



SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described herein. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

Martin A. Morrison
No. 4938739
MARTIN A. MORRISON
Surveyor of Utah
1-19-16

- NOTES**
1. Site Benchmark: Water manhole
Elevation: 7032.26"
 2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
 3. This map is based on a field survey performed on December 3, 2012, with additional mapping on March 14, 2014, to reflect changes made along the sidewalk.
 4. Snow coverage at the time of the survey was approximately 6" to 8".
As a result, actual elevations may vary from elevations shown on this survey. In addition, monuments, improvements and/or conditions may exist which are not shown on this survey.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N. 23°38'00" W.	21.55



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 313 Main Street, P.O. Box 2084 Park City, Utah 84060-2084	(435) 948-9487	STAFF: MARSHALL KING MARTY MORRISON HARRISON HOLLEY JESSE MORENO	EXISTING CONDITIONS & TOPOGRAPHIC MAP 545 MAIN STREET & 550 PARK AVENUE BLOCK 9, PARK CITY SURVEY	SHEET 1 OF 1
	DATE: 1/19/16	FOR: 545 MAIN STREET HOLDINGS, LLC JOB NO.: 1-3-14 FILE: X:\ParkCitySurvey\dwg\src\topo2014\010314_2016.dwg		

Exhibit D – Aerial Photograph



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2654 Park City, Utah 84060-2654	(435) 648-9467	STAFF: MARSHALL KING JESSE MORENO	AERIAL PHOTOGRAPH 545 MAIN STREET BLOCK 9, PARK CITY SURVEY FOR: 545 MAIN STREET HOLDINGS, LLC JOB NO.: 1-3-14 FILE: X:\ParkCitySurvey\dwg\Exhibits\545 Main Street-ortho.dwg	60'0"60'120'	SHEET
					1
					OF
					1
DATE: 1/18/16					

Exhibit E – Site Photographs













PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 24, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, Steve Joyce, John Phillips,

EX OFFICIO: Planning Director, Bruce Erickson; Francisco Astorga, Planner; Anya Grahm,
Planner; Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioner Thimm who was excused.

ADOPTION OF MINUTES

February 10, 2016

MOTION: Commissioner Joyce moved to APPROVE the minutes of February 10, 2016 as written. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Director Bruce Erickson reported that the new Planning Commissioner, Laura Suesser, would be sworn in the following evening at the City Council meeting. Ms. Suesser would take her seat on the Planning Commission at the next meeting on March 9th.

Director Erickson reported some of the legacy projects were lying dormant due to other matters. The Staff was moving forward with Land Management Code changes. The intent is to make the LMC more technically precise and easier to identify what the City is looking for; and to do a better job of protecting neighborhood characteristics. Some of the changes address height issues in the historic districts, steep slopes, master sign plans, real estate offices and other items. The issues are fairly complicated and require additional time and discussion. Director Erickson noted that the Historic District Planners were working on revising the Historic District Guidelines and they would be holding two public input sessions in April. The Planning Commission was welcome to attend those sessions.

Director Erickson stated that changes after April would address traffic and transportation, as well as other issues related to master planned developments.

Director Erickson would provide an update at a later meeting on projects coming forward for summer planning. The Planning Commission could expect to hear the annual update on PCMR the first week in April, which was part of the approval on the gondola and two chair lifts.

CONTINUATIONS (Public Hearing and Continue to date specified.)

1. 2392 Holiday Ranch Loop Road- Conditional Use Permit for construction of a new well house that will support both the Divide and Park Meadows Well on the same property that the current well houses exist. (Application PL-16-03079)

Director Erickson reported that this item was a municipal project for a well filtration plan of approximately 2200 square feet next to the existing fire station on Holiday Ranch Loop Road. The approximate location is where the existing well buildings currently sit. It is a one-story building with a clerestory to provide light. The Staff had requested additional information from Public Utilities, and that information will be provided prior to the Planning Commission meeting on March 23rd.

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to CONTINUE the 2392 Holiday Ranch Loop Road Conditional Use Permit to March 23, 2016. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 545 Main Street/550 Park Avenue, April Inn Condominiums – Condominium Record of Survey that creates a total of seven (7) units.
(Application PL-16-03089)

Planner Francisco Astorga reviewed the application for a condominium record of survey for the April Inn condos. It is a total of seven units consisting of three commercial units on the Main Street side, three residential units above the commercial, and one single family dwelling/parking structure on 550 Park Avenue, which was approved on October 28th, 2015.

Planner Astorga noted that the Historic District Design Review was updated to reflect the conditions of approval from October 28th, 2015. A public hearing was held the previous day. The Design Review Team found that the HDDR application meets all of the conditions of approval from October 28th and it was close to being approved.

Planner Astorga states that April Inn was located in the HCB and the HR-2 District. The requested condominium record of survey simply allows the property owner to sell each of the seven units individually. The Staff found that it meets the LMC for condominium records of survey.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval found in the draft ordinance.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

Chair Strachan understood that the CC&Rs require approval of this condominium conversion before the units could be individually sold. He asked why that requirement was put in place.

Planner Astorga replied that a conditional of approval united the April Inn on the Main Street side with 550 Park Avenue so they could accommodate that specific use. That same plat amendment, called the Cardinal Park Plat Amendment, also shifted the lot lines of two other adjacent Park Avenue lots. That application was approved by the City Council in November 2015. Lot 1 of that plat is this specific site of the April Inn condominiums and that plat needs to be recorded before they can move and record the condominium plat.

Commissioner Campbell asked how the applicant had solved the problem regarding the garage doors. Planner Astorga stated that the applicant originally proposed six parking spaces; four covered and two uncovered. The number of parking spaces was reduced to five; four being covered and the fifth one off to the side in the rear area of 550 Park Avenue. Eliminating one parking spot allowed them to build Building Code required walls and accommodate each garage door.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the condominium record of survey for 545 Main Streets/550 Park Avenue, April

Inn Condominiums, based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 545 Main Street/550 Park Avenue

1. The property is located at 545 Main Street in the HCB District and at 550 Park Avenue in the HR-2 District.
2. The subject property consists of Lot 1 of the Cardinal Park Plat Amendment approved by the City Council in November 2015, and not yet recorded at Summit County.
3. The Cardinal Park Plat Amendment shall be recorded prior to the recordation of this Condominium Record of Survey.
4. In October 2015, the Park City Planning Commission approved a request for a Steep Slope Conditional Use Permit (CUP) for a new single-family dwelling over a parking structure on a vacant site and a CUP for a Residential Parking Structure with five (5) or more spaces, associated with a residential Building on the same Lot,
5. The property owner proposes to record a Condominium Record of Survey that creates a total of seven (7) units.
6. A condominium is not a type of use but a form of ownership.
7. A Multi-Unit Dwelling is an allowed use in the HCB District.
8. The proposal complies with the allowed uses in the HCB District.
9. Lot 1 of the Cardinal Park Plat Amendment is 8,425.5 square feet in total with 5,800.5 square feet of it within the HCB District and the remainder is located in the HR-2 District.
10. The minimum lot area within the HCB District is 1,250 square feet.
11. The HCB zoned portion of Lot 1 is 5,800.5 square feet and complies with the required minimum lot area.

12. The minimum lot width within the HCB District is twenty five feet (25').
13. The lot width of the HCB zoned portion of Lot 1 is 77.34 feet and complies with the minimum lot width.
14. There are no minimum front, rear, and side yard setback dimensions in the HCB District.
15. The maximum Floor Area Ratio (FAR) within the HCB District is 4.0 or 23,202 square feet (5,800.5 square feet x 4.0).
16. The existing gross area of the HCB zoned portion of Lot 1 is 15,539 square feet.
17. The existing FAR is 2.68 ($15,539 \div 5,800.5$) and meets the maximum FAR.
18. The maximum Building volume for the HCB Zoned lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane.
19. The maximum Building volume is met.
20. A single-family dwelling is an allowed use in the HR-2 District.
21. The minimum lot area for a single-family dwelling is 1,875 square feet.
22. The area of Lot 1 is 8,425.5 square feet in total with 2,625 square feet of it within the HR-2 District and the remainder is located in the HCB District.
23. The HR-2 zoned portion of Lot 1 is 2,625 square feet and complies with the required minimum lot area.
24. The minimum lot width allowed in the HR-2 District is twenty-five feet (25').
25. The lot width of the HR-2 zoned portion of Lot 1 is thirty five feet (35') and complies with the minimum lot width.
26. The proposed single-family dwelling / parking garage structure shall be subject to the parameters outlined in the HR-2 District.

27. The proposed Condominium Record of Survey Plat as the requested form of ownership is not detrimental to the overall character of the neighborhood.

28. This application allows the following units to be platted as private ownership:

- a. Commercial Unit A – 1,392 square feet.
- b. Commercial Unit B – 1,541 square feet. c. Commercial Unit C – 1,556 square feet.
- d. Residential Unit D – 2,994 square feet, plus a 213 square foot garage, totaling 3,207 square feet.
- e. Residential Unit E – 2,855 square feet, plus 220 square foot garage, totaling 3,075 square feet.
- f. Residential Unit F – 2,808 square feet, plus a 220 square foot garage, totaling 3,028 square feet.
- g. Residential Unit G – 1,826 square feet, plus a 232 square foot garage, totaling 2,058 square feet.

29. The total private ownership of this project is 15,857 square feet.

30. Units A, B, and C are found on the street level directly off to the Main Street sidewalk and are of a commercial designation.

31. Units D, E, and F are found above commercial units on the second and third level of the existing building.

32. Units A – F are addressed as 545 Main Street.

33. Residential unit G is a single-family dwelling and parking garage structure to be building and will have the 550 Park Avenue address.

34. The proposed Record of Survey consists of common area, private residential, limited common residential, and private commercial.

35. The exterior and boundary walls, floor joists, foundations, roofs, mechanical areas, utility chase, etc. are to be platted as common space.

36. The four (4) residential units, D, E, F, & G, are to be platted as private residential including the four (4) garages to be access off the alley via Main Street.

37. The three (3) commercial units, A, B, & C, are to be platted as private commercial.

38.The storage areas accessed through the three (3) garages, external parking space adjacent to Unit G, exterior decks, internal circulation, etc., are platted limited common residential.

39.The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Prior to building permit issuance, a soils management plan must be submitted and final construction must comply with the Soils Ordinance.

40.All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 545 Main Street/550 Park Avenue

1. The Condominium Plat is consistent with the Park City Land Management Code and applicable State law regarding condominium record of survey plats.
2. Neither the public nor any person will be materially injured by the proposed Condominium Plat.
3. Approval of the Condominium Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 545 Main Street/550 Park Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval 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. The Cardinal Park Plat Amendment shall be recorded prior to the recordation of this Condominium Record of Survey.
4. Required public improvements and landscaping, as applicable, shall be completed at the time of conversion or security provided to ensure completion as

provided by ordinance.

5. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Prior to building permit issuance, a soils management plan must be submitted and final construction must comply with the Soils Ordinance.

2. Land Management Code Amendments regarding noticing in Chapter 15-1-18, Historic Preservation in Chapter 15-11, and associated definitions in Chapter 15-15, Defined Terms. (Application PL-15-03024)

Planner Anya Grahn stated that last December the City Council passed an ordinance to amend the Land Management Code to address a number of issues regarding the Historic Preservation Chapter. The Staff was cleaning up a few errors that were found. She explained that when they were making changes under the pending ordinance they heard a lot of complaints, particularly from second homeowners, about coming back to Park City to find that the house next door had been demolished and they were not noticed. Planner Grahn noted that a noticing matrix was included that requires the Planning Department to post a sign and provide mailing notice for property owners within 100 feet whenever a demolition permit is issued for 75% or more of the building.

Planner Grahn noted that the noticing requirement was the primary change. Most everything else were grammatical changes. Another change was that the HPB purposes statement was amended to exclude the HPB as an appeal body. Since the HPB does materials deconstruction they can no longer be the appeal body. Appeals will now go to the Board of Adjustment. Planner Grahn stated that they referenced the HPB's review of material deconstruction as part of 15-11-12(A)(3). The entire appeal body section was removed because it was outlined in other sections of the LMC and the language was repetitive. Planner Grahn pointed out that amendments were added to the definition of demolition.

The Staff requested that the Planning Commission conduct a public hearing, review the proposed Land Management Code Amendments, and forward a positive recommendation to the City Council.

Chair Strachan asked why the noticing boundary was not 300 feet. Director Erickson replied that 300 feet would be repetitive. A hundred feet encompasses all of the neighbors. Because the Old Town lots are smaller, 300 feet could notice as many as 100 people. The 100 feet requirement was just for the action itself. Planner explained that 100 feet is consistent with the current noticing for an HDDR application.



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

Staff recommends city council review land management code updates amending Notice Matrix, Section 15-1-21; Purposes, Section 15-11-5; Park City Historic sites Inventory, 15-11-10; Historic District or Historic Site Design Review, Section 15-11-12; Historic Preservation Board Review for Demolition, Section 15-12.5-15; and Definitions, Section 15-15.

(A) Public Hearing

(B) Final Action

Respectfully:

Anya Grahn, Planner II



City Council Staff Report

Subject: LMC Amendment Park City Historic Sites Inventory Criteria & Demolition Permits
Author: Anya Grahn, Historic Preservation Planner
Bruce Erickson, AICP, Planning Director
Department: Planning Department
Date: March 24, 2016
Type of Item: Legislative — LMC Amendment

Summary Recommendations:

On December 17, 2015, City Council passed Ordinance 15-53 to amend the Land Management Code in order to modify the Notice Matrix, Section 15-1-21; Purposes, 15-11-5; Park City Historic Sites Inventory, 15-11-10 Historic District or Historic Site Design Review, Section 15-11-12; Historic Preservation Board Review for Demolition Section 15-12.5-15; And Definitions, Section 15-15. Following adoption of the ordinance, staff found that there were several additional modifications that needed to be made in order to clarify the process.

Staff recommends City Council conduct a public hearing, consider public input, review the request, and consider approving the proposed changes as proposed in this Report.

Executive Summary:

Staff recommends City Council review Land Management Code updates amending Notice Matrix, Section 15-1-21; Purposes, Section 15-11-5; Park City Historic sites Inventory, 15-11-10; Historic District or Historic Site Design Review, Section 15-11-12; Historic Preservation Board Review for Demolition, Section 15-12.5-15; and Definitions, Section 15-15.

Description:

Project Name: LMC Amendment regarding demolition noticing in the H-Districts, Historic Preservation Board Review for Material Deconstructions in the Historic District, and Definitions
Applicant: Planning Department
Proposal Revisions to the Land Management Code

Acronyms in this Report:

Historic District Commission	HDC
Historic District Design Review	HDDR
Historic Preservation Board	HPB
Historic Preservation Board Review	HPBR
Historic Site Inventory	HSI
Land Management Code	LMC

Background:

On December 17, 2015, City Council passed Ordinance 15-53 to amend the Land Management Code (LMC). The following sections were updated as part of this amendment:

- Review Procedure, Section 15-1-8
- Appeal Process, Section 15-1-18
- Notice Matrix, Section 15-1-21
- Architectural Review, Section 15-2.1-8
- Architectural Review, Section 15-2.2-8
- Architectural Review, Section 15-2.3-11
- Architectural Review, Section 15-2.4-10
- Architectural Review, Section 15-2.5-7
- Architectural Review, Section 15-2.6-6
- Purposes of the Historic Preservation Board, Section 15-11-5
- Park City Historic Sites Inventory, Section 15-11-10
- Historic District/Historic Site Design Review, Section 15-11-12
- Relocation and/or Reorientation of a Historic Building or Historic Structure, Section 15-11-13
- Disassembly and Reassembly of a Historic Building or Historic Structure, Section 15-11-14
- Reconstruction of an Existing Historic Building or Historic Structure, Section 15-11-15
- Definitions, Section 15-15
- Adopting Historic Preservation Board Review for Material Deconstruction, Section 15-12.5-15

Following adoption of the pending ordinance, staff found several discrepancies that need to be addressed and/or corrected:

- City Council and the HPB requested that there be greater noticing for all demolitions in the Historic Districts, not just those applications for material deconstruction.
- Staff needs to modify the Purposes of the Historic Preservation Board, outlined in 15-11-5, in order to reflect that the HPB is no longer the appeal body for appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites.
- Staff needs to add an additional reference to 15-11-12.5 Historic Preservation Board Review for Material Deconstruction to 15-11-12(A)(3) Historic District or Historic Site Design Review.
- Staff can remove the appeal process outlined in 15-11-12(E)
- The reference to Historic Preservation Board Review for Demolition needs to be modified to Historic Preservation Board Review for Material Deconstruction.
- Staff needs to amend the definition of Demolition, outline in 15-15-1.75 in order to address the Historic Preservation Board's Material Deconstruction review.

Staff discussed these proposed LMC amendments with the Planning Commission on February 24, 2016. Overall, the Planning Commission was in favor of the amendments; however, there was concern about staff's proposed demolition noticing. Staff recommends that the demolition percentage be 75% as this is nearly equivalent to scraping the structure entirely; however, initially the Planning Commission argued that 25% would be more appropriate. Staff found that if an applicant was demolishing 25% of the structure, it would likely be under a HDDR application with new construction immediately following. The demolition provision is aimed at capturing those demolition permits for non-historic structures that seek to scrape the lot, but do not have immediate plans for redeveloping the lot. The Planning Commission expressed concern that the percentage could be perceived as subjective. Further, they found that staff's proposed noticing may create additional problems and confusion, as demolition of non-historic structures is not prohibited and any appeal would need to be reviewed by District Court. Ultimately, the Planning Commission forwarded a positive recommendation to City Council, but did not support the demolition noticing requirement. (See Exhibit 2—DRAFT Planning Commission Minutes.)

Analysis:

Staff requests that the City Council review and provide input on the topics outlined above and summarized in more detail in the following:

1. Noticing for all Demolitions in the H-Districts

During the past round of amendments, City Council and the Historic Preservation Board requested and staff supports creating a noticing program for demolitions in the Historic District. While amendments were made to LMC 15-1-21 to amend the noticing matrix to create a requirement for the HPB's Material Deconstruction review, there was not noticing requirements for all demolitions within the Historic Districts, regardless of historic designation, to the LMC.

Staff is proposing to add a noticing requirement for all demolition permits which scrape 75% of the structure or more, in any of the H-Districts. This noticing requirement will be administered by the Building Department. The noticing will include a mailing within 100 feet and a posting at the property 10 days once the Planning Department has approved the demolition permit.

Staff is proposing the following:

Notice Matrix			
ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Certificate of Appropriateness for Demolition (CAD)	45 days on the Property upon refusal of the City to issue a CAD; 14 days prior to the hearing before the CAD Hearing Board.	14 days prior to the hearing before the Historic Preservation Board, to Owners within 300 ft.	Once 14 days prior to the hearing before the Historic Preservation Board.
Determination of Significance	14 days prior to hearing before the Historic Preservation Board.	14 days prior to the hearing before the Historic Preservation Board to property owners within 100 feet	Once 14 days prior to hearing before the Historic Preservation Board.
Historic Preservation Board Review for Material Deconstruction	14 days prior to hearing before the Historic Preservation Board	14 days prior to the hearing before the Historic Preservation Board to property owners within 100 feet	Once 14 days prior to the hearing before the Historic Preservation Board.
<u>Demolition in the H-District to remove 75% or more of any existing non-historic structure</u>	<u>For a 10 day period once the Planning Department has approved the Building Department's demolition permit.</u>	<u>To Owners within 100 feet once the Planning Department has approved the Building Department's demolition permit.</u>	<u>No published notice required.</u>

During our Historic Preservation Board (HPB) meetings in 2015 in which we discussed the then-pending ordinance for material deconstruction, there were discussions regarding noticing of demolitions. Public comment during these meetings brought up concerns regarding the lack of noticing for when a homeowner demolishes his or her house. Staff had committed to reviewing these noticing requirements. Members of the HPB expressed concern about the accuracy of the courtesy mailing notices, and, overall, were supportive of noticing for greater transparency. Staff found after the adoption of the pending ordinance that noticing for demolitions of non-historic buildings had been overlooked.

The Planning Commission did not support this amendment and did not include it in its positive recommendation. Because of this, staff has chosen to include this LMC amendment as Exhibit 3.

2. 15-11-5 Purposes of the Historic Preservation Board

HPB is no longer the appeal body for appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites.

Staff proposes the following changes:

15-11-5. PURPOSES.

The purposes of the HPB are:

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

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

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

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

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

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

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

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

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

(J) To review and take action on material deconstruction applications for those Sites listed on the Historic Sites Inventory.

15-11-6. ADDITIONAL DUTIES.

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

(A) Participate in the design review of any City-owned projects located within the designated Historic District or are structures on the Historic Sites Inventory.

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

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

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

3. 15-11-12(A)(3) Design Guidelines for Park City's Historic Districts and Historic Sites

We need to reference 15-11-12.5 Historic Preservation Board Review for Material Deconstruction as part of 15-11-12(A)(3) Historic District or Historic Site Design Review.

Staff is proposing the following changes:

15-11-12(A)(3). HISTORIC DISTRICT OR HISTORIC SITE DESIGN REVIEW.

(A) PRE-APPLICATION CONFERENCE.

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

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

(3) The Planning Director, or his designee, may upon review of a Pre-Application submittal, determine that due to the limited scope of a project the Historic District or Historic Site Design Review process as outlined in LMC Sections 15-11-12(B-E) and Historic Preservation Board Review For Material Deconstruction as outlined in LMC Sections. 15-11.12.5 are is-not required and is exempt.

If such a determination is made, the Planning Director, or his designee may, upon reviewing the Pre-Application for compliance with applicable

*Design Guidelines, approve, deny, or approve with conditions, the project.
If approved, the Applicant may submit the project for a Building Permit. ...*

4. 15-1-1-18 & 15-11-12(E) Appeals

Following adoption of the ordinance, staff discovered that the appeal process had not been clearly defined for the new Historic Preservation Board Review for Material Deconstructions. The changes to the LMC required that an appeal body be identified for the review of HPB determinations for those actions described above. The LMC amendments included making the Board of Adjustment the appeal body for the HPB subject to LMC 15-1-18.

Staff did not review the appeal process with Planning Commission and Historic Preservation Board as part of their review of the LMC changes adopted by Council in December. Currently, the LMC has all appeals of HPB action going to the Board of Adjustment. These proposed amendments continue that process, and expand it slightly to include all HDDR appeals since now the HPB will be reviewing portions of HDDRs either by review of material deconstruction or for the additional review proposed. Even though the HPB won't reviewing all HDDRs, having the BOA review any HDDR appeals allow the appeals to all go to one body.

LMC 15-1-18 should be amended to say:

15-1 -18. APPEALS AND RECONSIDERATION PROCESS.

(A) STAFF. Any decision by either the Planning Director or Planning Staff regarding Application of this LMC to a Property may be appealed to the Planning Commission. Appeals of decisions regarding the Design Guidelines for Historic Districts and Historic Sites shall be reviewed by the Board of Adjustment ~~as described in 15-11-12(E).~~

Staff also recommends removing the language in LMC 15-11-10 (B)(4), 15-11-10 (C)(2)(d), 15-11-12(E) because it is repetitive and only having the appeal process outlined in LMC 15-11-18.

5. Historic Preservation Board Review for Demolition vs. Historic Preservation Board Review for Material Deconstruction.

As part of the LMC amendments, language was added to permit the Historic Preservation Board Review (HPBR) for material deconstruction. Staff is using the term material deconstruction instead of demolition as it addresses the systematic removal of materials for reuse and selective disposal. The National Trust for Historic Preservation differentiates deconstruction from demolition in that deconstruction is more selective in its material removal, can be used to remove and salvage specific materials, and is more systematic in its approach than demolition, which is generally considered to be the total scrape or loss of the historic building. HPB shall review all material deconstruction permits for any structure listed on the Historic Sites Inventory except for Routine Maintenance as defined by Section 15-11-12 (A)(3).

Staff found only one (1) instance in the amended LMC changes where demolition had not been changed to material deconstruction. Staff suggests making the following revisions:

***15-11-12.5. HISTORIC PRESERVATION BOARD REVIEW FOR
~~DEMOLITIONS~~ MATERIAL DECONSTRUCTION.***

The Historic Preservation Board shall review and approve, approve with conditions, or deny, all Applications for Material Deconstruction involving any Building(s) (main, attached, detached, or public), Accessory Buildings and/or Structures designated to the Historic Sites Inventory as Landmark or Significant.

Prior to issuance of a Building Permit for any material deconstruction work, the Historic Preservation Board shall review the proposed plans for compliance with the Land Management Code. Planning staff shall review Material Deconstruction applications of interior elements that (1) have no impact on the exterior of the structure; or (2) are not structural in nature; or (3) the scope of work is limited to exploratory demolition.

6. Definition of Demolition, outlined in 15-15-1.75

Finally, staff found that the definitions for Material Deconstruction and Demolition adopted by the ordinance did not clearly define the two types of actions. Staff is proposing to amend the definition of Demolition so that it does not include Material Deconstruction:

1.75 DEMOLISH OR DEMOLITION. Any act or process that destroys in part or in whole a Building or Structure. Includes dismantling, razing, or wrecking of any fixed Building(s) or Structure(s). Excludes Building(s) and/or Structure(s) undergoing relocation and/or reorientation pursuant to Section 15-11-13 of this Code, disassembly pursuant to Section 15-11-14 of this Code, and Reconstruction pursuant to Section 15- 11-15 of this Code. It also excludes any Material Deconstruction approved by the Historic Preservation Board pursuant to Section 15-11-12.5, or is exempt pursuant to 15-11-12(A).

Department Review:

This report has been reviewed by the Legal Department.

Alternatives:

- A. Approve:** The City Council may approve the proposed Land Management Code amendments as presented.
- B. Deny:** The City Council may deny the proposed amendments.
- C. Modify:** The City Council may deny the proposed amendments.
- D. Continue the Item:** The City Council may continue the discussion to a date certain and provide direction to Staff regarding additional information or analysis needed in order to take final action
- E. Do Nothing:** The City Council may choose to do nothing; however, no changes will be made to the demolition noticing nor the grammatical errors in the LMC.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	~ Every City employee is an ambassador of first-class service ~ Internationally recognized & respected brand	+ Enhanced conservation efforts for new and rehabilitated buildings	+ Preserved and celebrated history; protected National Historic District	+ Well-maintained assets and infrastructure ~ Ease of access to desired information for citizens and visitors
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Neutral 	Very Positive 	Very Positive 	Neutral 
Comments:				

Consequences of not taking the recommended action:

No changes will be made to the existing Land Management Code. Discrepancies in the Land Management Code will continue to exist and there will be no change to the noticing requirement for demolition permits.

Recommendation:

Staff recommends City Council conduct a public hearing, consider public input, review the request, and consider approving the proposed changes as proposed in this Report.

Exhibits:

Exhibit 1 – Draft Ordinance

Exhibit A – Chapter 1 of the LMC (WITHOUT NOTICING OF NON-HISTORIC DEMOLITIONS)

Exhibit A2- Chapter 1 noticing of non-historic demolitions

Exhibit B – Chapter 11 of the LMC

Exhibit C – Chapter 15 of the LMC

Exhibit 2 – 2.24.16 DRAFT Planning Commission Minutes

Exhibit 3 - Chapter 1 noticing of non-historic demolitions

Ordinance No. 16-15

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING NOTICE MATRIX, SECTION 15-1-21; PURPOSES, SECTION 15-11-5; PARK CITY HISTORIC SITES INVENTORY, 15-11-10; HISTORIC DISTRICT OR HISTORIC SITE DESIGN REVIEW, SECTION 15-11-12; HISTORIC PRESERVATION BOARD REVIEW FOR DEMOLITION SECTION 15-12.5-15; AND DEFINITIONS, SECTION 15-15.

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and

WHEREAS, it is in the best interest of the community to periodically amend the Land Management Code to reflect the goals and objectives of the City Council and to align the Code with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed changes to the Land Management Code are necessary to supplement existing zoning regulations to protect Historic structures and the economic investment by owners of similarly situated property (currently Historic); and

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

WHEREAS, these buildings are among the City's most important cultural, educational, and economic assets;

WHEREAS, the demolition of potentially historic buildings would permanently alter the character of a neighborhood, community and City;

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

SECTION 1. AMENDMENTS TO TITLE 15- LAND MANAGEMENT CODE CHAPTER ONE (GENERAL PROVISIONS AND PROCEDURES), SECTION 21 (NOTICE MATRIX). The recitals above are incorporated herein as findings of fact. Chapter 1 Section 21 of the Land Management Code of Park City is hereby amended as redlined (Exhibit A).

SECTION 2. AMENDMENTS TO TITLE 15- LAND MANAGEMENT CODE CHAPTER 11 (HISTORIC PRESERVATION) SECTIONS 5 (PURPOSES), 10 (PARK CITY HISTORIC SITES INVENTORY), 12 (HISTORIC DISTRICT OR HISTORIC SITE DESIGN REVIEW) AND 12.5 (HISTORIC PRESERVATION BOARD REVIEW FOR DEMOLITION). The recitals above are incorporated herein as findings of fact. Chapter 11, Sections 5, 10, 12 and 12.5 of the Land Management Code of Park City is hereby amended as redlined (Exhibit B).

SECTION 3. AMENDMENTS TO TITLE 15- LAND MANAGEMENT CODE CHAPTER 15 (DEFINITIONS) SECTION 1.75 (DEMOLISH OR DEMOLITION). The recitals above are incorporated herein as findings of fact. Chapter 15, Section 1.75 of the Land Management Code of Park City is hereby amended as redlined (Exhibit C).

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

PASSED AND ADOPTED this ____ day of _____, 2016

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, Mayor

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark Harrington, City Attorney

**Exhibit A- Amendments To Title 15- Land Management Code Chapter One
(General Provisions And Procedures), Section 18 (Appeal) and Section 21 (Notice
Matrix)**

15-1 -18. APPEALS AND RECONSIDERATION PROCESS.

(A) STAFF. Any decision by either the Planning Director or Planning Staff regarding Application of this LMC to a Property may be appealed to the Planning Commission. Appeals of decisions regarding the Design Guidelines for Historic Districts and Historic Sites shall be reviewed by the Board of Adjustment ~~as described in 15-11-12(E).~~

Exhibit B -- Amendments to Title 15- Land Management Code Chapter 11 (Historic Preservation) Sections 5 (Purposes), 10 (Park City Historic Sites Inventory), 12 (Historic District Or Historic Site Design Review), and 12.5 (Historic Preservation Board Review For Demolition).

15-11-5. PURPOSES.

The purposes of the HPB are:

- (A) To preserve the City's unique Historic character and to encourage compatible design and construction through the creation, and periodic update of comprehensive Design Guidelines for Park City's Historic Districts and Historic Sites;
- (B) To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land Uses;
- (C) To provide input to staff, the Planning Commission and City Council towards safeguarding the heritage of the City in protecting Historic Sites, Buildings, and/or Structures;
- (D) To recommend to the Planning Commission and City Council ordinances that may encourage Historic preservation;
- (E) To communicate the benefits of Historic preservation for the education, prosperity, and general welfare of residents, visitors and tourists;
- (F) To recommend to the City Council Development of incentive programs, either public or private, to encourage the preservation of the City's Historic resources;
- (G) To administer all City-sponsored preservation incentive programs;
- ~~(H) To review all appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites;~~
- (I) To review and take action on all designation of Sites to the Historic Sites Inventory Applications submitted to the City; and
- (J) To review and take action on material deconstruction applications for those Sites listed on the Historic Sites Inventory.

15-11-6. ADDITIONAL DUTIES.

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

- (A) Participate in the design review of any City-owned projects located within the designated Historic District or are structures on the Historic Sites Inventory.
- (B) Recommend to the City Council the purchase of interests in Property for purposes of preserving the City's cultural resources.
- (C) Recommend to the Planning Commission and the City Council zoning boundary changes for the district to preserve the historical integrity of the Area. Subdivision, Conditional Uses and planned unit Development Applications must continue to be acted upon by the Planning Commission.
- (D) Provide advice and guidance on request of the Property Owner or occupant on the construction, restoration, alteration, decoration, landscaping, or maintenance of any cultural resource, Historic Site, and Property within the Historic District, or neighboring Property which

are structures on the Historic Sites Inventory or are within a two (2) block radius of the Historic District.

15-11-10 PARK CITY HISTORIC SITES INVENTORY

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

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

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

- (1) **COMPLETE APPLICATION.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for designation, the Planning staff shall schedule a hearing before the Historic Preservation Board within thirty (30) days.
- (2) **NOTICE.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.
- (3) **HEARING AND DECISION.** The Historic Preservation Board will hold a public hearing and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." If the Historic Preservation Board finds that the Application complies with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached or public), Accessory Building, and/or Structure will be added to the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

~~(4) **APPEAL.** The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment pursuant to Section 15-10-7 of this Code. Appeal requests shall be submitted to the Planning Department within ten (10) days of Historic Preservation Board final action. Notice of pending appeals shall be made pursuant to Section 15-1-21 of this code. Appeals shall be considered only on the record made before the Historic Preservation Board.~~

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

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

- (1) **CRITERIA FOR REMOVAL.**

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

(2) **PROCEDURE FOR REMOVAL.**

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

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

(c) **Hearing and Decision.** The Historic Preservation Board will hear testimony from the Applicant and public and will review the Application for compliance with the “Criteria for Designating Historic Sites to the Park City Historic Sites Inventory.” The HPB shall review the Application “de novo” giving no deference to the prior determination. The Applicant has the burden of proof in removing the Site from the inventory. If the HPB finds that the Application does not comply with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached, or public) Accessory Building, and/or Structure will be removed from the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

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

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

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

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

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

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

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

(3) The Planning Director, or his designee, may upon review of a Pre-Application submittal, determine that due to the limited scope of a project the Historic District or Historic Site Design Review process as outlined in LMC Sections 15-11-12(B-E) and Historic Preservation Board Review For Material Deconstruction as outlined in LMC Sections. 15-11.12.5 are is not required and is exempt.

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

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

(a) For Non-Historic Structures and Sites - minor routine maintenance, minor routine construction work and minor alterations having little or no negative impact on the historic character of the surrounding neighborhood or the Historic District, such as work on roofing, decks, railings, stairs, hot tubs and patios, foundations, windows, doors, trim, lighting, mechanical equipment, paths, driveways, retaining walls, fences, landscaping, interior remodels, temporary improvements, and similar work.

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

(c) For Landmark Historic Structures and Sites - minor routine maintenance and minor routine construction having no negative impact on the historic character of the surrounding neighborhood, the Historic Structure, or the Historic District, such as re-roofing; repair of existing decks, railing, and stairs; hot tubs and patios located in a rear yard; replacement of existing windows and doors in existing or historic locations; repair of existing trim and other historic detailing; lighting, mechanical equipment located in a rear yard area or rear façade, repair of

paths, driveways, and existing retaining walls; fences, landscaping, interior remodels, temporary improvements, and similar work.

(d) For Significant and Landmark Historic Structures and Sites, the Planning Director may determine that the proposed work is Emergency Repair Work having little or no negative impact on the historic character of the surrounding neighborhood or the Historic District.

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

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

(D) **PUBLIC HEARING AND DECISION.** Following the fourteen (14) day public notice period noted in Section 15-1-21 of this Code the Planning Department staff shall hold a public hearing and make, within forty-five (45) days, written findings, conclusions of law, and conditions of approval or reasons for denial, supporting the decision and shall provide the Owner and/or Applicant with a copy. Staff shall also provide notice pursuant to Section 15-1-21.

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

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

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

~~(E) — **APPEALS.** The Owner, Applicant, or any Person with standing as defined in Section 15-1-18(D) of this Code may appeal any Planning Department decision made on a Historic District/Site design review Application to the Historic Preservation Board. All appeal requests shall be submitted to the Planning Department within ten (10) days of the decision. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project, and a comprehensive statement of the reasons for the appeal, including specific provisions of the Code and Design Guidelines that are alleged to be violated by the action taken. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.~~

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

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

~~(2) — The Owner, Applicant, or any Person with standing as defined in Section 15-1-18(D) of this Code may appeal any Historic Preservation Board decision made on a Historic Preservation Board Review for Material Deconstruction to the Board of Adjustment. All appeal requests shall be submitted to the Planning Department within ten (10) days of the decision. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and a comprehensive statement of the reasons for the appeal, including specific provisions of the Code and Design Guidelines that are alleged to be violated by the action taken. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise. Notice of all pending appeals shall be made by staff, pursuant to Section 15-1-21 of this Code. The appellant shall provide required stamped and addressed notice envelopes within fourteen (14) days of the appeal. The notice and posting shall include the location and description of the proposed Development project. The scope of review by the Historic Preservation Board shall be the same as the scope of review at the Planning Department level.~~

~~(i) — The Board of Adjustment shall either approve, approve with conditions, or disapprove the Application based on written findings, conclusions of law, and conditions of approval, if any, supporting the decision, and shall provide the Owner and/or Applicant with a copy.~~

(F) **EXTENSIONS OF APPROVALS.** Unless otherwise indicated, Historic District Design Review (HDDR) approvals expire one (1) year from the date of the Final Action. The Planning Director, or designee, may grant an extension of an HDDR approval for one (1) additional year when the Applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change of circumstance includes physical changes to the Property or surroundings. Notice shall be provided consistent with the original HDDR approval per Section 15-1-12. Extension requests must be submitted to the Planning Department in writing prior to the date of the expiration of the HDDR approval.

(Amended by Ord. Nos. 09-23; 10-11; 11-05; 12-37; 15-53)

15-11-12.5 HISTORIC PRESERVATION BOARD REVIEW FOR DEMOLITIONS MATERIAL DECONSTRUCTION.

The Historic Preservation Board shall review and approve, approve with conditions, or deny, all Applications for Material Deconstruction involving any Building(s) (main, attached, detached, or public, Accessory Buildings and/or Structures designated to the Historic Sites Inventory as Landmark or Significant.

Prior to issuance of a Building Permit for any material deconstruction work, the Historic Preservation Board shall review the proposed plans for compliance with the Land Management Code. Planning staff shall review ~~m~~Material ~~d~~Deconstruction applications of interior elements

that (1) have no impact on the exterior of the structure; or (2) are not structural in nature; or (3) the scope of work is limited to exploratory demolition.

(A) COMPLETE APPLICATION.

The Owner and/or Applicant for any Property shall be required to submit a Historic Preservation Board Review For Material Deconstruction for proposed work requiring a Building Permit in order to complete the work.

(B) NOTICE. Upon receipt of a Complete Application, but prior to taking action on any Historic Preservation Board Review for Material Deconstruction application, the Planning staff shall provide notice pursuant to Section 15-1-12 and 15-1-21 of this Code.

(C) PUBLIC HEARING AND DECISION. Following the fourteen (4) day public notice period noted in Section 15-1-21 of this Code, the Historic Preservation Board shall hold a public hearing and make written findings, conclusions of law, and conditions of approval or reasons for denial, supporting the decision and shall provide the Owner and/or Applicant with a copy.

(Approved by Ord. No. 15-53)

Exhibit C -- Amendments to Title 15- Land Management Code Chapter 15 (Definitions)

1.74 DEMOLISH OR DEMOLITION. Any act or process that destroys in part or in whole a Building or Structure. Includes dismantling, razing, or wrecking of any fixed Buildings(s) or Structure(s). Excludes Building(s) and/or Structure(s) undergoing relocation and/or reorientation pursuant to Section 15-11-13 of this Code, disassembly pursuant to Section 15-11-14 of this Code, or Reconstruction pursuant to Section 15-11-15 of this Code, and Reconstruction pursuant to Section 15- 11-15 of this Code. It also excludes any Material Deconstruction approved by the Historic Preservation Board pursuant to Section 15-11-12.5, or is exempt pursuant to 15-11-12(A).

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. The Cardinal Park Plat Amendment shall be recorded prior to the recordation of this Condominium Record of Survey.

4. Required public improvements and landscaping, as applicable, shall be completed at the time of conversion or security provided to ensure completion as provided by ordinance.

5. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Prior to building permit issuance, a soils management plan must be submitted and final construction must comply with the Soils Ordinance.

2. Land Management Code Amendments regarding noticing in Chapter 15-1-18, Historic Preservation in Chapter 15-11, and associated definitions in Chapter 15-15, Defined Terms. (Application PL-15-03024)

Planner Anya Grahn stated that last December the City Council passed an ordinance to amend the Land Management Code to address a number of issues regarding the Historic Preservation Chapter. The Staff was cleaning up a few errors that were found. She explained that when they were making changes under the pending ordinance they heard a lot of complaints, particularly from second homeowners, about coming back to Park City to find that the house next door had been demolished and they were not noticed. Planner Grahn noted that a noticing matrix was included that requires the Planning Department to post a sign and provide mailing notice for property owners within 100 feet whenever a demolition permit is issued for 75% or more of the building.

Planner Grahn noted that the noticing requirement was the primary change. Most everything else were grammatical changes. Another change was that the HPB purposes statement was amended to exclude the HPB as an appeal body. Since the HPB does materials deconstruction they can no longer be the appeal body. Appeals will now go to the Board of Adjustment. Planner Grahn stated that they referenced the HPB's review of material deconstruction as part of 15-11-12(A)(3). The entire appeal body section was removed because it was outlined in other sections of the LMC and the language was repetitive. Planner Grahn pointed out that amendments were added to the definition of demolition.

The Staff requested that the Planning Commission conduct a public hearing, review the proposed Land Management Code Amendments, and forward a positive recommendation to the City Council.

Chair Strachan asked why the noticing boundary was not 300 feet. Director Erickson replied that 300 feet would be repetitive. A hundred feet encompasses all of the neighbors. Because the Old Town lots are smaller, 300 feet could notice as many as 100 people. The 100 feet requirement was just for the action itself. Planner explained that 100 feet is consistent with the current noticing for an HDDR application.

Commissioner Phillips asked about the 75% demolition requirement. Planner Grahm stated that the Staff believed 75% was a fair number because 50% could be too small, depending on what was being proposed. She noted that 75% was almost a total scrape. Commissioner Phillips thought 50% would also be significant. Planner Grahm offered to amend it to 50% if there was consensus among the Commissioners.

Chair Strachan asked if the Rio Grande Building would have been considered material deconstruction or a demolition. Planner Grahm replied that the Rio Grande Buildings was approved and the work was done prior to the pending ordinance. Under the new ordinance it would have been classified as material deconstruction because the corrugated metal siding was removed, as well as other structural elements to rebuild the roof. Chair Strachan asked if more or less than 75% had been removed. Planner Grahm believed it was 25-50%.

Chair Strachan agreed with Commissioner Phillips that the percentage should be lowered. He recommended 25% based on the Rio Grande Building because people would want to know if a change of that magnitude was proposed.

Planner Grahm clarified that currently a material deconstruction project in Old Town is noticed for the HPB review as well. The 75% demolition noticing would only apply to something such as an A-frame where the applicant would propose to scrape the lot or remove a significant portion of that building.

Assistant City Attorney McLean stated that the reason for using the term “material deconstruction” as opposed to “demolition” is because under the Code a historic building can only be demolished through the CAD process. Any time material is removed from any historic building the term will be material deconstruction. Ms. McLean understood how there could be confusion in the future in terms of how to access the correct percentage.

She asked Planner Grahn to clarify how the percentage is measured and what it means when doing a panelization.

Planner Grahn stated that a panelization project would fall under material deconstruction because even though it is demolition work, the building is actually reconstructed so it is not entirely lost. The percentage is aimed more at buildings that are not on the HSI and are being scraped. Planner Grahn was concerned that every time someone comes in to replace their siding it could be considered 25%. When the Staff suggested 75% they were looking at floor plan or materials. If 75% of the building is being removed it would take it down to maybe just the stud walls or even less.

Chair Strachan asked how Planner Grahn knew the answer when he asked for the percentage on the Rio Grande building. Planner Grahn stated that she estimated 25-50% percentage based on the work that was done. Chair Strachan asked if the Staff could do that with an application rather than seeing it in retrospect. Planner Grahn believed the Staff would have to draft their own guidelines to make sure they were being consistent in how they apply it. Chair Strachan thought that was even more reason for lowering the percentage. He preferred to set the percentage low and amend it later if necessary.

Chair Strachan asked if this also applied to buildings that were not on the HSI. Planner Grahn stated that the only way it would apply to a building on the HSI would be if the applicant went through the CAD process. Going through the CAD process means the building will be demolished and completely lost. She explained that a material deconstruction and a panelization or reconstruction project means the structure is coming back. It may be come back with new materials, but the HPB would review that under the material deconstruction review. The proposed LMC change was primarily for when there is a total loss and the building next door is completely demolished.

Chair Strachan asked if a building on the HSI would have to go through the CAD process. Planner Grahn stated that it would go through the materials deconstruction process as part of the Historic District Design Review. The CAD process is only for demolishing and scraping the site with no intention of bringing back the building.

Assistant City Attorney McLean thought she had added to the confusion. She explained that the term used is "demolition", which means it would only be non-historic buildings or buildings that are not on the HSI. Material deconstruction requires 14 days noticing before it goes to the Historic Preservation Board. The only ones exempt from that process are ones that are waived by the Planning Director because they are deemed minor.

Chair Strachan wanted to know the process for an HSI home if an owner wanted to re-panelize a large portion of the house. Planner Grahn stated that it would be material deconstruction, and as part of the panelization the HPB would have to review and approve the panelization. It would have to follow all the noticing requirements.

Chair Strachan asked for the process on a non-HSI home. Planner Grahn used the example of a 1970's house that the owner wanted to demolish. The owner would come in for an over-the-counter demolition permit and the Planning Department would sign off. The only difference now is that a mailing and a posting would be done to make the neighbors aware that the Planning Department had signed off on the demolition permit. Planner Grahn clarified that this was for buildings that are in the historic districts but not deemed historic.

Commissioner Joyce asked where the new category of "Contributory" fit into this process. Planner Grahn stated that they would fall under demolition because contributory structures are not protected from demolition. Contributory is more of an honorary term.

Commissioner Phillips asked if this change would have affected the Rio Grande. Planner Grahn answered no. In terms of the 25% for re-siding, Board Member Band questioned whether someone should have to go through the process to put new siding on a 1970s house in Old Town. She thought that seemed excessive.

Commissioner Campbell stated that it was important to know how the percentage is measured because re-siding is more like 5% of a house. He thought they needed to create a formula to calculate the percentage.

Assistant City Attorney McLean asked the Staff to give an example of a renovation project in town on a newer house. Planner Grahn could not think of any project where any part of the existing house was saved. Planner Astorga stated that the only example he had was the duplex at 1103/1105 Lowell Avenue. The owner wanted nothing saved and the entire structure was demolished. In that scenario the owners came in months before the pending ordinance for a demolition permit and he issued it on the spot. With the new proposed procedure the demolition would have to be noticed. Planner Astorga could not think of any project that saved a portion of the structure.

Commissioner Band commented on a structure at 531 Woodside that was so large it looked out of place. She was told that the owner remodeled the house and it towers over everything in the neighborhood. Planner Grahn stated that under the current Code that structure would have to go through a Historic District Design Review and it would not be a total scrape. Instead of a demolition permit the owners would come in for a building permit

to do the addition and remodel. The neighbors would be noticed under the HDDR application.

Planner Grahn explained that the goal of the proposed change is to capture the ones not on the HSI that are more of a total scrape and there is no plan to rebuild immediately after. Commissioner Campbell clarified that the intent was not to keep someone from doing it. The purpose was to notify the neighbors. Planner Grahn replied that he was correct.

Commissioner Campbell suggested 50% since it was less than the 75% proposed by Staff but more than 25%. Chair Strachan thought the Planning Commission should see the guidelines the Staff would apply because it may affect what percentage they ultimately choose. Ms. McLean pointed out that because these are non-HSI buildings there is no prohibition against demolition. It only puts people on notice that the demolition will occur. The only guidelines that would apply would be guidelines for new construction.

Chair Strachan clarified that he was asking to see the guidelines that the Staff would use to determine what percentage of material is being deconstructed as opposed to demolished. Director Erickson stated that there is no material deconstruction on a non-historic house. The notification is for non-historic sites only. He remarked that every material deconstruction is noticed on a historic project. If the structure is not historic the neighbors would be notified if 75% or more of the structure will be demolished. Director Erickson pointed out that it was nothing more than a courtesy notice.

Commissioner Phillips asked if 531 Woodside would have been captured by the 75% threshold. Planner Grahn believed it would have fallen under the Historic District Design Review because the changes to the project were approved and applied for under the HDDR for new construction. It was part of an addition and remodel permit. Director Erickson did not think 531 Woodside was a good example in this case because there were too many other components. He preferred to use one of the replica houses that caused a lot of controversy and started the ordinance revision. They are not historic but contribute to keeping the character of the neighborhoods. This would allow the neighbors to know that something was going to happen to that home.

Commissioner Joyce was concerned that if a demolition permit is issued over-the-counter the demolition could occur before the neighbors receive their notices. Planner Grahn stated that this was an opportunity to inform the neighbors because many live out of town and are concerned when they come back to town and find the neighboring house is gone. Ms. McLean asked for the typical lag time between the Planning Department signing off and the demolition permit being issued. Planner Grahn replied that it was approximately one week. Planner Astorga understood that the applicant needed to go to the Utah

Department of Air Quality on a demolition to make sure it is mitigated properly. He believed the lag time was a week to ten days from the time the application is submitted before the permit is issued. Planner Astorga reiterated that the intent is a courtesy mailing as information only, and not for public input. Ms. McLean stated that if a neighbor objected to the demolition they would have to go to District Court and get an injunction.

Commissioner Band wanted to know what problem was being solved with the proposed change, other than trying to keep people from getting upset when a house is demolished. She questioned whether it would create additional problems because people could do nothing about it unless they get an injunction. Commissioner Joyce thought the time frame would not allow most people to get an injunction before the demolition occurred. He agreed that the courtesy notice was meaningless. Chair Strachan agreed that unless the neighbors are given advance notice it would not be worth it. People need to be noticed before the backhoes arrive so they have time to get an injunction.

Commissioner Phillips stated that they would not want to delay everyone, and for that reason he thought 75% or more was probably the better percentage. Commissioner Joyce thought it would be meaningless to send a notification if a person has no influence over his neighbor's ability to demolish the building because it is allowed and the Planning Department will sign it off. The only difference is that the person out-of-town will hear about the demolition by mail instead of when they come back to town. It would still be too late to get an injunction because the house would already be torn down.

Director Erickson stated that the Planning Commission could make a motion to approve the changes to the LMC and strike the language with respect to noticing for demolitions over 75%.

Chair Strachan asked if they needed to change the definition of demolition under 15-1.75. Ms. McLean answered yes. She stated that whatever the Planning Commission would want to recommend to the City Council regarding the noticing was independent of the definitions. However, from a legal standpoint the definition needs to be changed because currently it is inconsistent with the material deconstruction language that was adopted in December.

Commissioner Joyce referred to page 73, the definition of Demolition. He asked for an explanation of the language regarding the exclusions. Director Erickson stated that the exclusions are if they have approved the act. If they approve a material deconstruction it is no longer a demolition. He explained that by definition they were trying to prohibit demolition in this section. If for some reason it was approved, it needed to be excluded from this definition because it is no longer a prohibited act.

Assistant City Attorney McLean stated that the Staff would wordsmith the language so the import is the same but the exclusions are listed so it is clear that all of those items are excluded.

Chair Strachan believed there was consensus to eliminate the language in red on page 78 of the Staff report that requires noticing of demolition of non-historic structures. The Board concurred.

Chair Strachan asked if there were any historic determinations that are not appealed to the Board of Adjustment under the newly revised Code. Assistant City Attorney recalled that the only exception was a provision that exempts City Council. Chair Strachan clarified that any appeals on either a Staff determination or an HPB determination would go to the Board of Adjustment. He wanted to know what standard of review the BOA applies. Ms. McLean stated that it was changed to de Novo to match the other reviews. Chair Strachan read the language from the Code and pointed out areas where he thought the language was unclear. If they were giving the Board of Adjustment more appeals their standard of review should be clear. Ms. McLean explained that the same standards were applied across the Board for all appeals. The language in (G) was not just for HPB appeals. It was the burden of proof and standards of review for all appeal authorities within the City.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the LMC amendments for the Park City Historic Sites Inventory criteria and demolition permits in the draft ordinance, and as amended by removing the noticing requirements in red on page 78 of the Staff report. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Commissioner Phillips stated that 531 Woodside comes up frequently and he never has an answer for people. He asked if that type of situation could occur again and whether it has been addressed. Director Erickson offered to bring it back on the next agenda with a Staff update.

The Park City Planning Commission Meeting adjourned at 6:30 p.m.

Approved by Planning Commission: _____

Exhibit 3- Chapter 1 noticing of non-historic demolitions

15-1 -21. NOTICE MATRIX.

NOTICE MATRIX			
ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Zoning and Rezoning	14 days prior to each hearing before the Planning Commission and City Council	14 days to each affected entity.	Once 14 days prior to each hearing before the Planning Commission and City Council.
LMC Amendments	14 days prior to each hearing before the Planning Commission and City Council.	14 days to each affected entity.	Once 14 days prior to each hearing before the Planning Commission and City Council.
General Plan Amendments	14 days prior to each hearing before the Planning Commission and City Council.	14 days to each affected entity.	Once 14 days prior to each hearing before the Planning Commission and City Council.
Master Planned Developments (MPD)	14 days prior to the hearing before the Planning Commission.	14 days prior to the hearing before the Planning Commission, to Owners within 300 ft.	Once 14 days prior to the hearing before the Planning Commission.
Appeals of Planning Director, Historic Preservation Board, or Planning Commission decisions or City Council Call-Up	7 days prior to the date set for the appeal or call-up hearing.	To all parties who received mailed notice for the original Administrative or Planning Commission hearing 7 days prior to the hearing.	Once 7 days before the date set for the appeal or call-up hearing.

NOTICE MATRIX

ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Conditional Use Permit	14 days prior to the hearing before the Planning Commission.	14 days prior to the hearing before the Planning Commission, to Owners within 300 ft.	Once 14 days prior to the hearing before the Planning Commission.
Administrative Conditional Use Permit	10 days prior to Final Action.	10 days prior to Final Action, to adjacent Property Owners.	No published notice required.
Administrative Permit	10 days prior to Final Action.	10 days prior to Final Action, to adjacent affected Property Owners.	No published notice required.
Variance Requests, Non-conforming Use Modifications and Appeals to Board of Adjustment	14 days prior to the hearing before the Board of Adjustment.	14 days prior to the hearing before the Board of Adjustment, to owners within 300 ft.	Once 14 days prior to hearing before the Board of Adjustment.
Certificate of Appropriateness for Demolition (CAD)	45 days on the Property upon refusal of the City to issue a CAD; 14 days prior to the hearing before the CAD Hearing Board.	14 days prior to the hearing before the Historic Preservation Board, to Owners within 300 ft.	Once 14 days prior to the hearing before the Historic Preservation Board.
Determination of Significance	14 days prior to hearing before the Historic Preservation Board.	14 days prior to the hearing before the Historic Preservation Board to property owners within 100 feet.	Once 14 days prior to hearing before the Historic Preservation Board.

NOTICE MATRIX

ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Historic Preservation Board Review for Material Deconstruction	14 days prior to the hearing before the Historic Preservation Board.	14 days prior to the hearing before the Historic Preservation Board to property owners within 100 feet.	Once 14 days prior to the hearing before the Historic Preservation Board.
<u>Demolition in the H-District to remove 75% or more of any existing structure</u>	<u>For a 10 day period once the Planning Department has approved the Building Department's demolition permit.</u>	<u>To Owners within 100 feet once the Planning Department has approved the Building Department's demolition permit.</u>	<u>No published notice required.</u>
Historic District or Historic Site Design Review	First Posting: The Property shall be posted for a 14 day period once a Complete Application has been received. The date of the public hearing shall be indicated in the first posting. Other posted legal notice not required. Second Posting: For a 10 day period once the Planning Department has determined the proposed plans comply or does not comply with the Design Guidelines for Historic Districts and Historic Sites. Other posted legal notice not required.	First Mailing: To Owners within 100 feet once a Complete Application has been received, establishing a 14 day period in which written public comment on the Application may be taken. The date of the public hearing shall be indicated. Second Mailing: To Owners within 100 feet and individuals who provided written comment on the Application during the 14 day initial public comment period. The second mailing occurs once the Planning Department determines whether the proposed plans comply or do not comply with the Design Guidelines for Historic Districts and Historic Sites and no later than 45 days after the end of	If appealed, then once 7 days before the date set for the appeal

NOTICE MATRIX

ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
		the initial public comment period. This establishes a 10 day period after which the Planning Department's decision may be appealed.	
Annexations	Varies, depending on number of Owners and current State law. Consult with the Legal Department.		
Termination of Project Applications	-----	Mailed Notice: To Owner/Applicant and certified Agent by certified mail 14 days prior to the Planning Director's termination and closure of files.	-----
Lot Line Adjustments: Between 2 Lots without a plat amendment.	10 days prior to Final Action on the Property. Other posted legal notice not required.	To Owners within 300 ft. at time of initial Application for Lot line adjustment. Need consent letters, as described on the Planning Department Application form, from adjacent Owners.	-----
Preliminary and Final Subdivision Plat Applications	14 days prior to the hearing before the Planning Commission.	14 days prior to the hearing before the Planning Commission, to Owners within 300 ft.	Once 14 days prior to the hearing before the Planning Commission.
Condominium Applications; Record of Survey Plats	14 days prior to the hearing before the Planning Commission.	14 days prior to the hearing before the Planning Commission, to Owners within 300 ft.	Once 14 days prior to the hearing before the Planning Commission.

NOTICE MATRIX

ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Record of Survey Amendments	14 days prior to the hearing.	14 days prior to the hearing, to Owners within 300 ft.	Once 14 days prior to the hearing.
Subdivision Plat Amendments	14 days prior to the hearing.	14 days prior to the hearing, to Owners within 300 ft.	Once 14 days prior to the hearing.
Vacating or Changing a Street	-----	14 days prior to the hearing before the City Council, to Owners within 300 ft. and to affected entities.	Once a week for 4 consecutive weeks prior to the hearing before the City Council.
Extension of Approvals	Posted notice shall be the same as required for the original application.	Courtesy mailing shall be the same as required for the original application.	Published notice shall be the same as required for the original application.

Note: For all Applications, notice will be given to the Applicant of date, time, and place of the public hearing and public meeting to consider the Application and of any Final Action on a pending Application.

Appendix A – Official Zoning Map (Refer to the Planning Department)



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

On December 8, 2015, the City received a plat amendment application for Sunnyside Subdivision Lot 10, located at 615 Mellow Mountain Road. The applicant is requesting the plat amendment to combine an adjacent vacant 4,355 square foot remnant parcel with existing Lot 10 of the Sunnyside Subdivision in order to create one (1) 20,518 square foot, platted lot of record. The applicant intends to construct a single-family house on the property. Lot 10 and the remnant parcel are commonly owned by the Applicant. The property is located in the Single Family (SF) District. On February 10, 2016, the Planning Commission conducted a public hearing and voted unanimously to forward a positive recommendation to City Council.

Respectfully:

Kirsten Whetstone, Senior Planner

City Council Staff Report



Subject: First Amended Sunnyside Subdivision Lot 10
Author: Kirsten Whetstone, MS, AICP- Senior Planner
Project Number: PL-15-03024
Date: March 24, 2016
Type of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the First Amended Sunnyside Subdivision Lot 10 plat amendment located at 615 Mellow Mountain Road pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval in the attached Ordinance.

Description

Applicant: Greylock Holdings, LLC, owner
Applicant Representative: Marshall King, Alliance Engineering
Location: 615 Mellow Mountain Road
Zoning: Single Family (SF) District
Adjacent Land Uses: Residential
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action

Acronyms

AICP- American Institute of Certified Planners
LLC- Limited Liability Company
LMC- Land Management Code
MPD- Master Planned Development
SBWRD- Snyderville Basin Water Reclamation District
SF- Single Family District
sf- square feet
SNS-10- Sunnyside Subdivision Lot 10 (Tax ID #)
SNS-11- Sunnyside Subdivision Lot 11 (Tax ID #)

Proposal

The applicant is requesting a plat amendment to combine an adjacent vacant 4,355 square foot (sf) remnant parcel with existing Lot 10 of the Sunnyside Subdivision to create one (1) 20,518 square foot (sf), platted lot of record. The applicant intends to construct a single-family house on the property. Lot 10 and the remnant parcel are commonly owned by the Applicant. (See Exhibit A proposed plat and Exhibit B applicant's letter). On February 10, 2016, the Planning Commission conducted a public hearing and voted unanimously to forward a positive recommendation to City Council.

Background

On December 8, 2015, the City received a plat amendment application for Sunnyside Subdivision Lot 10 located at 615 Mellow Mountain Road. The application was deemed complete on December 11, 2015. The property is located within the Single Family (SF) District and is currently undeveloped. The 16,163 sf platted lot (Lot 10) and the 4,355 sf remnant parcel are commonly owned by the applicant and recognized by Summit County as Parcel SNS-10.

Sunnyside Subdivision was approved by City Council on July 19, 1979, and recorded at Summit County on August 3, 1979 (See Exhibit C existing Sunnyside Subdivision plat). At the time of plat recordation, there was land, adjacent and to the east, that was by error not included in the subdivision plat drafted for recordation. The eastern boundary of the subdivision was to coincide with the eastern boundary of the MS 5665 Lilly No. 3 Mining Claim but it fell approximately 31' short. See Exhibit D- Summit County Recorder Office working copy of the Sunnyside Subdivision plat, Exhibit E- County Recorder Map, Exhibit F- Boundary Survey of Mining Claim Lots in the area and Exhibit G- Aerial Photo showing Quit Claim parcel.

The Sunnyside Subdivision plat was drawn up excluding this approximately 31' wide strip of property. The error was discovered in December of 1979 and the strip was quit claimed from the original land owner/developer (Royal Street Land Company) to the owner of the recorded subdivision (Park City Alliance, James Gaddis Investment Company, LTD, etc.), as Entry No. 161985, Book M147, Page 467 at Summit County Recorder Office. The strip of land runs north/south from the southern boundary of Lot 10 to the northern boundary of Lot 11 across Mellow Mountain Road.

On January 15, 1981, a warranty deed, Entry No. 175389, Book M 177, Page 414 was recorded at Summit County Recorder office conveying a parcel approximately 31 feet wide extending the length of Lot 10 from the southerly boundary to the northerly boundary. This parcel is the 4,355 sf remnant parcel subject to the requested plat amendment. A similar warranty deed was entered in the records for Lot 11 on the other side of Mellow Mountain Road.

In 1986, a building permit was issued for construction of a single-family house on Lot 11 located at 606 Mellow Mountain Road. The house was constructed across the warranty deed line and there was no requirement for a plat amendment at that time. The house on Lot 11 was constructed with a side setback measured from the eastern boundary of the warranty deed description (see Exhibit G).

The current owner of Lot 10 would like to construct a single-family house on Lot 10 and is required to record the plat amendment to resolve the remnant parcel issue prior to issuance of a building permit. Summit County recognizes Lot 10 and the remnant parcel with a single Tax ID number (SNS-10). Based on research by the applicant, there are no utilities currently located in the non-exclusive public utility easement described on the Sunnyside Subdivision plat. Staff reviewed the documents, including a document from Summit County stating that the utility easement along the east boundary of the lot was

moved to the east boundary of the warranty deed description back in the early 1980s. The applicant verified that there are no existing utilities.

On February 10, 2016, the Planning Commission conducted a public hearing and voted unanimously to forward a positive recommendation to City Council. There was no public input provided at the hearing on this item.

Purpose

The purpose of the Single Family (SF) Zoning District is to:

- (A) maintain existing predominately Single Family detached residential neighborhoods,
- (B) allow for Single Family Development Compatible with existing Developments,
- (C) maintain the character of mountain resort neighborhoods with Compatible residential design; and
- (D) require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

Analysis

The proposed plat amendment creates one (1) lot of record from undeveloped, platted Lot 10 of the Sunnyside Subdivision and an adjacent remnant parcel. Lot 10 was platted with approval and recordation of the Sunnyside Subdivision in 1979. Lot 10 is 16,163 square feet (sf) in area. The adjacent remnant lot is 4,355 sf in area. Amended Lot 10 will have a total of 20,518 sf of lot area. Lots in Sunnyside Subdivision range in area from 8,596 sf to 23,860 sf. The applicant desires to construct a single-family house on the amended lot.

A single-family dwelling is an allowed use in the Single Family (SF) District. Duplexes and multi-dwelling buildings are not allowed. There are no minimum or maximum lot sizes in the SF District. There is not a minimum or maximum lot width identified in the SF District. The existing lot is 63.54 feet wide and the proposed lot is 97.74 feet wide. Access to the property is from Mellow Mountain Road.

The following table shows applicable development parameters in the Single Family (SF) District (Land Management Code Section 15-2.11):

LMC Requirements	Requirements
Building Footprint	No maximum building footprint or house size is associated with the SF District or Sunnyside Subdivision.
Front/Rear Yard Setbacks	Front setback- minimum of 25 feet for front facing garage and 20 feet for the main house or side of garage. Rear setback- minimum of 15 feet. (standard exceptions apply)
Side Yard Setbacks	Side setbacks- minimum of 12 feet. (standard exceptions apply)
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-eight (28') from Existing Grade. Exceptions apply, including 5' height to 33' for pitched roof (4:12 and greater).

Utility easements recorded on the Sunnyside Subdivision plat shall be platted on the amended plat, including 5' wide non-exclusive utility easements along the front and side lot lines and 20' wide non-exclusive utility easement along the rear lot line. The applicant verified that there are no existing utilities in the 5' non-exclusive utility easement along the existing Lot 10 easterly property boundary. The easement was relocated to the east boundary of the warranty deed description by the County.

The final mylar plat is required to be signed by the Snyderville Basin Water Reclamation District (SBWRD) and this ensures that requirements of the District are addressed prior to plat recordation. A ten foot wide public snow storage easement is required along the front lot line.

Good Cause

Planning Staff finds that there is good cause for this plat amendment as the plat amendment will resolve a remnant parcel issue. The plat amendment will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met. Combining the Lot and parcel will allow the property owner to move forward with a building permit for a new house on the new lot. There are no encroachments to be resolved. Plat recordation and compliance with all requirements of the SF District are required prior to issuance of a building permit.

Process

Approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in Land Management Code § 1-18.

Department Review

This project has gone through an interdepartmental review. Issues raised regarding the history of the remnant parcel have been further researched by staff and explained by the applicant (see Exhibit B). Other issues have been addressed with conditions of approval.

Notice

On January 27, 2016, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on January 23, 2016, according to requirements of the Land Management Code.

Public Input

No public input has been received by the time of this report. There was a request from a neighboring property owner for information related to the plat amendment.

Alternatives

- The City Council may approved the First Amended Sunnyside Subdivision Lot 10 plat amendment as conditioned or amended; or

- The City Council may deny the First Amended Sunnyside Subdivision Lot 10 plat amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on this item.

Consequences of not taking the Planning Commission Recommendation

The platted lot and remnant parcel would remain as is, and continue to be commonly owned. A house could be built on the platted lot; however the issue of the remnant parcel would remain unresolved. Sunnyside Subdivision does not have house size limitations based on lot size.

Summary Recommendation

Staff recommends the City Council hold a public hearing and consider approving the First Amended Sunnyside Subdivision Lot 10 plat amendment located at 615 Mellow Mountain Road pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval in the attached Ordinance.

Exhibits

Ordinance

Exhibit A – Proposed Plat Amendment

Exhibit B – Applicant's Project Intent and existing conditions survey/aerial

Exhibit C – Existing Sunnyside Subdivision plat

Exhibit D – Records Working Copy of Sunnyside Subdivision plat

Exhibit E – County Recorder Map

Exhibit F – Boundary Survey of Mining Claims- Lilly No. 5

Exhibit G – Quit Claim property Exhibit and on Aerial Photo

Exhibit H – Photos

Ordinance No. 16-16

AN ORDINANCE APPROVING THE FIRST AMENDED SUNNYSIDE SUBDIVISION LOT 10 PLAT AMENDMENT LOCATED AT 615 MELLOW MOUNTAIN ROAD, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 615 Mellow Mountain Road has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on January 23, 2016, the property was properly noticed according to the requirements of the Land Management Code and legal notice was published in the Park Record; and

WHEREAS, on January 27, 2016, the property was posted and notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 10, 2016, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on February 10, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 24, 2016, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the First Amended Sunnyside Subdivision plat amendment.

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

SECTION 1. APPROVAL. The First Amended Sunnyside Subdivision Lot 10 plat amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 615 Mellow Mountain Road.
2. The property is in the Single Family (SF) Zoning District.
3. The subject property consists of platted Lot 10 of the Sunnyside Subdivision and a remnant parcel located adjacent to the easterly boundary of Lot 10.
4. The property, including Lot 10 and the remnant parcel, is recognized by Summit County as Parcel SNS-10 (Tax ID).
5. The property is currently undeveloped and the owner would like to construct a single family home on the new platted lot.
6. The proposed plat amendment creates one (1) 20,518 square foot (sf), platted lot of record, by combining the 16,163 sf existing Lot 10 and the 4,355 sf remnant

- parcel under common ownership.
7. There are no minimum or maximum lot sizes in the SF District.
 8. Lots in Sunnyside Subdivision range in area from 8,596 sf to 23,860 sf.
 9. Sunnyside Subdivision was approved by City Council on July 19, 1979 and recorded at Summit County on August 3, 1979.
 10. At the time of plat recordation, land adjacent and to the east, was by error not included in the subdivision plat drafted for recordation. The eastern boundary of the subdivision was to coincide with the eastern boundary of the MS 5665 Lilly No. 3 Mining Claim.
 11. The Sunnyside Subdivision plat was drawn up excluding this approximately 31' wide strip of property. The strip of land runs north/south from the southern boundary of Lot 10 to the northern boundary of Lot 11 across Mellow Mountain Road.
 12. The platting error was discovered in December of 1979 and the 31' wide strip was quit claimed from the original land owner/developer (Royal Street Land Company) to the owner of the recorded subdivision (Park City Alliance, James Gaddis Investment Company, LTD, etc.), as Entry No 161985, Book M147, Page 467 at the Summit County Recorder's Office.
 13. On January 15, 1981, a warranty deed, Entry No. 175389, Book M 177, Page 414, was recorded at the Summit County Recorder's office conveying a parcel approximately 31 feet wide extending the length of Lot 10 from the southerly boundary to the northerly boundary. This parcel is the 4,355 sf remnant parcel subject to the requested plat amendment.
 14. A similar warranty deed was entered into the records for Lot 11.
 15. In 1986 a building permit was issued for construction of a single family house on Lot 11 located at 606 Mellow Mountain Road. The house was constructed across the warranty deed line and there was no requirement for a plat amendment at that time. The house on Lot 11 was constructed with a side setback measured from the eastern boundary of the warranty deed description, which is the eastern boundary of TAX ID number SNS-11.
 16. The applicant desires to construct a single family house on the amended Lot 10.
 17. There is no maximum building footprint or house size identified for the Sunnyside Subdivision and all requirements of Land Management Code Section 15-2.11 (SF District) apply.
 18. A single-family dwelling is an allowed use in the Single Family (SF) District.
 19. There is not a minimum or maximum lot width identified in the SF District. The existing lot is 63.54 feet wide and the proposed lot will be 97.74 feet wide.
 20. Access to the property is from Mellow Mountain Road, a public street.
 21. Duplexes and multi-family dwellings are not allowed in the SF District.
 22. There are no encroachment issues.
 23. Utility easements recorded on the Sunnyside Subdivision plat are required to be shown on the amended plat, including 5' wide non-exclusive utility easements along the front and side lot lines and 20' wide non-exclusive utility easement along the rear lot line.
 24. There are no existing utilities in the 5' non-exclusive utility easement along the existing Lot 10 easterly property boundary and the Summit County documents

show that the 5' easement was moved to the eastern boundary of the warranty deed (remnant parcel). The plat amendment plat will memorialize utility easements per the original plat and warranty deed.

25. An existing wastewater line extends along the western property line of Lot 10.
26. The final mylar plat is required to be signed by the Snyderville Basin Water Reclamation District to ensure that requirements of the District are addressed prior to plat recordation.
27. Snow storage area is required along public streets and rights-of-way due to the possibility of large amounts of snowfall in this location.
28. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City 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 will record the plat at the County within one year from the date of City Council approval. If the plat is not recorded within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date of March 10, 2017 and an extension is granted by the City Council.
3. All new construction shall comply with LMC setback regulations in effect at the time of building permit issuance.
4. A ten foot (10') wide public snow storage easement is required along the Mellow Mountain Road frontage of the property and shall be shown on the plat prior to recordation.
5. A five foot (5') wide non-exclusive public utilities and SBWRD easement is required along the front and side lot lines of the new lot.
6. A twenty foot (20') wide non-exclusive public utilities easement is required along the rear lot line of the new lot.
7. Modified 13-D sprinklers are required for any new construction and shall be noted on the plat.
8. All requirements of the Snyderville Basin Water Reclamation District shall be satisfied prior to recordation of the plat and/or noted on the plat.

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

PASSED AND ADOPTED this 24th day of March, 2016.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

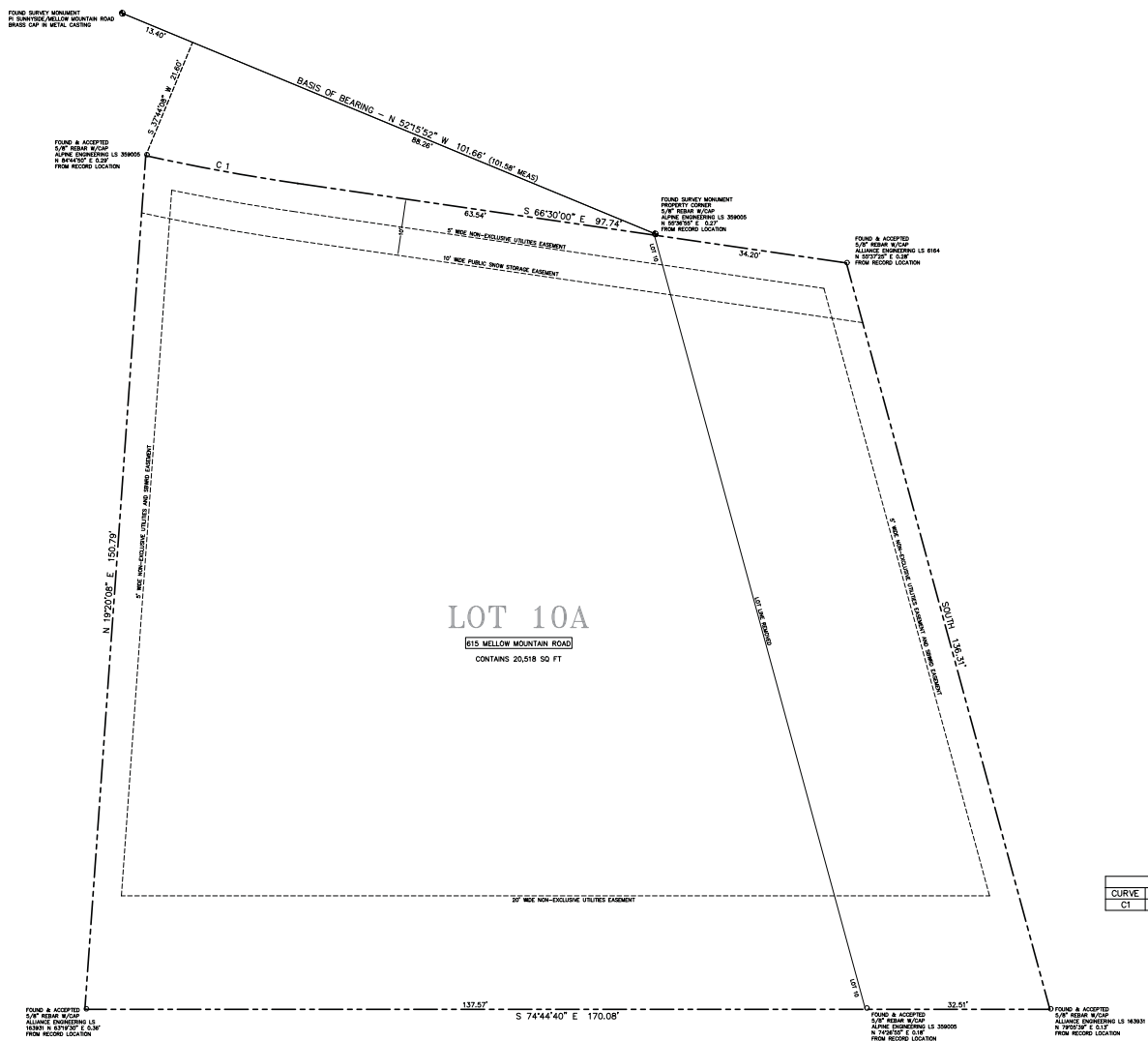
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A- Proposed plat

EXHIBIT A



SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, this Record of Survey map of the FIRST AMENDED LOT 10 SUNNYSIDE SUBDIVISION has been prepared under my direction and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

DEED DESCRIPTION

LOT 10, SUNNYSIDE SUBDIVISION, according to the official plat thereof, recorded in the Summit County Recorder's Office.

Also:

Beginning at the southeast corner of Lot 10, SUNNYSIDE SUBDIVISION according to the official plat thereof on file and of record in the office of the Summit County Recorder; and running thence South 74°44'40\"/>

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that GREYLOCK HOLDINGS, LLC, a Connecticut limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as FIRST AMENDED LOT 10 SUNNYSIDE SUBDIVISION, does hereby certify that it has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his hand this ____ day of _____, 2016.

GREYLOCK HOLDINGS, LLC, a Connecticut limited liability company

By: Brian Navarro, Managing Member

ACKNOWLEDGMENT

State of: _____

ss: _____

County of: _____

On this ____ day of _____, 2016, Brian Navarro 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 the Managing Member of GREYLOCK HOLDINGS, LLC, a Connecticut limited liability company, 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 he acknowledged to me that he executed the FIRST AMENDED LOT 10 SUNNYSIDE SUBDIVISION.

A Notary Public commissioned in _____

Printed Name _____

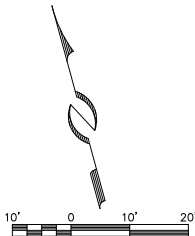
Residing in: _____

My commission expires: _____

NOTE

This subdivision is subject to the Conditions of Approval in Ordinance 16--_____

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	370.52	27.20	04°12'23"



FIRST AMENDED LOT 10 SUNNYSIDE SUBDIVISION

A SINGLE FAMILY SUBDIVISION LOCATED IN SECTION 15
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 1 OF 1

 (435) 649-9457 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2016 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2016 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2016 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF _____, 2016 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2016 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2016 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____
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SUNNYSIDE SUBDIVISION
LOT 10 PLUS ADDITIONAL

(615 MELLOW MOUNTAIN ROAD)

PROJECT INTENT

January 11, 2016

Sunnyside Subdivision was recorded August 3, 1979, in the office of the Summit County Recorder. At the time of the plat recordation, there was additional land to the east of Sunnyside Subdivision that erroneously was not included in the originally recorded subdivision. The east boundary of Sunnyside Subdivision was to be the east boundary of the Lilly No. 3 mining claim, but the Lilly No. 3 mining claim was previously surveyed in the incorrect location.

On December 5, 1979, a quitclaim deed, Entry No. 161985, Book M147, Page 467, for a parcel approximately 31 feet wide (the difference between where the Lilly No. 3 mining claim should have been and where the subdivision was actually platted) extending from the northerly boundary of Lot 11, Sunnyside Subdivision, across Mellow Mountain Road to the southerly boundary of Lot 10 Sunnyside Subdivision, was granted to the developer of Sunnyside Subdivision. On January 15, 1981, a warranty deed, Entry No. 175389, Book M177, Page 414, for a parcel approximately 31 feet wide, extending from the northerly boundary of Lot 10 to the southerly boundary of Lot 10, was conveyed by the developer to the owner of Lot 10, Sunnyside Subdivision. A similar scenario also occurred with Lot 11, Sunnyside Subdivision.

It is the desire of the current owner to unify the original Lot 10 with the additional 31-foot-wide strip into one lot of record, with the ultimate goal of constructing a single-family residence on the amended and unified lot of record.

Sunnyside Subdivision Lot 10

EXHIBIT B2

NARRATIVE

1. Survey requested by: Thayne Capital LLC.
2. Purpose of survey: locate the deed description, the improvements and the topographic relief.
3. Basis of survey: found Street and Property Monuments.
4. Date of survey: October 26, 2012.
5. Property monuments set or found as shown.
6. Located in the West Half of Section 15, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. "5.0' wide non-exclusive utilities easement at the front, sides, and rear of all lots unless noted otherwise."
9. See the official plat of Sunnyside Subdivision, on file and of record in the office of the Summit County Recorder, for other possible easements, restrictions or setbacks.
10. An assumed elevation of 7200 feet, from the U.S.G.S. Quad map "Park City East", was assigned to the top of the sewer manhole lid in front of the property as shown.

DEED DESCRIPTION

Lot 10, Sunnyside Subdivision, according to the official plat thereof on file and of record in the Summit County Recorder's Office; containing 0.37 acres, more or less.

Also:
Beginning at the Southeast corner of Lot 10, Sunnyside Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder; and running thence South 74°44'40" East 32.51 feet; thence North 136.31 feet; thence North 66°30' West 34.20 feet to the Northeast corner of said Lot 10; thence South 141.395 feet to the point of beginning; containing 0.10 acres, more or less.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said survey.

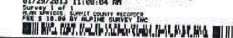


Nov 6 12
Date

J.D. Gailey URS 359005

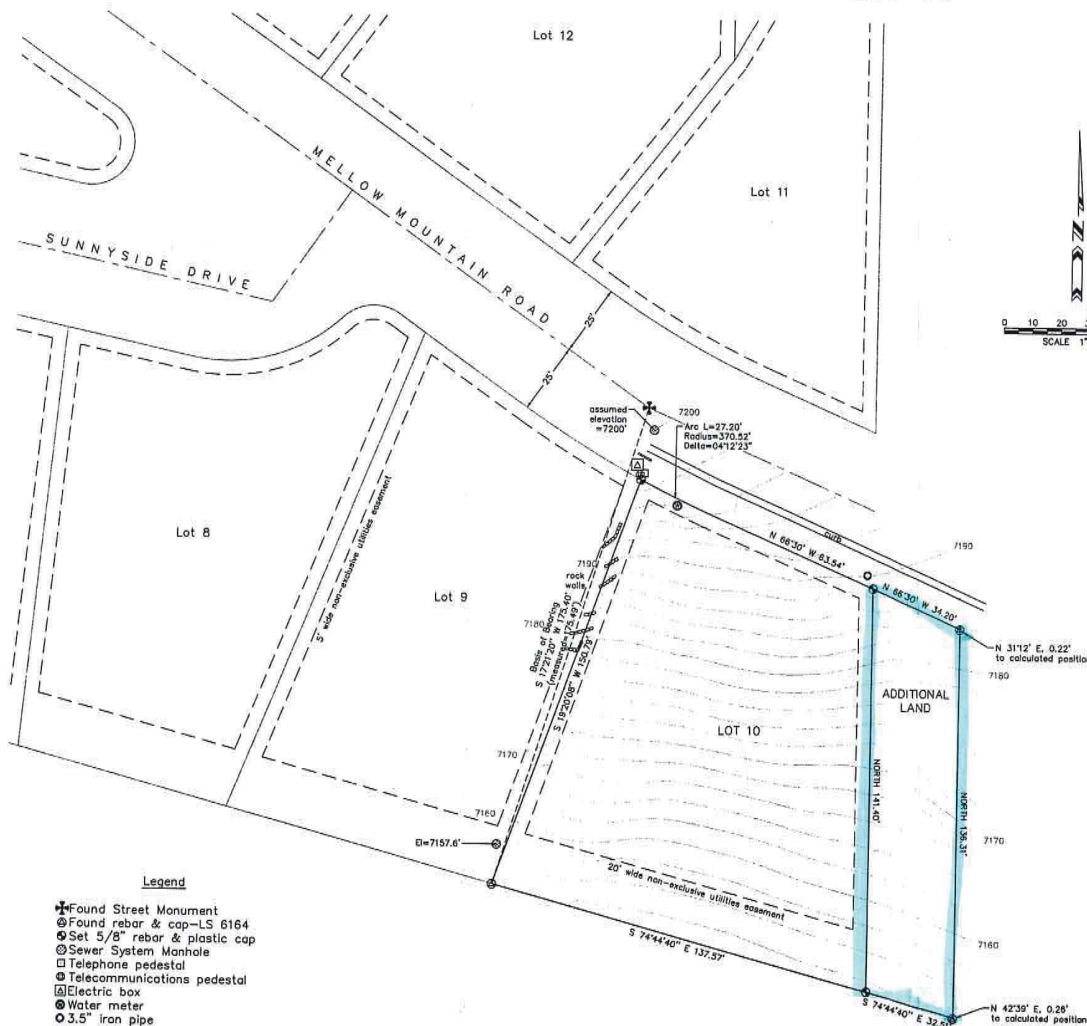


FILE NO. S0007694



Legend

- Found Street Monument
- Found rebar & cap-LS 6164
- Set 5/8" rebar & plastic cap
- Sewer System Manhole
- Telephone pedestal
- Telecommunications pedestal
- Electric box
- Water meter
- 3.5" iron pipe





(435) 848-9487 STAFF: MARSHALL KING JESSIE MORENO CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 West Street P.O. Box 2154 Park City, Utah 84060-2154	DATE: 10/20/15	AERIAL PHOTOGRAPH 615 MELLOW MOUNTAIN ROAD LOT 10, SUNNYSIDE + ADDITIONAL FOR: BRIAN NAVARRO JOB NO.: 6-9-15 FILE: X:\CostaOldTown\dwg\Exhibits\sunnyside lot 10-ortho.dwg	SHEET 1 OF 1

Surveyors Certificate

[illegible]

Contains 8,000 Reels

4 June 1979

CTM

Owners Dedication

Know all men by these presents that we the undersigned owners of the heretofore described tract of land having caused same to be subdivided into lots and streets to be hereafter known as SUNNYSIDE SUBDIVISION of heretofore dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use. In witness whereof we have hereunto set our hands this 5th Day of June A.D. 1979

James Cardin Investment Co. Ltd.
A CANADIAN LIMITED PARTNERSHIP
by: James Cardin
General Partner

A. Summit Engineering Inc.

Chives

2nd Silver

Acknowledgement

Acknowledgement

State of Utah
County of Summit

On this 5th Day of June
A.D. 1979 personally appeared before me,
the undersigned Notary Public in and for
said State and County, J. M. Wright, who,
being by me duly sworn, did say that he is an
owner of certain premises of the property upon
which the proposed drainage easement is to
be located, and that he signed the owners declaration
and voluntarily for the purposes therein
mentioned.

Terrell K. Kuntz
NOTARY PUBLIC
My Commission Expires 10-2-86
Residing at SALT LAKE, County Was.

Acknowledgment

State of Utah
County of Summit

On this 2nd day of August A.D. 1999,
personally appeared before me, the undersigned
Notary Public in and for said state and County,
James L. Baskin, who being first sworn and asked
that he is the general partner of James Baskin
Investments, Inc., Ltd., a Utah Limited Partnership,
and that said limited Partnership is an owner
of the premises located at the premises to which
the proposed Sanquillo Subdivision is to be made,
that he signed the certain declaration freely and
voluntarily for the purposes therein recited.

NOTARY PUBLIC
My Comm. Exp. _____
Residence _____ County _____

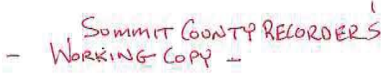
*A Single Family Subdivision located in the West 1/2 of Section 15, Township 2 South,
Range 4 East, Salt Lake Base and Meridian*

Recorded concurrently herewith a Declaration
of Protective Covenants for Burgynside Subdivision

Project No.	City Planning Commission	Engineers Certificate	Approval as to Form	Certificate of Affidavit	Consent/Approval or Acceptance	DATE	TIME	ROOM	FLOOR
Alliance Engineering Civil Engineering Planning Surveying 874 North State Portland, Maine 04103 503-233-1100	Approved and accepted by the Portland City Planning Commission this <u>23</u> day of <u>MAY</u> , A.D. 1978	Approved & Accepted by the Portland City Engineering Department this <u>23</u> day of <u>June</u> , A.D. 1978	Approved as to Form this <u>10</u> day of <u>July</u> , A.D. 1978	Affidavit this <u>23</u> day of <u>July</u> , A.D. 1978	Approved & Accepted by the Portland City Council this <u>23</u> day of <u>July</u> , A.D. 1978	1978	153132	Recorded	Made a part of a Record of Decisions Recorded and Made at the request of: Michael D. Kasiluh City Engineer City of Portland Date <u>2-20-80</u> Time <u>4:25</u> Room <u>1</u> Page <u>1</u> Made a part of a Record of Decisions Recorded and Made at the request of: Linda A. Heatham Portland City Recorder

Summary

SUNNYSIDE SUE



"I, D. Sitter do hereby certify that I am a Registered Land Surveyor and that I hold certificate No. 3891 as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners, I have made a survey of the tract of land shown on this plat as described below and have subdivided said tract of land into lots and streets, hereafter known as SUMMITTS SUBDIVISION, and that same has been correctly surveyed and staked on the ground as shown on this plat.

Contains 8.000 Arrows

Date _____

Know all men by these presents that
we the undersigned parties of the herein
described tract of land having caused
same to be subdivided into lots and streets
to be hereafter known as SUMMITT
SUBDIVISION of hereby dedicate for
perpetuity use of the public all corners
of land shown on this map as intended
for public use. In witness whereof we
have hereunto set our hands this 5th
Day of June A.D. 1979

North Scale 1" = 50'

2nd Sister

Acknowledgements

Donald Khatrick
NOTARY PUBLIC

STATE OF

State of Mass
County of Suffolk
on this 20th day of August A.D. 1979,
I, Robert before me, the undersigned
Notary Public in and for said State and County,
James Buckley, who being duly sworn do say
that he is the general partner of James Buckley
and that said James Buckley is a partner
in said James Buckley Partnership, and that said
limited Partnership is an owner
in common in consequence of the property on which
said James Buckley is claiming a tax exemption
and that he signs the owners obligation freely and
voluntarily for the purposes therein mentioned.

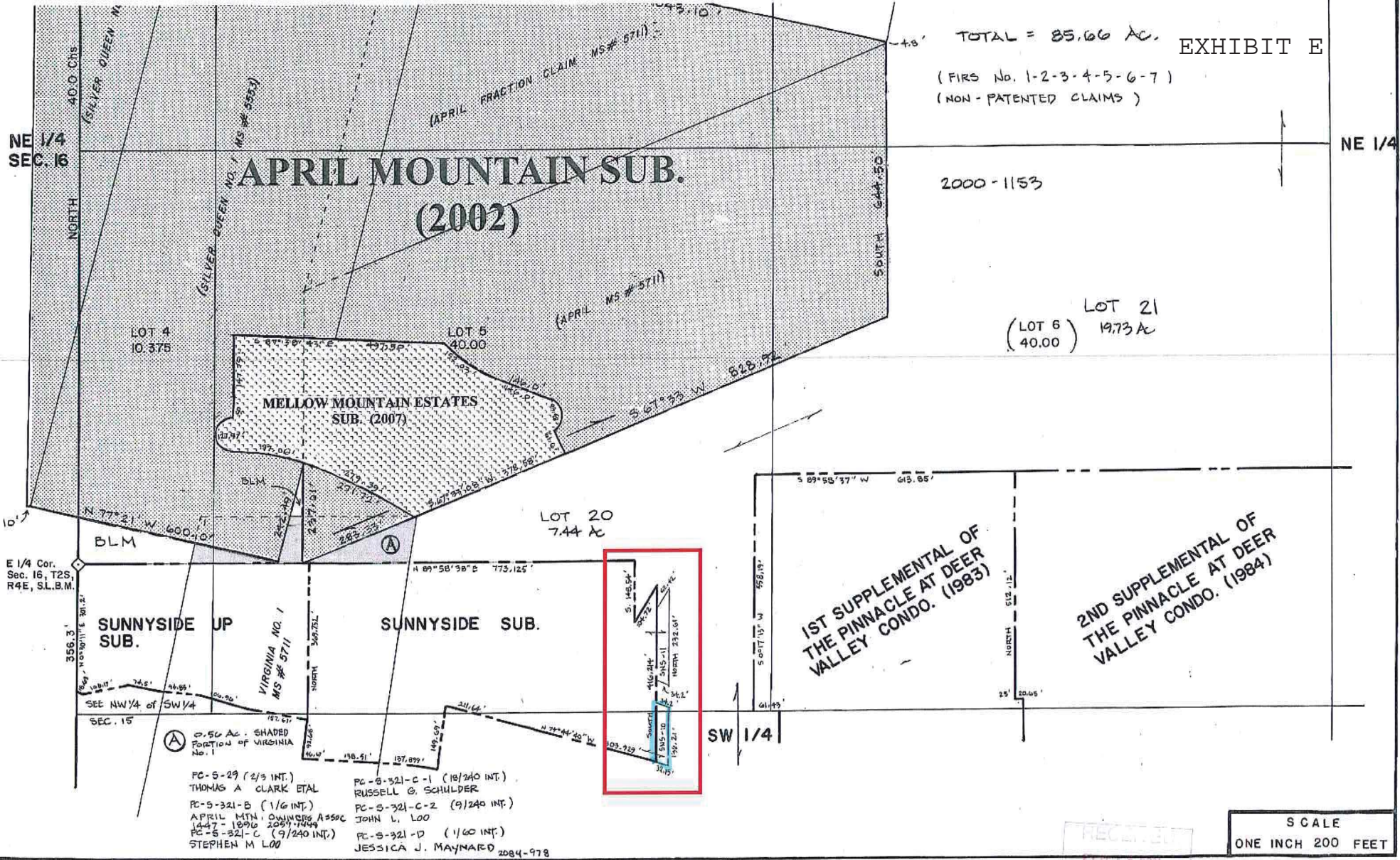
Robert
Notary Public

NOTARY PUBLIC
my Commission Expires March 14, 1994
Resides in San Francisco, California

A Single Family Subdivision located in the West 1/2 of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian

DATE	TIME	NAME	AGE	SEX
10/10/19	10:00	John Doe	25	M
10/10/19	10:05	Jane Smith	30	F
10/10/19	10:10	Bob Johnson	45	M
10/10/19	10:15	Alice Brown	28	F
10/10/19	10:20	Charlie White	35	M
10/10/19	10:25	Diana Green	22	F
10/10/19	10:30	Frank Black	50	M
10/10/19	10:35	Grace Lee	38	F
10/10/19	10:40	Henry King	42	M
10/10/19	10:45	Ivy Hill	27	F
10/10/19	10:50	Jack Adams	33	M
10/10/19	10:55	Karen Baker	29	F
10/10/19	11:00	Leo Clark	48	M
10/10/19	11:05	Mia Evans	24	F
10/10/19	11:10	Noah Foster	37	M
10/10/19	11:15	Olivia Grant	31	F
10/10/19	11:20	Peter Harris	40	M
10/10/19	11:25	Quinn Ives	26	F
10/10/19	11:30	Rachel Jones	34	F
10/10/19	11:35	Samuel King	43	M
10/10/19	11:40	Tina Lee	23	F
10/10/19	11:45	Uma Miller	36	F
10/10/19	11:50	Victor Nelson	47	M
10/10/19	11:55	Wendy Owen	21	F
10/10/19	12:00	Xavier Parker	39	M
10/10/19	12:05	Yara Quinn	28	F
10/10/19	12:10	Zoe Reed	32	F
10/10/19	12:15	Adam Scott	41	M
10/10/19	12:20	Bella Taylor	25	F
10/10/19	12:25	Chris Turner	35	M
10/10/19	12:30	Dana Vance	29	F
10/10/19	12:35	Ethan Wall	44	M
10/10/19	12:40	Fiona West	27	F
10/10/19	12:45	George Young	38	M
10/10/19	12:50	Hannah Zane	22	F
10/10/19	12:55	Ian Bell	46	M
10/10/19	1:00	Julia Black	30	F
10/10/19	1:05	Kyle Brown	33	M
10/10/19	1:10	Laura Green	26	F
10/10/19	1:15	Mark Hill	49	M
10/10/19	1:20	Nancy King	31	F
10/10/19	1:25	Oscar Lee	42	M
10/10/19	1:30	Pamela Miller	28	F
10/10/19	1:35	Quinn Nelson	36	F
10/10/19	1:40	Rachel Owen	24	F
10/10/19	1:45	Samuel Parker	45	M
10/10/19	1:50	Tina Quinn	32	F
10/10/19	1:55	Uma Reed	29	F
10/10/19	2:00	Victor Scott	40	M
10/10/19	2:05	Wendy Taylor	27	F
10/10/19	2:10	Xavier Turner	35	M
10/10/19	2:15	Yara Vance	23	F
10/10/19	2:20	Zoe Wall	37	F
10/10/19	2:25	Adam West	43	M
10/10/19	2:30	Bella Young	25	F
10/10/19	2:35	Chris Zane	34	M
10/10/19	2:40	Dana Bell	28	F
10/10/19	2:45	Ethan Black	41	M
10/10/19	2:50	Fiona Brown	26	F
10/10/19	2:55	George Green	48	M
10/10/19	3:00	Hannah Hill	31	F
10/10/19	3:05	Ian King	42	M
10/10/19	3:10	Julia Lee	29	F
10/10/19	3:15	Kyle Miller	36	M
10/10/19	3:20	Laura Nelson	24	F
10/10/19	3:25	Mark Owen	45	M
10/10/19	3:30	Nancy Parker	32	F
10/10/19	3:35	Oscar Quinn	28	M
10/10/19	3:40	Pamela Reed	35	F
10/10/19	3:45	Quinn Scott	40	F
10/10/19	3:50	Rachel Taylor	27	F
10/10/19	3:55	Samuel Turner	34	M
10/10/19	4:00	Tina Vance	23	F
10/10/19	4:05	Uma Wall	37	F
10/10/19	4:10	Victor West	43	M

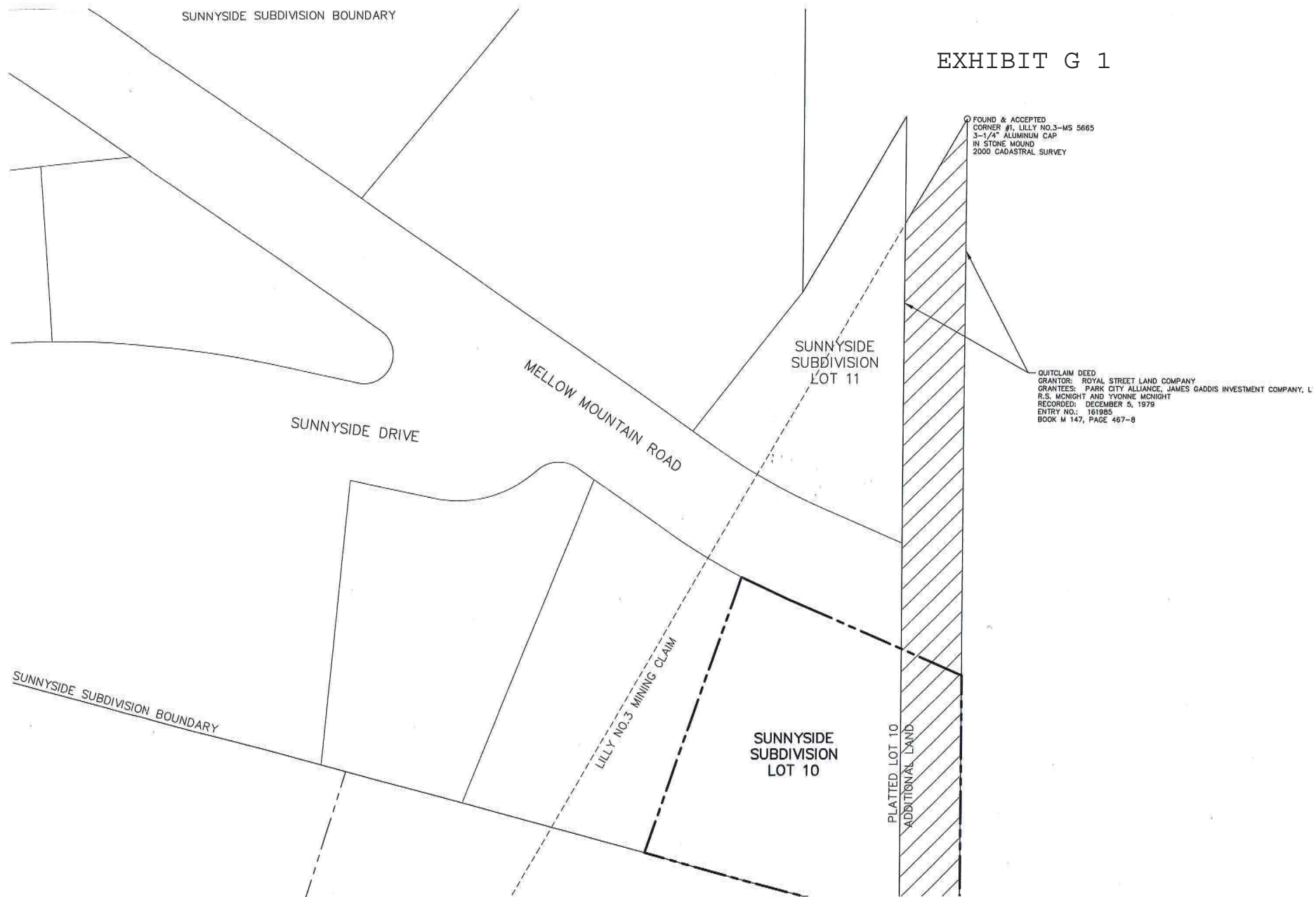
Packet Pq



RECEIVED
FEB 13 2014
FBI
BUREAU OF INDIAN AFFAIRS

NW 1/4 SEC 15

EXHIBIT G 1



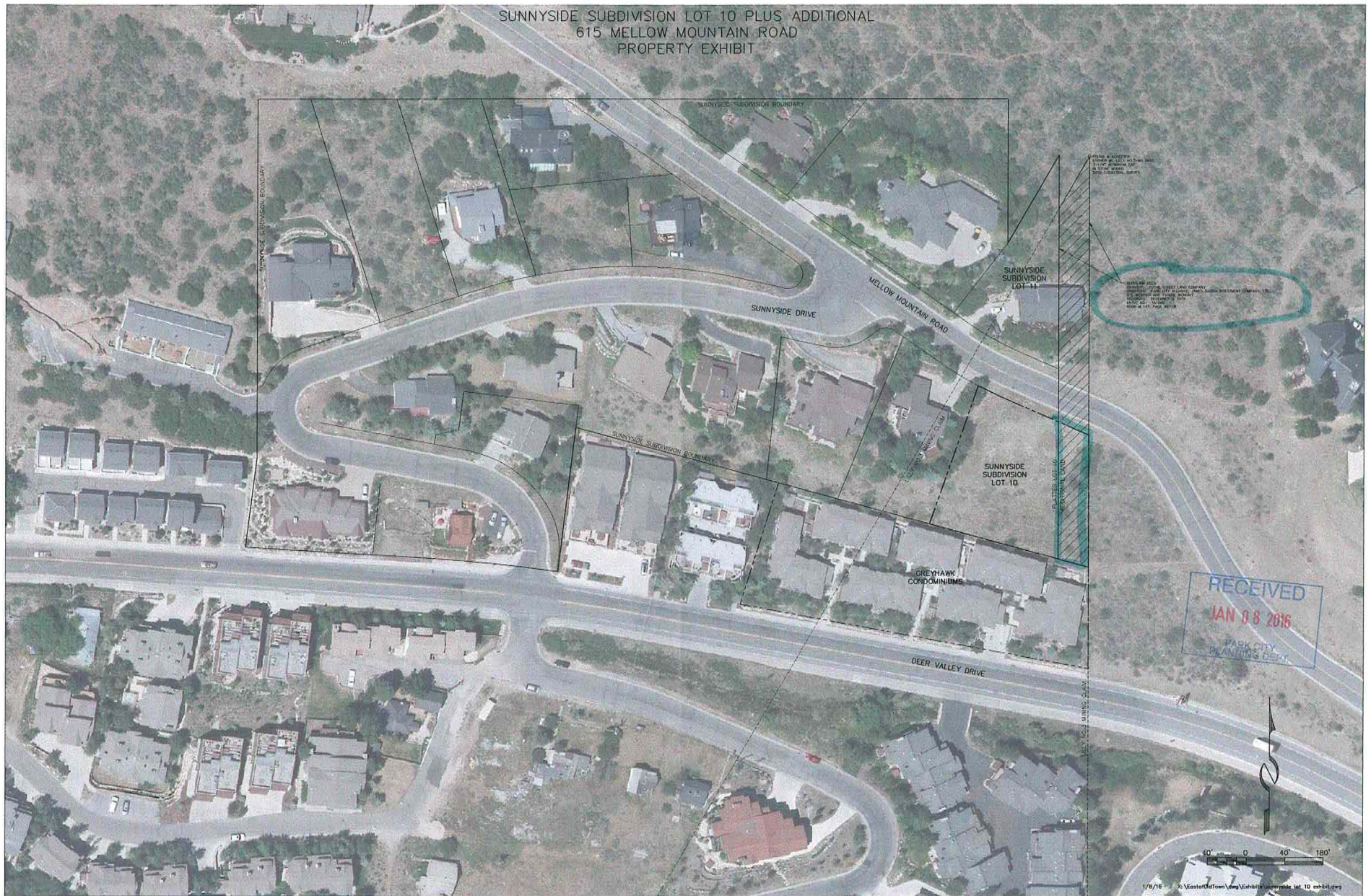
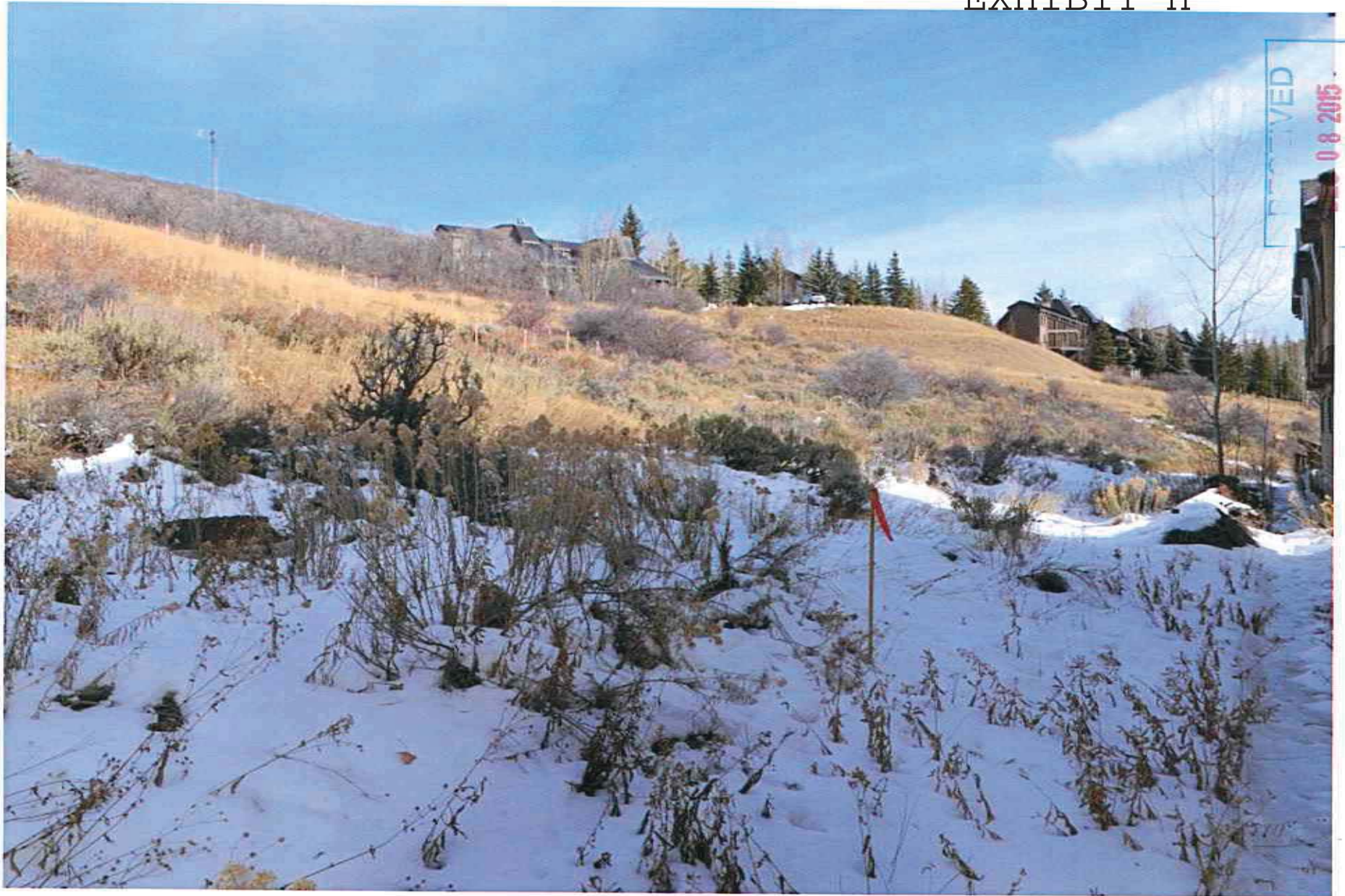
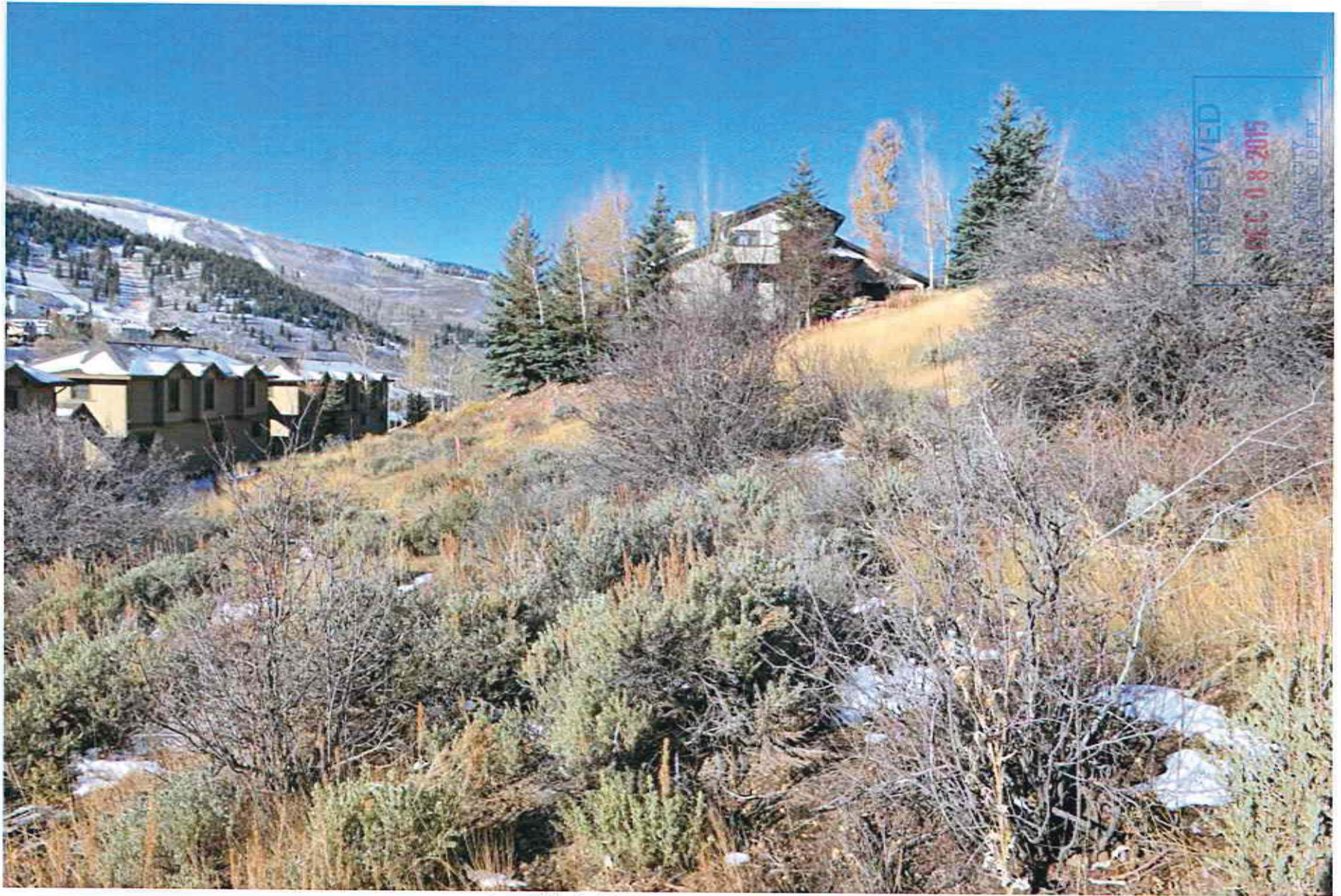


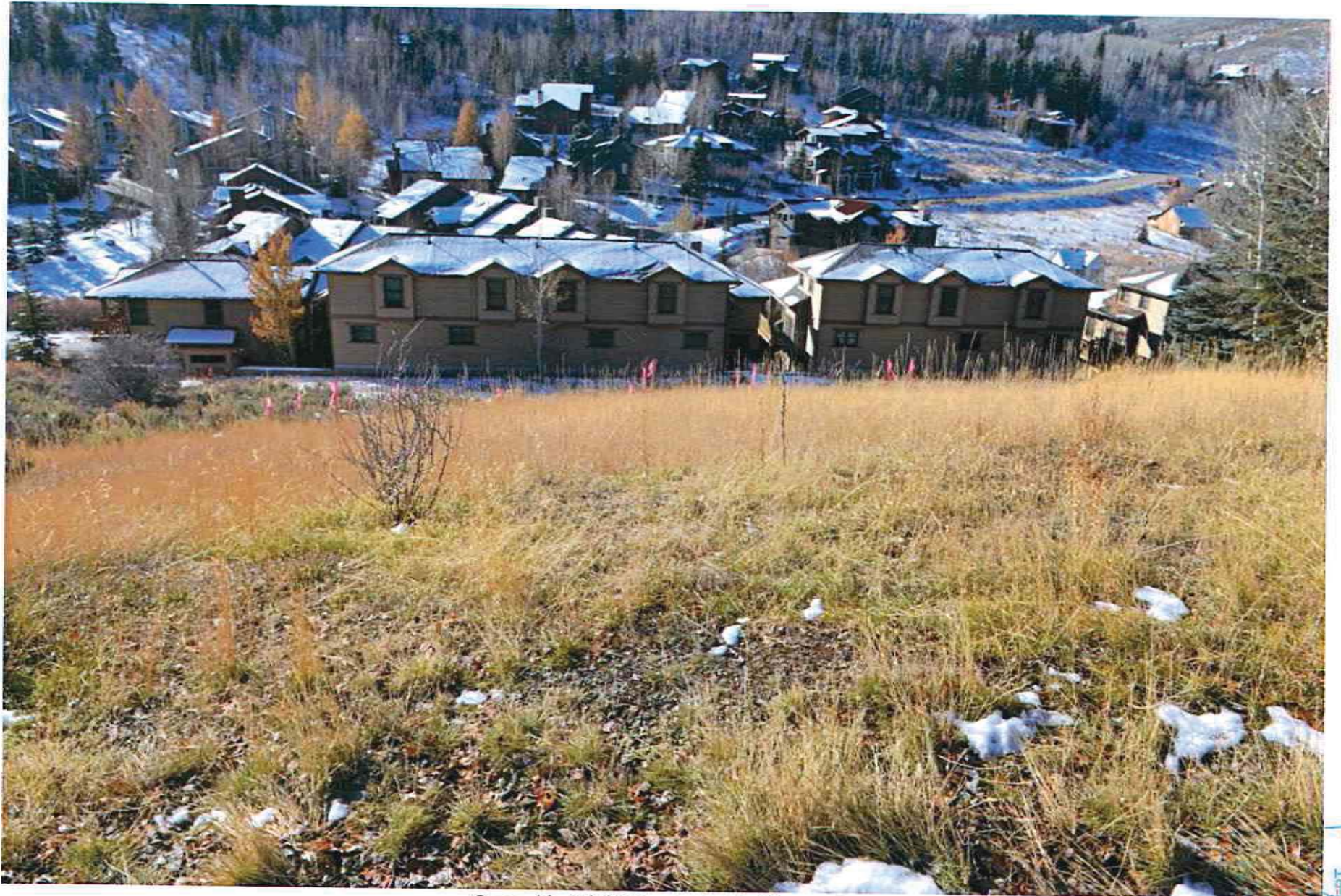
EXHIBIT H



Sunnyside Subdivision, Lot 10 looking northeasterly

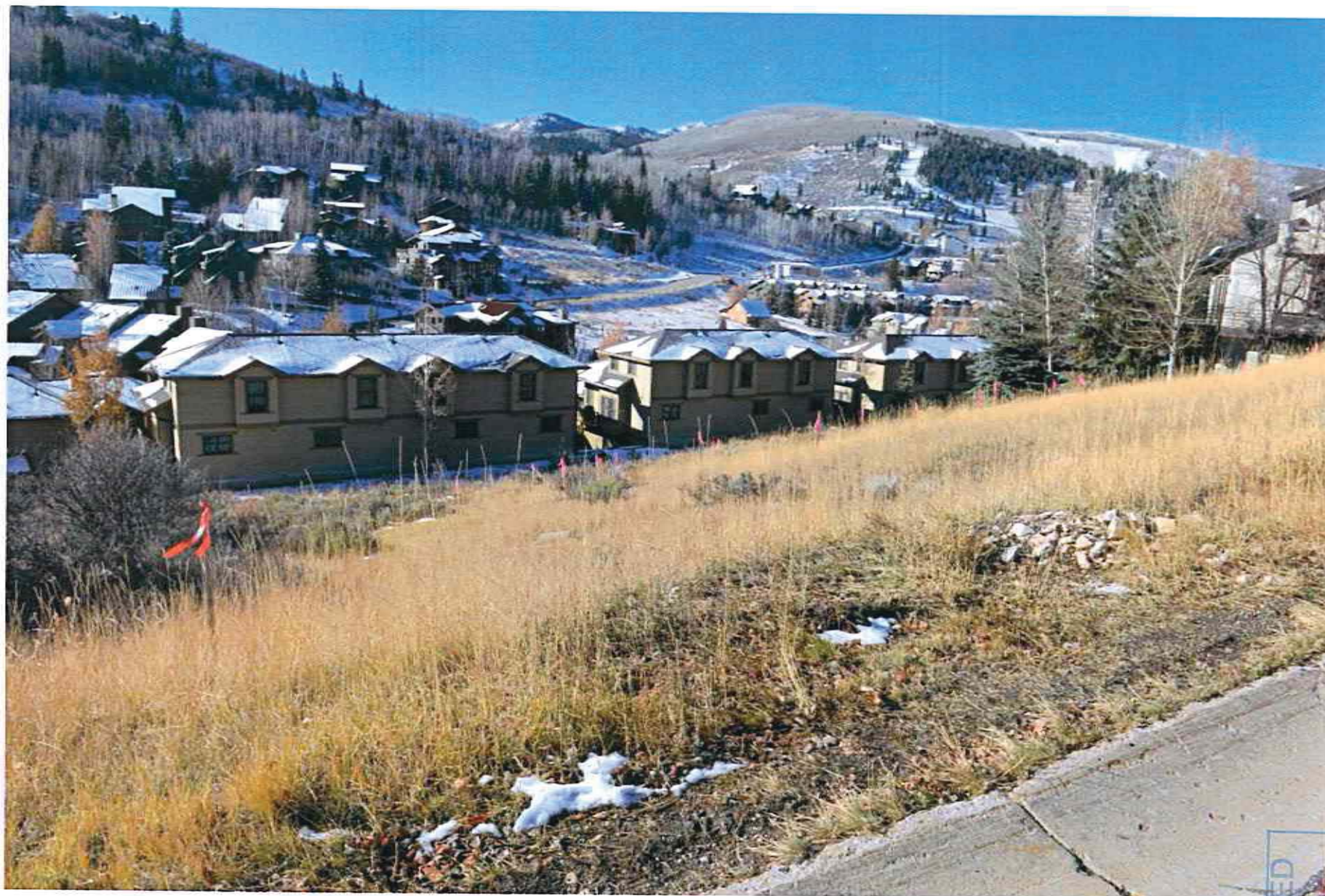


Sunnyside Subdivision, Lot 10 looking west



Sunnyside Subdivision, Lot 10 looking south

RECEIVED
DEC 08 2010
PARK CITY
PLANNING DEPT.



Sunnyside Subdivision, Lot 10 looking southwesterly

RECEIVED
DEC 08 2013
PARK CITY
PLANNING DEPT.

2393

This Item was legally noticed in January for CC March 10th. But now no reg CC meeting on March 10. So CC will need to formally continue this item to the March 24 meeting at the March 10 meeting or some sort of published notice is required to be published/posted regarding all items noticed for March 10 moving to March 24. This is not the only item that was legally noticed for the March 10th meeting. The staff report is written for the March 24 meeting. It is early.

Thanks
Kirsten



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

Staff recommends City Council hold a public hearing and continue the public hearing on the Lot 1 Ontario Mine Bench Condominium record of survey plat to May 12, 2016. The property is located at 7700 Marsac Avenue. This item was noticed for a March 24, 2016, City Council hearing. The applicant has requested additional time to meet with City Staff to resolve issues related to water impact fees and trail head construction required prior to recordation of the associated Mine Bench Subdivision plat. This record of survey plat cannot be recorded until the subdivision plat is recorded. Staff and the applicant are not available for the April Council meetings.

Respectfully:

Kirsten Whetstone, Senior Planner



DATE: March 24, 2016

TO HONORABLE MAYOR AND COUNCIL

Staff recommends the City Council hold a public hearing and continue the public hearing on the proposed Ontario Mine Bench Subdivision extension of approval application to May 12, 2016. The property is located at 7700 Marsac Avenue. This item was legally noticed for a March 24, 2016, City Council hearing. The applicant has requested additional time to meet with City Staff to resolve issues related to water impact fees and trail head construction. Staff and the applicant are not available for the April Council meetings.

Respectfully:

Kirsten Whetstone, Senior Planner