PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 23, 2000

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, March 23, 2000.

Historic District Commission Interviews - City Council Chambers - Lower Level

2:30 p.m.	Review of interview questions
2:45 p.m.	Interviews
3:45 p.m.	**Closed Session - OCMB meeting room** - Deliberation on appointment
4:00 p.m.	Break

Work Session - City Council Chambers - Lower Level

4:15 p.m. Council questions and comments

4:35 p.m. Hidden Hollow Subdivision and Amendment to Deer Crest Settlement Agreement

Review of regular meeting

- Golf course operations review
- Environmental element - General Plan
- Property acquisition
- Meeting questions/comments

5:30 p.m. Envision Utah presentation

Regular Meeting - City Council Chambers - Lower Level

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV CONSENT AGENDA

1. Provider/Professional Services Agreement with Resort Commercial Property Management LLC for janitorial/cleaning services

2. Award of contract to Derek's Lawn Care for summer maintenance on Park City Municipal properties in an amount not to exceed $20,550

V RESIGNATIONS AND APPOINTMENTS

Appointment of two members to the Historic District Commission for a term expiring February 2002

VI PUBLIC HEARING

1. Environmental element of General Plan

2. Ordinance amending Title 8, Criminal Code, Park City Municipal Code

3. Master Festival License for Westbound Festival to be held on September 1 through September 4, 2000 - The Summit Institute and Deer Valley Resort

VII NEW BUSINESS

1. Ordinance amending Title 8, Criminal Code, Park City Municipal Code

2. Master Festival License for Westbound Festival to be held on September 1 through September 4, 2000 - The Summit Institute and Deer Valley Resort

3. Resolution adopting revised Racquet Club fees and repealing and replacing Resolution No. 36-99 in its entirety for Leisure Service including Racquet Club, Golf, Library, Cemetery, Parks and City Facilities for Park City, Utah

4. Purchase of 40 acres from George Grover located in Round Valley in the amount of $325,000

5. Purchase of .5 acres of property located on Park Avenue from Utah Power & Light in the amount of $400,000

VIII ADJOURNMENT

PARK CITY COUNCIL SPECIAL MEETING
MARCH 24, 2000

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold a special closed session with the Summit County Commissions on Friday, March 24, 2000 to discuss property acquisition. The meeting will be held at the Summit County Courthouse, 60 North Main, Coalville, Utah at 1 p.m.

Posted: 3/20/00
See parkcity2002.org

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 23, 2000

Present: **Mayor Brad Olch; Council members Peg Bodell, Candace Erickson, Roger Harlan, Fred Jones, and Shauna Kerr**

Toby Ross, City Manager; Mark Harrington, City Attorney; Jerry Gibbs, Public Works Director; Nora Shepard; Craig Sanchez, Director of Golf; and Tom Bakaly, Director of Capital Management and Budget

Jim Lavender, Jack Johnson Company; Mike Zohl and DJ Baxter, Envision Utah

1. **Historic District Commission interviews.** The City Council interviewed Carol Larson, Tom Hurd, Roger Durst, and Peter Marth beginning at approximately 2:30 p.m. In addition, Bob Powers was interviewed for a Planning Commission vacancy. The Council convened in closed session at about 4:15 p.m. to deliberate on the appointments.

2. **Council questions and comments.** Eric DeHaan responded to a question from Candace Erickson about SR248 construction this summer. She complimented staff on the Olympic Round Table held on Tuesday and the many ideas coming from that meeting. On another matter, Ms. Erickson relayed that she received concerns about tax dollars facilitating the sale of the clinic. Peg Bodell indicated that she received similar comments. She discussed attending a Summit County Commission meeting where the requirement and funding for trials was discussed and felt it important to get the message out that trails and pedestrian ways are important to our community. She felt the Olympic meeting was very successful and thanked the staff involved in organizing it. Fred Jones agreed and pointed out the good number of participants attending the meeting. He continued that there may be a need to have an ordinance in place prohibiting garbage cans on the street after pick-up, especially since Old Town now has choices for the size of the container. Jerry Gibbs explained that there will be announcements on KPCW and in the paper, and a mailer in the water billings to Old Town where it will be mentioned that it is the intent to get garbage cans off the street and there may be an ordinance. There will be a 30 day period after the mailer is sent in the April bill. Fred Jones felt there is an opportunity to deal with trash handling and recycling in conjunction with the construction of the transit center. Rick Lewis agreed with Mr. Jones and added that there has been a trash compactor budgeted in the capital improvements budget for years. It is anticipated to install a trash compactor, which looks like a small building, on the west side of the transit center and perhaps another north of the China Bridge Parking Structure. Including recycling services may expand the size of the building.

According to a *Money Magazine* poll, Roger Harlan reported that Park City is designated the eighth wealthiest city in America and felt it is a mixed blessing. Holmes and Narver will be recommended to the City Council as the contractor for the skateboard park construction by a subcommittee of the Parks and Recreation Board. Park City's bus system was top ranked in a Chamber/Bureau survey. He noted that he attended the Planning Commission meeting on the skateboard park where there were no significant issues and a broad focus on the permanent facility, not the parks master plan. He felt the project will be moving along in a timely fashion and mentioned the amount of public interest in the Olympic celebration meeting.

3. **Hidden Hollow Subdivision and amendment to the Deer Crest Settlement Agreement.** Ms. Shepard explained that several years ago, there was a settlement agreement with the City and Trans-Wasatch for the Telemark Park project. Three Wasatch County development areas were annexed to Park City, including Roosevelt Gap, Deer Hollow, and the Snow Top Subdivision. Through illustration of a map, Ms. Shepard oriented the audience and Council to these areas and the scope of proposed development. The Hidden Hollow Subdivision is located in Summit County but there was no previous subdivision application to Summit County. The settlement agreement includes a rendering of a four lot configuration in Hidden Hollow, and the application received by the City configured the four lots and building envelope designated in the agreement. Ms. Shepard pointed out that the Planning Commission went on site where there is an existing road alignment which is not consistent with the settlement agreement and would require new road cuts. Additionally, some of the building envelopes were in more visible locations and it was more desirable to move them down. The Planning Commission was willing to work with the applicant to arrive at a better design, even if it resulted in an additional lot and there were 15 instead of 16 lots in the Snow Top Subdivision. The applicant realigned the road so there would be less disturbance and moving building envelopes to less visible locations, which is the plan before Council today. Nora Shepard emphasized that the proposed five single family parcels vary from eight acres to 23 acres. The road would be 20 feet wide and is not intended for through traffic as it would be gated and the Deer Crest Home Owners would maintain the road. There is a connection to the Deer Crest and the Solamere trails. The Planning Commission spent a lot of time on this application in the field and determined the possibility of horses on three of the parcels in flat areas. She added that the design guidelines for Deer Crest are very strict and the Planning Commission recommended some language to break up the massing of walls. Some of the lots have two available building envelopes and some only have one due to slope and vegetation.

Ms. Shepard discussed the location and size of the houses, which are consistent with those of Snow Top. The building sites were placed in flat and more accessible areas and all of the single family residences would be subject to the Park City design guidelines and the Deer Crest architectural review. Having five lots would require an amendment to the Deer Crest Settlement Agreement and the City Attorney is working with Hidden Hollow's and Deer Crest's attorneys to draft an agreement. The Mayor asked if there have been lot reductions. Ms. Shepard explained that the Snow Top Subdivision was approved for 16 and there are only 15 there. The Planning Commission is recommending approval of this subdivision plat and findings indicate that with the relocation of the building envelopes and the road, the project is superior to the four lot plan provided for under the settlement agreement. Ms. Kerr asked if the Commission discussed the practicality of horses and irrigating pastures there and Ms. Shepard responded that this was discussed a lot. It is not really open pasture land, but stable areas and owners would have to obtain an administrative conditional use permit for dust and odor control. There would be a stable area and the horses would be confined to a paddock area. Drainage and vegetation were discussed. Ms. Shepard pointed out that most of the Planning Commission's discussion focused on house size. The Deer Crest design guidelines are a little different from the City's in that they define maximum coverage and maximum house size based upon the lot size, and on large parcels, there is no maximum house size. She emphasized that after studying the sites, it was found that where the lot sits and how it is designed has as much to do with how big a house looks, as the square footage. The Planning Commission decreased the house sizes as outlined in the staff report and recommended a maximum house size of 13,000 square feet for sites higher up on the hill and the maximum house size is 19,000 square feet in the hollow. The house size would be measured based upon the definition of house size in the Land Management Code at the time the building permit is issued. One of the lots will be served by a septic tank which is provided for in agreements, and the water and sewer will be serviced by JSSD. The Snyderville Basin Sewer Improvement District is not involved. In consideration of adequate fire flows, Roger Harlan suggested a limitation on irrigated landscaping to conserve water in the water tank. Ms. Shepard stated that this is not addressed in the conditions, but could easily be added and there are many subdivisions where the City approved a maximum irrigated area. Jim Lavender indicated that similar to the Deer Crest plat, the irrigated area is limited to 2,500 square feet for conventional irrigation and an additional 7,500 square feet if done with a drip irrigation system which is more efficient. Ms. Shepard noted that the plat requires non-combustible building materials and fire sprinkling. Roger Harlan pointed out the confusion with two school districts in the development and Ms. Shepard stated that there is a plat note addressing school district jurisdictions. Fire services are also provided by JSSD. Ms. Shepard believed this will be before Council for action on April 13.

4. Review of regular meeting:

Golf course operations review. Craig Sanchez asked for direction on three topics including the transfer of $275,000 from the City Park capital improvements fund to the Golf Fund; review the season pass policy, provide direction and possibly take action; and authorize an allocation of $20,000 from the Venture Fund to study the Golf Fund. The Golf Fund has been a self-sustaining enterprise fund since 1985. In 1996, the City Council adopted a ten-year plan and the player mix changed radically to more residents and fewer non-resident golfers. On March 6 a public input meeting was held at the Miners Hospital which was well attended to discuss the hotel construction, the driving range, and the 18th green. Attendees were concerned about fee hikes while the hotel construction is in process. Mr. Sanchez further explained that the Golf Course Committee is composed of five patrons and three members of the Parks and Recreation Board who considered public input from that meeting and the three issues. The Committee recommended that the transfer be a grant or a loan and agreed that season pass rates should increase 10%, but were mixed about an increase in junior season passes. Members felt that now may not be the best time to study the Golf Fund while the hotel construction is on-going. Staff then met with the Parks and Recreation Board who felt the transfer should be loan instead of a grant and that staff look at funding sources other than the City Park funds and also felt that the loan could be deferred until the golf course recovers from the construction. The Board recommended that season passes not be sold at this time; staff should study the pass structure and report back to them in mid-April. Members felt that hiring consultants was not appropriate at this time, but were not opposed to staff receiving additional resources through a General Fund subsidy to help study the Golf Fund.

Mr. Sanchez continued that over the past three years, revenues have been down and expenses up due to the hotel construction, wet weather, and the player mix. The owners of the hotel have a footings and foundation permit but no final plans have been approved yet for the site. The driving range has been severely affected and the large putting green is gone. The pro shop had to be moved to the No. 3 Tee, requiring more personnel. In 1995, the player mix was about 50%/50%, in 1996, it was 53% residents and when rates were raised the make play less affordable for non-residents, the numbers changed to 60%/40%. In the non-resident number, about 7% represents tournament play. Personnel expenses increased mainly because of the relocation of the pro shop. It is prohibited by state law to have a negative balance in an enterprise fund. He reported that they sold 85 regular season passes at $600 and 56 senior and 15 junior passes were sold at $300 last year. He reviewed the alternatives outlined in the staff report and commented that staff feels that capital improvement money budgeted for City Park would be the best source for the loan.

In response to a question from Fred Jones regarding the skateboard park project, Tom Bakaly explained that currently there is a City Park budget of about $1.3 million. The skateboard park is in the first phase at an estimated cost of $500,000 and there would be enough funds even if funds were transferred. The improvements surrounding the recreation building and Park Avenue would be more affected than the skateboard park. The $1.3 million is funded by the lower Park Avenue RDA, General Fund transfer, and impact fees related to the park. Mr. Jones asked about statistics regarding season pass usage and Mr. Sanchez indicated that season passes account for 25% of total play on the golf course. Limiting season passes to certain days was discussed by the Golf Committee and Mr. Sanchez stated that seniors typically play during the week and the regular season pass holders on the weekends, and the Committee was not very supportive of a limited play option. Mr. Sanchez quoted green fees for county and city courses which are comparable to our fees. Council member Erickson suggested a playing card that reduced the price of a round and Mr. Sanchez agreed that a punch card is another option. Tom Bakaly interjected that this is the type of analysis that could be performed in the next month. There was discussion about the lack of public courses in the area since Park Meadows GC and Jeremy Ranch GC have privatized. Mr. Sanchez explained the lodging program to pre-book tee times at a premium rate of $60; there were about 1,144 rounds last year and this year there are 1,200 rounds booked already. Most resort area courses pre-book at a premium rate.

Shauna Kerr stated that she is more inclined to support not selling season passes or selling them with limited play or a punch card, especially if 25% of the season pass play is only generating 13% of the revenue. Mr. Sanchez clarified that some Salt Lake City and County courses have looked at this issue and the County grandfathered passes while the City sells a weekday pass. Roger Harlan emphasized that many seniors are financially secure and it may not be appropriate to subsidize them and agreed with Ms. Kerr that there needs to be a realignment of costs in various categories. Mr. Sanchez stated that he discussed this issue with a variety of courses, most of whom have a single priced season pass. In order to build the Golf Fund back up, Mr. Sanchez indicated his preference to rely on the lodging business. Fred Jones stressed that experiencing a $200,000 deficit can not continue in future years and hoped that the hotel is a short-term impact. He believed that the trend was apparent before the hotel construction, and fee adjustments should be made. Ms. Bodell suggested the City's involvement in the beer carts, and Mr. Sanchez clarified that the City is already doing that but will look into prices. This concession will probably be part of the hotel's concession. She continued that she would like staff to try out some of the outlined options before $20,000 is spent on a study. Mr. Sanchez pointed out that the new software will provide an opportunity to track the number of rounds each person is playing on the course. Ms. Bodell added there are questions regarding the $275,000 loan. Craig Sanchez believed that the golf course will again be a viable self-sustaining enterprise fund within three to five years. In response to a question from Ms. Bodell about competition, Mr. Sanchez believed that the more courses in the area, the better Park City can be sold in the summer, and that will only help the municipal course. That is the reason he would like to get the lodging program up and going. Lost revenues from the driving range were discussed. The Mayor stated that he would favor a loan, not spend the $20,000 on a study, and the price of the junior season passes should not be raised so that junior golf is encouraged.

5. **Envision Utah presentation.** Mike Zohl explained that he is on the Board of the Coalition for Utah's Future which is a 13 year old non-profit organization formed to look at future oriented issues in the state. The Coalition sponsored Envision Utah which is an effort to look at Utah over the next 20 to 50 years and charged to visit 89 communities to ensure that quality of life is protected. A partnership has been formed with major stakeholders which includes state and local government officials, business leaders, developers, conservationists, land owners, church groups, etc. Mr. Zohl stated that there are six primary goals with how to deal with growth and 32 strategies. The approach Envision Utah is taking is very collaborative not mandated and the local level is where it is going to be accomplished. There was then a video presentation. Mr. Zohl explained a goal of developing an implementing a tool box, aids for communities to deal with growth. Park City may not need much help but there are other communities that need assistance and that is the role of Envision Utah. The Mayor voiced his concern about auto emissions and felt that it would be a great opportunity for Envision Utah to push toward a state-wide car inspection for emission standards. Peg Bodell felt it appropriate to identify the importance of preservation of historic buildings. Mr. Baxter reported on the mixed reactions from different communities on this program.

Prepared by Janet M. Scott

PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 23, 2000

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 23, 2000. Members in attendance were Brad Olch, Peg Bodell, Candace Erickson, Roger Harlan, Fred Jones, and Shauna Kerr. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Rick Lewis, Community Development Director; Meg Ryan, consultant; John Harwood, Legal Intern; and Tom Bakaly, Director of Capital Management and Budget.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda.

Ordinance - trash containers - Rosemary Sullivan Sweeney, resident, distributed a letter and photos of garbage bins on Old Town streets to the City Council, and stated that Park City has awarded $1 million in grants to beautify and restore homes in the Historic District and the City funds positions to ensure preservation. She pointed out the efforts of the Historical Society and the attraction of Old Town to draw visitors to Park City. An ordinance should be passed that trash containers be stored out of sight within a certain amount of time after the trash is picked up. Mayor Olch added that Councilman Jones brought this issue up in work session.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Peg Bodell stated that Council interviewed candidates for the HDC and one for the Planning Commission. The applicants were very qualified and the Council would like to encourage people to apply for service on boards. She thanked everyone who applied.

Rick Lewis explained that staff and a few members of the Planning Commission are working on revisions to the Telecommunications Ordinance and invited City Council participation. Shauna Kerr and Peg Bodell volunteered.

IV CONSENT AGENDA

Peg Bodell remarked that Derek's Lawn Care did an excellent job last year. The Mayor requested a motion to approve the Consent Agenda. Shauna Kerr, "I so move". Roger Harlan seconded. Motion carried unanimously.

1. Provider/Professional Services Agreement with Resort Commercial Property Management LLC for janitorial/cleaning services - See staff report.

2. Award of contract to Derek's Lawn Care for summer maintenance on Park City Municipal properties in an amount not to exceed $20,550 - See staff report.

V RESIGNATIONS AND APPOINTMENTS

Appointment of two members to the Historic District Commission for a term expiring February 2002 - Shauna Kerr, "I move that we continue this item for one week". She added that interviews were held and a decision was made, but the Mayor would like an opportunity to notify the candidates of the decision before it is released publicly. Roger Harlan seconded. Motion unanimously carried.

VI PUBLIC HEARING

1. Environmental element of General Plan - Rick Lewis explained that this element is required by state law. The Planning Commission held three work sessions and three public hearings on this over the past year. At the February 9, 2000 meeting, the Planning Commission recommended that the City Council hold a public hearing and adopt the environmental element. Each element has an issue statement, discussion and background, intent statement, policies, and action plan section. The policies and action plan cover natural resources, water resources, air quality, energy, material resources, and aesthetics. The action plan needs to be carefully reviewed to assess budgetary and staffing impacts in moving forward in implementing strategies and there will also be some code amendments. In response to a question from Shauna Kerr regarding the 1985 Weber Basin Water Conservancy agreement restricting the use of grey water, Mr. Lewis believed that there are no prohibitions at the state level and there is nothing in the Park City Code that restricts it. The City Manager noted that there are Health Department regulations that have not been fully resolved, as it hasn't been fully accepted by the state agencies. Ms. Kerr felt that the City should explore revising that agreement to use grey water for irrigation. Roger Harlan referred to a bullet on the benefits of recycling construction material and felt that the statement should be stronger. Rick Lewis added that the City requires construction mitigation plans on all major projects which could include recycling. Meg Ryan continued that Recycle Utah implemented the Good Wood Program and there are brochures at the Building and Planning Departments to encourage contractors to recycle. There was discussion about the pilot Good Wood Program and the educational effort involved. Fred Jones pointed out that the action plans are more emphatic than the topics and that the action plans place a responsibility on the City to perform. In his opinion, there is good direction in the element. Shauna Kerr suggested a fiscal note outlining an estimate of costs of implementation of an action plan and emphasized that she doesn't want staff to spend a lot of time on this. Peg Bodell interjected that perhaps the costs don't need to be identified, but that the public understands that there is going to be a financial impact and the numbers could be available in the future. She added that many of

these issues don't have boundaries and require a regional approach. Rick Lewis agreed. Candace Erickson also shared Mr. Harlan's concern about using stronger language to follow through on issues. There was discussion about recycling water features, which is consistent with responsible water conservation standards and requirements. Shauna Kerr, "I move to continue the public hearing on the environmental element of the General Plan". Peg Bodell seconded. Motion carried unanimously.

2. Ordinance amending Title 8, Criminal Code, Park City Municipal Code - John Harwood, Legal Intern, stated that this amendment will bring the Municipal Code in line with the state's criminal code which has been changed through the Utah State legislature and proposed ordinances were forwarded to the Legal Department by our prosecutor, Terry Christiansen. He highlighted the changes including a redefinition of *deadly weapon*, the penalties for misdemeanors have been updated, and making the language in the section on disorderly conduct gender neutral. A new section dealing with public urination and the prohibition against the possession, consumption, or purchase of alcohol by minors which is outlined in the Utah Code are new sections recommended by the City Prosecutor. There is a minor change correcting the reference of the Utah Controlled Substances Act. With no questions or comments from the public or the City Council, the public hearing was closed.

3. Master Festival License for Westbound Festival to be held on September 1 through September 4, 2000 - The Summit Institute and Deer Valley Resort - Meg Ryan explained that this is a new event which has been reviewed by various departments, which is scheduled from noon to 10 p.m. each day. The applicants are fully aware of the construction impacts and this will be explained in the promotional literature. In response to a question from Shauna Kerr regarding getting people through the round-about construction, Ms. Ryan understood that the majority of the parking is at Snow Park and there are no special shuttles. Linda Bonar of the Summit Institute explained that they have been assured by the City that there will be two lanes of traffic and are advising people to plan extra time to get to Deer Valley. The events will be staggered throughout the day and there are 17 performing artists over a three and a half day period. There will be visual arts exhibits and speakers and people will be encouraged to come throughout the day. With no further questions or comments from the public or the City Council, the public hearing was closed.

VII NEW BUSINESS

1. Ordinance amending Title 8, Criminal Code, Park City Municipal Code - The Mayor referred to the public hearing presentation and requested a motion to approve. Shauna Kerr, "I so move". Peg Bodell seconded. Motion unanimously carried.

2. Master Festival License for Westbound Festival to be held on September 1 through September 4, 2000 - The Summit Institute and Deer Valley Resort - See public hearing comments. Roger Harlan understood that the Miners Day activities would not conflict with the last day of the

event. Linda Bonar did not anticipate that it would be a problem and she has a letter from the Rotary Club supporting the event and are looking at ways to collaborate on some things. Shauna Kerr emphasized that Labor Day is one of the last good lodging weekends, and asked why the event couldn't be postponed for one or two weeks to fill a slow autumn weekend. Ms. Bonar stated that Labor Day weekend is a very soft weekend for the lodging community and the average hotel occupancy was at less than 60% and including condominiums, the overall lodging was about 36%. They chose this weekend for the benefit of businesses and because of the weather. Many events will be outdoors and they need to be as early in September as possible to bank on better weather. Shauna Kerr expressed that the 4th of July has been taken over by the Salt Lake market, and it is no longer our celebration. Labor Day has traditionally been for the locals and this seems to be contrary to her perception of what the community wants for that weekend. She felt that the lodging numbers the week after Labor Day weekend are significantly less. Ms. Bonar relayed that they looked at every other weekend in the summer which were booked. It is critical to have good weather, which could jeopardize the future of the event and pushing it back to mid-September is just too late. She added that they have talked with the business community and there is universal support of the event and this is a cultural opportunity for the community and described several programs. This also fits well with the needs assessment completed by the Arts Council, as one of the findings is that people in Summit County aren't fond of avant garde events and more interested in things that are genuine and represent our community. This event will do that and it will be a lot of fun. Ms. Kerr believed that the merchants would receive the same economic benefit on another weekend and didn't feel that the weather will change that drastically. It is her preference to have Miners Day for the locals and not bring in other events inviting visitors. Ms. Bodell added that there are no guarantees for good weather here and hoped the event is so successful, it expanded beyond a weekend. Roger Harlan, "<u>I move approval of the Master Festival License for the Westbound Festival to be held on September 1 - 4 at Deer Valley Resort</u>". Fred Jones seconded. <u>Motion carried</u>. Shauna Kerr disclosed that she is a part-time, temporary Deer Valley employee and has no financial interest in this application.

Peg Bodell	Aye
Roger Harlan	Aye
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Nay

3. <u>Resolution adopting revised Racquet Club fees and repealing and replacing Resolution No. 36-99 in its entirety for Leisure Service including Racquet Club, Golf, Library, Cemetery, Parks and City Facilities for Park City, Utah</u> - See staff report and work session comments on golf operations. Craig Sanchez stated that he would like some direction on season passes for the upcoming 2000 golf season, the $275,000, and the study. Candy Erickson believed that a decision on season passes should be deferred to May so that there is time for an analysis. The Mayor interjected that he hoped that the junior fees would not be increased and that consideration be given to the fact that the quality of the golf experience decreases with the hotel construction. There was

a discussion about the importance of an operational driving range, and Craig Sanchez felt that not having a driving range will affect green revenues because a lot of golfers like to hit balls before play. It was the consensus of Council members Erickson, Bodell and Jones to defer the sale of season passes until a decision is made in May and there is more data on pricing. Shauna Kerr felt that the 10% recommended increase is insignificant and there needs to be an analysis to come up with recommendations on pricing or the right limitations on the pass, but if Council is just putting off eliminating season passes, the action should be taken tonight. In response to a question from the Mayor, Ms. Kerr stated that if junior fees are maintained there should be an acknowledgment that this is consistent with the City subsidy of youth sports. Roger Harlan agreed that junior passes would be an appropriate subsidy, but not necessarily senior passes. Craig Sanchez explained that there will not be a lot of revenue generated with a 10% to 40% increase is season passes, but it will help in changing the mix of play toward a 50/50 ratio. When the golf course opens, season passes have typically generated about $60,000 in revenue flow in those early months. Tom Bakaly added that one of the reasons staff is recommending coming back in May is to bring it back in the context of the budget and an analysis of the entire fund. There was discussion about setting the rates for a season pass, and Fred Jones didn't feel he was prepared until the overall costs and revenues are examined. Not selling passes and selling passes with limitations need to be considered. Tom Bakaly pointed out that staff will be presenting information at the Parks and Recreation Board meeting on April 19 and will be back to Council on May 4. Mark Harrington recommended that since there is an existing resolution which sets forth a fee for the purchase of season passes, that Council adopt a resolution suspending the sale of season passes until May 4 or such other time as the Council passes a new resolution. Shauna Kerr, "<u>I move that we amend the resolution to suspend season passes until a later date</u>". Fred Jones seconded. <u>Motion unanimously carried</u>.

Tom Bakaly added that with regard to the $275,000 estimated deficit, that direction on a grant or a loan would be helpful. The Mayor felt that a loan is appropriate and the terms should be based on the ability of the golf course to pay it back without penalizing operations. There would be interest due as with any entity. Ms. Kerr suggested that it should be a loan, with deferred interest until the hotel is completed and the golf course is whole again. Roger Harlan stated that a loan was the preference of the Parks and Recreation Board. Fred Jones recommended that Ms. Kerr's direction be modified to when the hotel is complete so the impacts are minimized. Tom Bakaly addressed the study option, and explained that an in-house study can be conducted and staff can spend up to $10,000 without formal approval. The resources he needs to complete the study would probably be in the $5,000 to $10,000 range. Venture funds would be used for this purpose. The Mayor encouraged Mr. Bakaly to keep the study to $5,000. Roger Harlan added that the Parks and Recreation Board did not support a $20,000 fee for a consultant.

4. <u>Purchase of 40 acres from George Grover located in Round Valley in the amount of $325,000</u> - The Mayor disclosed that the City Council discussed this purchase in closed session last week. The City Attorney asked that the motion authorize the Mayor to execute documents in a form approved by the City Attorney as there are not documents available now; only a letter of intent from

the property owner. Shauna Kerr, "I move approval as stated by the City Attorney". Roger Harlan seconded. Motion carried unanimously.

5. Purchase of .5 acres of property located on Park Avenue from Utah Power & Light in the amount of $400,000 - Mayor Olch indicated that this was discussed in closed session. Shauna Kerr, "I move approval in a form approved by the City Attorney". Fred Jones seconded. There was discussion about providing enough room between parcels for the transit facility. Toby Ross added that the City is performing an environmental study and the decision is predicated that nothing significant will be found but in that event, the matter would return to Council. The final language for use of the property by UP&L is still being negotiated. Candace Erickson discussed the $10,000 budgeted for the trolley turn-around; there will be no structure on the parcel. The Mayor requested a motion to approve. Shauna Kerr, "I so move". Fred Jones seconded. Motion carried unanimously.

VIII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned. The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3:45 p.m. Members in attendance were Mayor Brad Olch, Peg Bodell, Candace Erickson, Roger Harlan, Fred Jones, and Shauna Kerr. Peg Bodell, "I move to close the meeting to discuss board appointments". Candace Erickson seconded. Motion carried unanimously.

The meeting opened at approximately 4:15 p.m.

STATE OF UTAH)
ss.
COUNTY OF SUMMIT)

CERTIFICATE OF CLOSED SESSION
CITY COUNCIL OF PARK CITY, UTAH

As presiding officer of the City Council of Park City, Utah, I hereby certify that the closed session meeting held by the City Council on March 23, 2000, was held pursuant to Section 52-4-5(1)(a)(I) to discuss the character, professional competence, or physical or mental health of an individual.

DATED this 14 day of APRIL, 2000.

____
Mayor Bradley A. Olch

Subscribed and sworn before me this 14 day of APRIL, 2000.

Janet M. Scott
Janet M. Scott, Notary Public

PARK CITY 1884

CITY COUNCIL STAFF REPORT

DATE: March 21, 2000
DEPARTMENT: Planning
AUTHOR: Nora L. Shepard NLS
TITLE: Hidden Hollow
TYPE OF ITEM: Final Subdivision Plat and Amendment to the Deer Crest Settlement Agreement

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SUMMARY RECOMMENDATIONS: This is a work session only. The Planning Commission recommended that the City Council conditionally approve the final subdivision plat and amend the Deer Crest Settlement Agreement to allow 5 lots in Hidden Hollow.

DESCRIPTION

Owners:	Hidden Hollow, LLC represented by Harry Reed and Jim Lavender
Location	A portion of the Deer Crest Development, adjacent to Morning Star Estates
Zoning:	Estate-MPD and Recreation Open Space-MPD
Adjacent Land Uses:	Low Density Residential
Reason for Review:	Final Subdivision Plat Approval Request

B. Background

The Hidden Hollow property was included the Settlement Agreement between the City and Telemark Park, now known as Deer Crest. The Hidden Hollow portion of the project lies in Summit County, unlike the balance of the Deer Crest project which lies in Wasatch County. It is not currently owned by Deer Crest, and is being developed separately, although the area is included in the Master Homeowners Association for Deer Crest. The property is immediately adjacent to the Snowtop Subdivision, which lies in Wasatch County. A map of Deer Crest is attached for your use as Exhibit A. It is anticipated that Hidden Hollow will develop concurrently with the Snowtop Subdivision. The Snowtop subdivision (15 single family parcles) was also annexed into the City limits. The plat was recorded with Wasatch County prior to annexation. The road to Snowtop and Hidden Hollow is under construction and will be completed sometime this summer.

The Hidden Hollow property was annexed to Park City at the same time as the Deer Crest

Annexation which included Snowtop, Roosevelt Gap and Deer Hollow (December, 1998). A copy of the Annexation Ordinance for Hidden Hollow is attached as Exhibit B.

The Settlement Agreement allows for 4 single family parcels to be created in Hidden Hollow. An attachment to the Settlement Agreement shows a 4 lot configuration with designated building envelopes. The agreement also states that Hidden Hollow and Snowtop are exempt from having to provide a visual analysis. Now that the property is within the City Limits, a subdivision plat is necessary to create the subdivision.

The subdivision would be accessed via an extension of the road serving the Snowtop subdivision. A secondary, emergency access road is planned to extend from Hidden Hollow and connect to the emergency access road from Morning Star Estates. The secondary access road is to be a 20 foot wide asphalt road, the minimum necessary Fire Code width in this area due to wildland brushfire potential.

The Planning Commission reviewed the 4 lot layout in the Settlement Agreement and visited the site to evaluate the plan. Based upon that review, the Planning Commission asked the applicant to relook at the road location and the building envelopes. The Planning Commission directed the applicant to try to align the proposed road in as close as possible to the same location of the an existing dirt road. In addition, a number of building envelopes would have been highly visible from Hwy 248. The Planning Commission indicated that if the road and the building envelopes could be relocated, they would consider 5 lots instead of 4.

Commissioner Larson and various members of the staff met in the field several times to review potential road and building envelope locations. The proposal before the City Council at this time reflects a five lot subdivision, with fewer and less visible potential building envelopes. The road has also been realigned consistent with the Planning Commission direction.

C. Project Description

The revised subdivision layout includes 5 single family parcels and an access road which more closely follows the alignment of the existing dirt road. A copy of the proposed plat is attached as Exhibit C. The parcels are proposed to be sized as follows:

Lot 1 386,057 sf or 8.86 acres
Lot 2 446,762 sf or 10.26 acres
Lot 3 994,481 sf or 22.83 acres
Lot 4 1,027,987 sf or 23.60 acres
Lot 5 687,225 sf or 15.78 acres

As a result of the Planning Commission process, each parcel has designated building envelopes different from those shown in the Settlement Agreement. Lots 1, 2 and 4 have more than one building envelope shown on the plat. Only one of the envelopes can be used for the primary dwelling, but the property owner would have the option to use either of the envelopes shown. A visual analysis was performed by the applicant, even though the City could not require it according to the Settlement Agreement. This property is in a hollow and is seen only from a short section of Highway 40 and from Highway 248 as it leads to Kamas. Building envelopes were relocated or eliminated to minimize visibility.

The applicant is requesting that horses be allowed on specific building envelopes on lots 1, 4 and 5, subject to administrative Conditional Use Review. There is a hiking/biking/equestrian trail which has been graded on the site connecting the Deer Crest trails with the Solamere trails.

D. Issues for Discussion

House Size

The applicant is requesting that maximum house sizes for this subdivision be fairly large. The parcels are large and generally not visible from established vantage points. The staff and applicant conducted a field analysis of larger homes in Park City. In general, siting and design of the home have more to do with the large appearance of a home than the actual square footage. Assuming that visual impact is the primary rationale for limiting building size, the applicant has identified maximum square footages which are smaller on the more visible building sites and larger on the less visible sites. The Planning Commission discussed this issue at length. A copy of the Planning Commission minutes is attached for your review (Exhibit D).

The Planning Commission recommends the following maximum building sizes:

Lot 1	Envelope A	13,000 sf (the average in Snowtop is about 9800 sf)
	Envelope B	19,000 sf
Lot 2	Envelope A	19,000 sf
	Envelope B	13,000 sf
Lot 3		19,000 sf
Lot 4	Envelope A	13,000 sf
	Envelope B	19,000 sf
Lot 5		19,000 sf

The square footage would be measured according to the definition in the Land Management Code at the time a building permit is applied for.

All single family residences in Hidden Hollow would be subject to the Deer Crest Architectural Guidelines which regulate the siting and design of structures to decrease the apparent mass. The homes would also be subject to the Park City Design Guidelines in effect at the time of building permit application. The Planning Commission recommended that additional guidelines be applied to Hidden Hollow which would further reduce the apparent mass of the structures. That language has been added in the conditions of approval and will be required to be shown on the plat.

The Settlement Agreement does not address maximum house size in Hidden Hollow. The architectural guidelines for Deer Crest does specify maximum house and coverage sizes based upon the size of the lot upon which a house sits. According to those guidelines, lots of this size would not have a maximum house size restriction.

Horses
The applicant is requesting that the subdivision approval include permission for horses on lots 1, 4 and 5. The request is for a maximum of 3 horses on lot 1, and a maximum of 4 horses on lots 4 and 5. A maximum barn footprint of 2500 sf is proposed, and a maximum graded area of 10,000 sf, for lots 1,4 and 5.

The staff was initially opposed to horses on the parcels, as they were originally laid out. With the revised road and lot layout, however, it appears that there may be fairly flat areas on lots 1,4 and 5 which could accommodate horses. The staff would recommend that specific, potential locations for a barn and grading be shown on the plat and that the actual approval of the horse use be deferred to an administrative Conditional Use Permit. Only the owners of lots 1, 4 and 5 would be allowed to apply for the administrative CUP. In reviewing the administrative CUP, the following criteria should be evaluated:

- Slope of area proposed for the horses to be kept - horses should only be kept in areas of less than 15% slope. Significant grading should not be necessary to achieve this.
- Proximity to adjacent building pads
- Vegetation type - existing open areas should be used and significant vegetation removal should not be necessary.
- Animal Management Plan - this should address, at a minimum, erosion control, waste disposal, and odor control.

Amendment to the Settlement Agreement
Because the proposed subdivision now contains 5 single family parcels, the Settlement Agreement will have to be amended to allow the additional lot. Deer Crest Associates, LLC are the successors in interest to the Settlement Agreement and would be required to sign any amendment.

Trails
This fall, a trail was built which connects the Deer Crest trail system with the Solamere trail system. The location of that trail is shown on the plat, but the plat needs to dedicate a public easement for the trail. The exact language of an easement or dedication for the trail has not yet been finalized but will be required prior to Plat Recordation. The City Attorney's office and the attorney for the developer are working on this issue.

Road Standards
The primary access to Hidden Hollow is through the Snowtop Subdivision. The roadways are to be maintained (including snow removal) by the Deer Crest Homeowners association. The extension of the Snowtop road serves only the Hidden Hollow subdivision. In order for the alignment of the road to better fit with existing disturbance and topography, and due to the limited occupancy of the homes, as well as the presence of required fire sprinklers and the secondary access road, the City Engineer is willing to allow road gradients up to 12%. The City

Engineer has reviewed the proposed road alignment and can make findings to allow it due to the unique circumstances of this subdivision.

Infrastructure
Because of the location of this property and its inclusion in the Deer Crest Master Association, the water and sewer are to be provided by the Jordanelle Special Service District (JSSD). Lot 5 is proposed to be able to use a septic system. There is an interlocal agreement in place between Hidden Hollow LLC, JSSD and SBSID which allows this property to be served in this manner.

The property is within the Park City Fire Service District and the Park City School District. A note has been placed on the plat that due to the remoteness of this subdivision, some services such as school bus pick up and trash pick up may not occur in this area.

Adjacent Properties
The Settlement Agreement granted limited access over the Keetley Road for two properties adjacent to Hidden Hollow. It also required that an access easement be granted through Hidden Hollow for the future development of those 2 parcels. The easement is shown on the plat. The 50 foot wide access easement required by the Settlement Agreement is reflected on the plat. No road construction will occur until and unless development is approved by Summit or Wasatch Counties on these two parcels. The access easement traverses the hillside and roadway grading along this route will be very visible from Hwy 40 and 248.

E. **Alternatives** - This is a work session only. Listed below are some possible alternatives for the City Council. The staff would like direction from the Council at this time.

Conditionally approve the 5-lot subdivision and authorize the staff to prepare an amendment to the Settlement Agreement. Once the staff has direction from the City Council on the 5-lot subdivision, an amendment to the Settlement Agreement will be prepared for Council review and approval.

Deny the 5-lot subdivision. If the City Council cannot support the proposed 5-lot subdivision, the applicant could return to the Planning Commission and City Council with the 4-lot layout with building envelopes as designated in the Settlement Agreement.

Direct the Planning Commission or staff to modify the 5-lot subdivision. Specific direction to the staff would be necessary if the City Council agrees with the 5-lot configuration, but does not support some other part of the recommendation.

F. **Recommendation**

After significant discussion, the Planning Commission forwarded a positive recommendation to the City Council on the Final Subdivision Plat for Hidden Hollow, a 5 lot single family subdivision on February 9, 2000, subject to the following finding of fact, conclusions of law and conditions of approval (as modified by the legal department):

FINDINGS OF FACT:

1. The subject property is included in the 1995 Settlement Agreement which entitled the settling property owners to 4 single family parcels in Hidden Hollow. An exhibit included in the Settlement Agreement showed a preliminary subdivision layout depicting 4 parcels with numerous potential building envelopes.

2. Several of the building envelopes shown on the 1995 exhibit were highly visible from Highway 248 and slightly visible from Park City.

3. The 1995 Settlement Agreement exempted this subdivision from the provisions of the Sensitive Lands Ordinance.

4. The property was annexed to Park City on December 17, 1998. The annexation specified that the subdivision required review and approval by Park City, but that it was not subject to application of the Sensitive Lands Provisions of the Land Management Code.

5. The project is uniquely located so that it is not visible from Park City and is visible from few vantage points.

6. The property is unique in that primary access is through the Deer Crest Development and the subdivision will receive water and sewer service by the Jordanelle Special Service District (JSSD) and is a part of the Deer Crest Homeowners' Association.

7. The Community Development Staff, applicant and the Planning Commission carefully analyzed the site and made numerous site visits to evaluate the application for subdivision. The applicant was willing to redesign the subdivision based upon input from the staff and Planning Commission. Several of the more visible building envelopes were eliminated, thereby decreasing opportunities for building sites. In exchange for this concession, the Planning Commission was willing to consider a fifth lot to be located in the non-visible portion of the property.

8. Deer Crest, LLC does not object to a 5 lot subdivision and has agreed to execute an amendment to the Settlement Agreement prior to plat recordation.

9. The project was noticed and public hearings held in compliance with the Park City Land Management Code.

10. A 50 foot wide access easement to adjacent properties is being shown on the plat because it is a requirement of the Settlement Agreement. That road is not being proposed to be built at this time. The inclusion of that easement on the plat does not constitute City approval or support of any plans or development on those adjacent parcels.

11. The Planning Commission discussed sizes of homes and concluded that large homes may create more employees and therefore more of an impact on traffic and affordable housing. Large homes use a significant amount of valuable natural resources and have a significant

impact on the environment. Large homes also contribute significant property taxes.

CONCLUSIONS OF LAW:

1. The final plat, as conditioned, would be consistent with the 1995 Settlement Agreement, as amended.

2. The plat contains numerous notes which are necessary due to the unique location and circumstances relating to this property and project.

3. Building envelope designation, dwelling size restrictions and limits of disturbance are necessary for better compliance with the Land Management Code and General Plan.

4. The final plat, as conditioned, will not be detrimental to the health, safety and general welfare of the citizens of Park City.

5. The proposed 5-lot subdivision is consistent with the subdivision criteria set forth in section 15.1.3 of the Park City Land Management Code.

CONDITIONS OF APPROVAL:

1. Prior to plat recordation, the plat must gain the approval of the City Engineer, City Attorney and City Council.

2. Prior to, or concurrent with, plat recordation, an amendment to the 1995 Settlement Agreement must be executed by all affected parties to the Settlement Agreement to allow a 5 lot subdivision.

3. Building Envelope and House Size requirements are specified on the final plat. A property owner can choose to use only 1 building envelope for the primary dwelling. The maximum house sizes allowed shall be:

Lot 1	Envelope A	10,000 sf (the average in Snowtop is about 9800 sf)
	Envelope B	19,000 sf
Lot 2	Envelope A	19,000 sf
	Envelope B	eliminated
Lot 3		19,000 sf
Lot 4	Envelope A	10,000 sf
	Envelope B	19,000 sf
Lot 5		19,000 sf

The square footage would be measured according to the definition in the Land Management

Code at the time a building permit is applied for.

All single family residences in Hidden Hollow would be subject to the Deer Crest Architectural Guidelines which regulate the siting and design of structures to decrease the apparent mass. The homes would also be subject to the Park City Design Guidelines which are in effect at the time of building permit application.

4. Horses are subject to an Administrative CUP on lots 1,4 and 5, subject to the locations designated on the plat. In reviewing the administrative CUP, the following criteria should be evaluated:

- Slope of area proposed for the horses to be kept - horses may only be kept in areas with less than 15% slope. Significant grading will not be allowed.
- Proximity to adjacent building pads
- Vegetation type - existing open areas should be used and significant vegetation removal will not be allowed.
- Animal Management Plan - this should address, at a minimum, erosion control, waste disposal, and odor control.

5. Sewer and Water will be provided by Jordanelle Special Services District. Lot 5 is being permitted to have a septic tank, subject to Summit County approval. Road maintenance, including snow removal, will be the responsibility of the homeowners.

6. The plat shall contain language that indicates that due to the remote location of Hidden Hollow and the access through Deer Crest and Wasatch County, the subdivision may not be able to receive customary services such as garbage pick up and school bus access.

7. Final language on the dedication of the trail will have to meet the requirements of the City Attorney.

8. All notes on the 1/6/2000 draft plat shall appear on the recorded plat.

9. A note shall be added to the plat which states that "No exterior wall may exceed 23 feet in height when measured from the overhang eave line to the lesser in elevation of either natural grade or finished grade. No single, continuous exterior wall plane shall measure more than 30 feet in length before a change in depth of at least 3 feet."

10. The Standard Project Conditions shall apply.

Exhibit A - Deer Crest Map
Exhibit B - Annexation Ordinance for Hidden Hollow
Exhibit C - Proposed Subdivision Plat
Exhibit D - Planning Commission Minutes

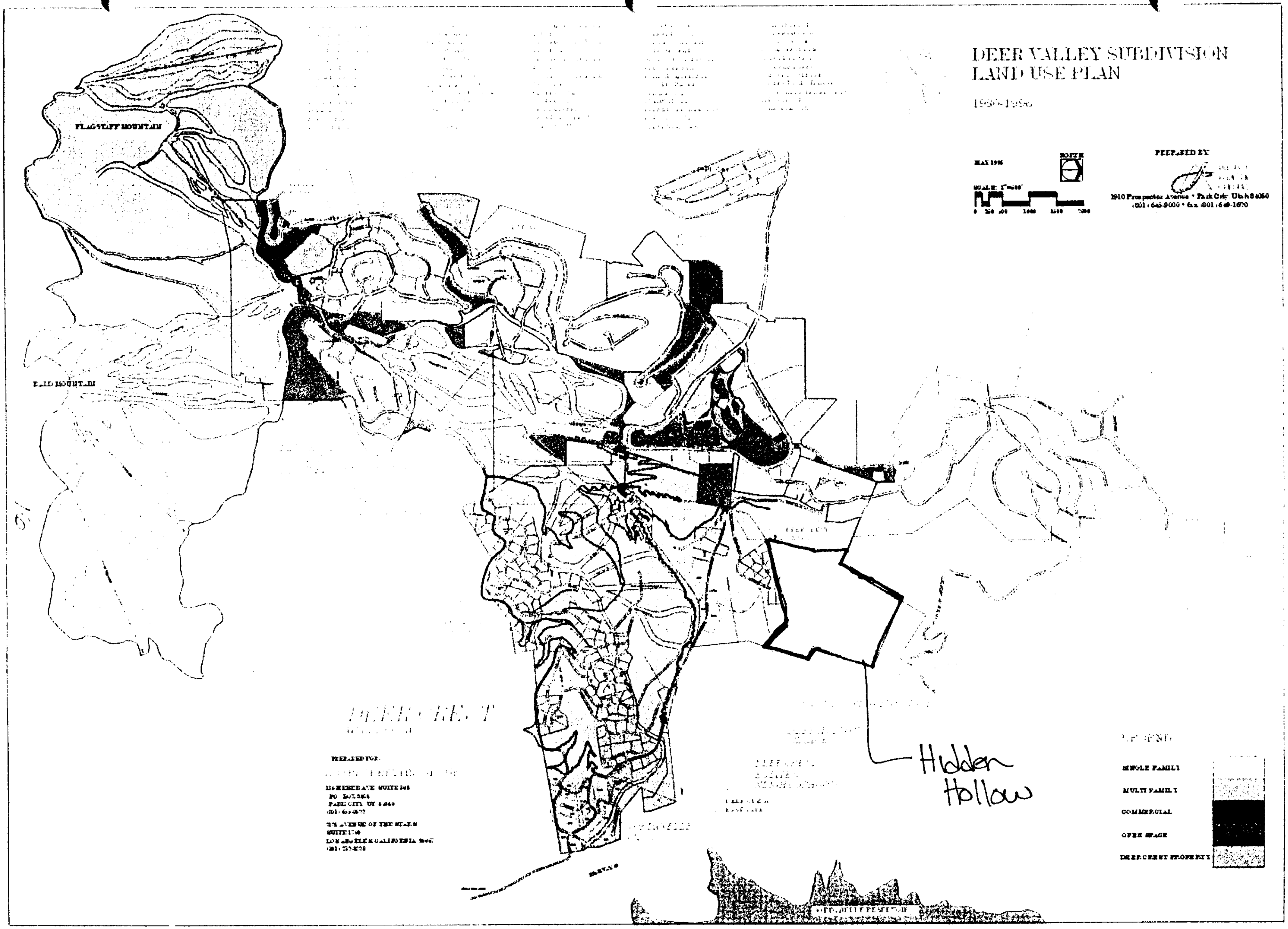

DEER VALLEY SUBDIVISION
LAND USE PLAN
MAY 1996
NORTH
PREPARED BY
1910 Prospector Avenue * Park City Utah 84060
FLAGSTAFF MOUNTAIN
BALD MOUNTAIN
DEER CREST
PREPARED FOR:
SINGLE FAMILY
MULTI FAMILY
COMMERCIAL
OPEN SPACE
DEER CREST PROPERTY
Hidden Hollow

Exhibit A

PARK CITY
1884

Ordinance No. 98-52

AN ORDINANCE ANNEXING, APPROXIMATELY 84 ACRES OF PROPERTY KNOWN AS HIDDEN HOLLOW LOCATED ADJACENT TO DEER VALLEY INTO THE CORPORATE LIMITS OF PARK CITY, UTAH

WHEREAS, a petition was filed by Hidden Hollow Associates, LLC requesting Park City to annex Hidden Hollow (the Property, Exhibit A) to the City on July 22, 1998;

WHEREAS, the annexation request is consistent with the 1995 Settlement Agreement which applies to the property;

WHEREAS, the property will be served with sewer and water by the Jordanelle Special Improvement District (JSSD) and all road maintenance will be the responsibility of the owners;

WHEREAS, the Planning Commission conducted a public hearing on August 26, 1998 and forwarded a positive recommendation on the requested annexation on September 23, 1998;

WHEREAS, the annexation petition was accepted by the City Council on September 24, 1998 and certified by the City Recorder on October 21, 1998;

WHEREAS, the City Council conducted a public hearing on December 3, 1998;

WHEREAS, the Property is not included within any other municipal jurisdiction and there have been no protests filed by any other jurisdictions;

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

SECTION 1. ANNEXATION. The property is hereby annexed to the corporate limits of Park City, Utah according to the annexation plat executed in substantially the same form as it is attached hereto as Exhibit A. The Property so annexed shall enjoy the privileges of Park City and shall be subject to all City levies and assessments as described in the terms of the 1995 Settlement Agreement (as amended). The Property shall be subject to all City laws, rules and regulations upon the effective date of this ordinance.

SECTION 2. COMPLIANCE WITH STATE LAW. This annexation, in the judgement of Park City, meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect upon recordation of the annexation plat.

Exhibit B

DATED this 17th day of December, 1998

PARK CITY MUNICIPAL CORPORATION

BRADLEY A. OLCH, MAYOR

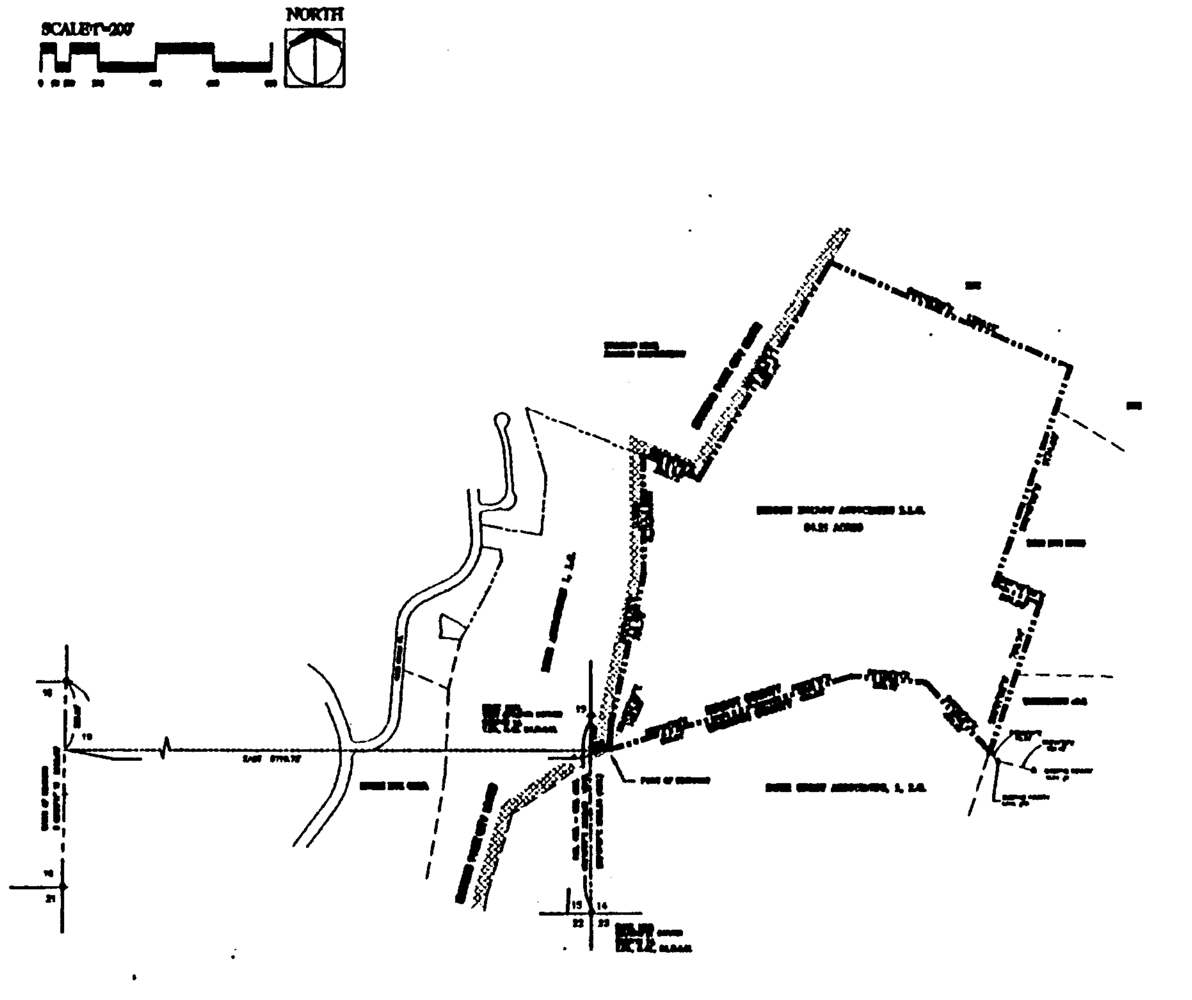
ATTEST:

Janet M. Scott, City Recorder

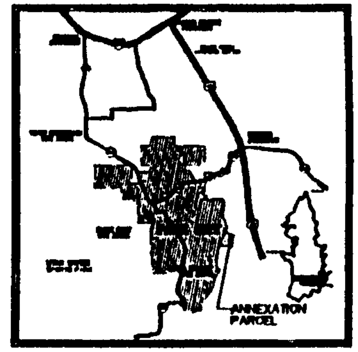
APPROVED AS TO FORM:

Jodi Fatland Hoffman, City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884



VICINITY MAP



LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE SUMMIT-WASATCH COUNTY LINE, SAID POINT BEING S00°30'11"W 520.10 FEET ALONG THE SECTION LINE AND EAST [illegible] FEET FROM THE EAST QUARTER CORNER OF SECTION 15, T.2S., R.4E., S.L.B.&M.; AND RUNNING THENCE [illegible] FEET; THENCE [illegible] 701.79 FEET; THENCE [illegible] FEET MORE OR LESS TO THE SOUTHERLY LINE OF THE MORNING STAR SUBDIVISION; THENCE ALONG THE SOUTH LINE OF THE SAID SUBDIVISION [illegible] FEET MORE OR LESS; THENCE ALONG THE EAST LINE OF SAID MORNING STAR SUBDIVISION [illegible] FEET MORE OR LESS; THENCE ALONG THE NORTH LINE OF THE QUEEN ESTHER NO.3 MINING CLAIM (MS [illegible]) [illegible] FEET MORE OR LESS; THENCE ALONG THE EAST LINE OF THE QUEEN ESTHER NO.4 AND THE QUEEN ESTHER NO.3 MINING CLAIMS [illegible] 1174.00 FEET MORE OR LESS; THENCE ALONG THE NORTH LINE OF THE QUEEN ESTHER NO.3 MINING CLAIM [illegible] FEET MORE OR LESS; THENCE ALONG THE EAST LINE OF THE QUEEN ESTHER NO.3 MINING CLAIM [illegible] FEET; THENCE ALONG THE SUMMIT-WASATCH COUNTY LINE THE FOLLOWING FOUR (4) COURSES: 1) [illegible] FEET; THENCE 2) [illegible] FEET; THENCE 3) [illegible] FEET; THENCE 4) [illegible] FEET TO THE POINT OF BEGINNING.

CONTAINING [illegible] SQ. FT. OR [illegible] ACRES.

SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, COVENANTS AND RESTRICTIONS OF RECORD, WHETHER INDICATED OR NOT ON THIS ANNEXATION PLAT.

SURVEYOR'S CERTIFICATE

I, JACK JOHNSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. [illegible] AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LEGAL DESCRIPTIONS OF THE ANNEXATION AREA AND THE INFORMATION SHOWN ON THIS PLAT IS CORRECT BASED UPON SAID LEGAL DESCRIPTIONS.

DATE ______ JACK JOHNSON ______

ANNEXATION PLAT for
HIDDEN HOLLOW
LYING WITHIN SUMMIT COUNTY, UTAH
LOCATED IN THE WEST HALF OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF CITY COUNCIL THIS ____ DAY OF ____ A.D. 19__ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED. MAYOR ____ CITY RECORDER	APPROVED AND ACCEPTED BY THE CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF ____ A.D. 19__ CITY ENGINEER	APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS ____ DAY OF ____ A.D. 19__ CHAIRMAN	APPROVED AS TO FORM ON THIS ____ DAY OF ____ A.D. 19__ CITY ATTORNEY	#____ STATE OF ____ COUNTY OF ____ RECORDED AND FILED AT THE REQUEST OF: COUNTY RECORDER

THE JACK JOHNSON COMPANY
1910 Prospector Avenue * Park City, Utah 84060 (801) 645-9000 * fax (801) 649-1620

PARK CITY
1884

Ordinance No. 98-50

AN ORDINANCE AMENDING THE ZONING MAP OF PARK CITY TO INCLUDE HIDDEN HOLLOW LOCATED ADJACENT TO THE CURRENT CORPORATE BOUNDARIES OF PARK CITY, UTAH

WHEREAS, Hidden Hollow Associates, LLC petitioned to annex a project to the City; and

WHEREAS, the annexation is consistent with the 1995 Settlement Agreement between Park City and the property owners; and

WHEREAS, the Planning Commission held a public hearing on August 26, 1998 and forwarded a positive recommendation to the City Council on the Annexation and Zoning on September 23, 1998; and

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

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

WHEREAS, on December 3, 1998, the City Council held a public hearing to receive input on the proposed annexation and zoning; and

WHEREAS, it is in the best interest of Park City, Utah to amend the Official Zoning Map of Park City to include the property within the City's regulatory boundary.

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

SECTION 1. Zoning Map Amended. The Zoning Map of Park City as adopted by section 1.9 of the Park City Land Management Code, is hereby amended to include Hidden Hollow as depicted in Exhibit A.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon recordation of the annexation plat.

PASSED AND ADOPTED this 17th day of December 1998 .

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, MAYOR

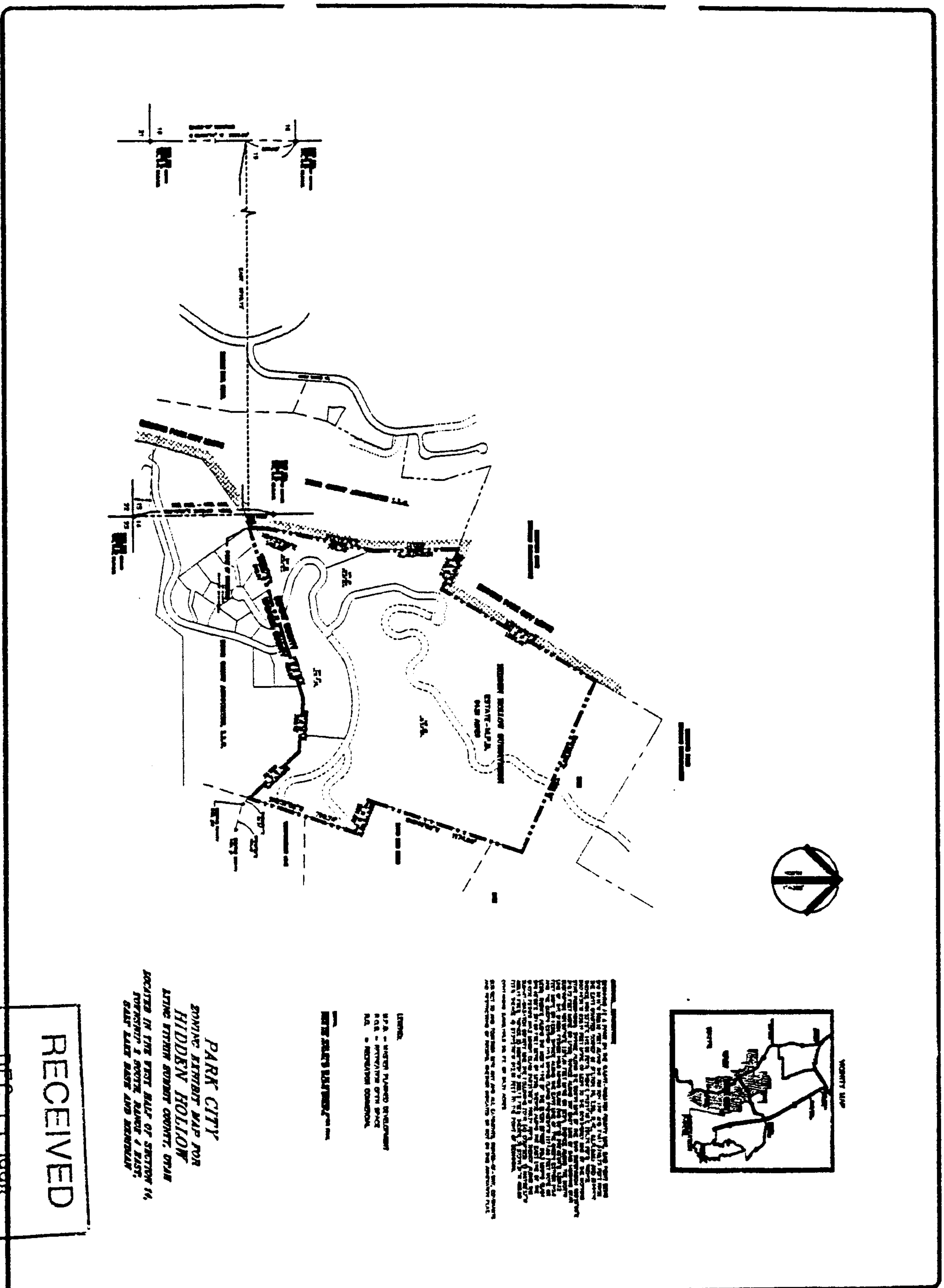
ATTEST:

Janet M. Scott, City Recorder

APPROVED AS TO FORM:

Jodi Hoffman, City Attorney

EXHIBIT A



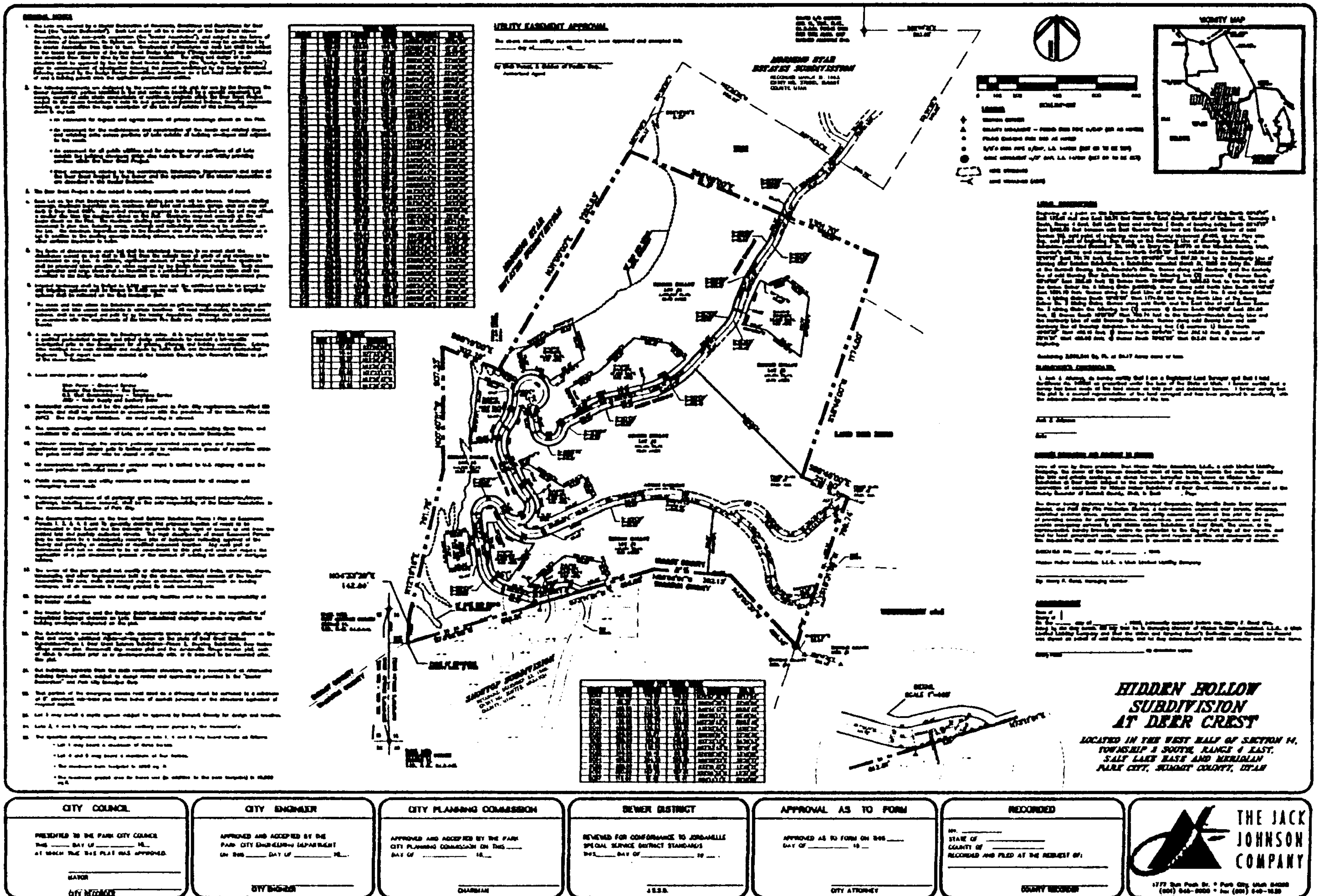
PARK CITY -
HIDDEN HOLLOW PROPERTY
ZONING EXHIBIT MAP

HIDDEN HOLLOW ASSOC.

THE JACK JOHNSON COMPANY

22

V:\Survey-dwg\Deer Crest\HidHollo\HH-PCZone.dwg Thu Dec 10 14:57:19 1998 R. Sorenson



HIDDEN HOLLOW
SUBDIVISION
AT DEER CREST
LOCATED IN THE WEST HALF OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH
VICINITY MAP
UTILITY EASEMENT APPROVAL
CITY COUNCIL
CITY ENGINEER
CITY PLANNING COMMISSION
SEWER DISTRICT
APPROVAL AS TO FORM
RECORDED
THE JACK JOHNSON COMPANY

Exhibit C

accelerated development schedule that Mr. Morris hoped to pursue was not feasible. It was also made clear that a regional planning approach to the Highway 248/Quinn's Junction area is needed. Every property owner believes he is getting all the density transfer, and everyone wants the highest and best use of their property. It is important to work this out from a regional perspective so they will know where the density is moving. He stressed the importance of working on this area with the Snyderville Basin Planning Commission.

Commissioner Hier explained that the subcommittee determined that a joint meeting with both Planning Commissions and a joint public input session is needed to facilitate the development of an overall plan for the area.

Planner Shepard reported that the Snyderville Basin Planning Commission and Summit County Commissioners are planning a joint meeting in February, and hopefully Walter Keiser will attend. She offered to provide information regarding the date and time of that meeting. She explained that they are trying to better educate themselves about activities in Wasatch County. She planned to attend the Snyderville Basin Planning Commission meeting on February 17, and the County Commission meeting is scheduled for February 14.

Commissioner Erickson commented on the review of the Highway 248 area which was done for the General Plan and asked if it was adequate to provide initial guidance to the developers regarding the type of development that should occur in that area. Planner Shepard replied that it was. Commissioner Erickson asked if it would be appropriate for the Planning Commission to review the initial concepts in the context of the General Plan and provide guidance to the developers regarding conformance with the General Plan. Planner Shepard replied that it was her intent to provide that information. Work session time can be scheduled if the Planning Commission would like to discuss it during work session. Commissioner Erickson stated that he would prefer that the Planning Commission have an opportunity to take action on conformance with the General Plan and felt that it might be helpful for the Planning Commission to provide support to the Staff.

Hidden Hollow - Final Subdivision Plat

Due to a conflict of interest, Commissioner Zimney abstained from discussing this matter.

Planner Shepard noted that revised findings and conditions and the minutes from the January work session are included in the staff report.

Exhibit D

She reported that the settlement agreement shows a total of 20 lots between the Snow Top subdivision and the Hidden Hollow area. At the Staff's request, Snow Top moved a lot, resulting in 15 lots. Therefore, the total is still 20 lots in that location.

Chair O'Hara noted that this item is not scheduled for public hearing this evening. Public hearings have been held and closed, and this item is for action only.

Commissioner Erickson asked what the Deer Crest design guidelines say about building mass and height. Planner Shepard replied that the guidelines are fairly extensive, and some of them were used for Park City. Commissioner Erickson clarified that it could be 66% to 75% of the main floor on the second floor.

Commissioner Larson commented on the Pitkin County studies. After close review, he agreed conceptually but did not believe the numbers translated to Park City. Pitkin County and Park City are different, and the study cannot be used at this time to specifically limit house size.

Commissioner Erickson agreed with Commissioner Larson's analysis. He suspected that the multipliers were the same but would be distorted by Salt Lake. He believed there was a greater relationship between house sizes, number of units, and sizes of lots. He asked if Commissioner Larson suggested that they not provide mechanisms for limiting house sizes in revisions to the Code or whether he was suggesting that they not do a TZO or study of house sizes. Commissioner Larson replied that at present he would not suggest a TZO to study the matter unless the City Council is willing to allocate additional resources so the Community Development Department will not impacted. Commissioner Erickson advocated providing additional mechanisms for reviewing house sizes. Commissioner Larson agreed but did not want the Planning Commission to forward a recommendation to the City Council for a TZO if it would prevent the Community Development Department from working on the Land Management Code. Commissioner Erickson agreed but did not favor dropping the house size issue.

Commissioner Hays stated that she did not believe the findings of fact reflected the minutes of the last meeting and that she had found numerous contradictions in the minutes. One was that Commissioner Erickson felt they should argue the fifth lot as a separate issue to determine the benefits. They talked about sufficient benefit to the community for the fifth lot and that it still exists in this proposal. Commissioner Hays stated that one of her issues is house size, and another main issue is the fifth lot. In a community where growth is the number one issue, she wanted to know where the Planning Commission could find the ability to grant a developer extra density, and she felt this would set a huge precedent for other developers. She felt that they were only using one part of the environmental element in looking at environmental impacts from this project. She believed that allowing the fifth lot would send a message that the only thing that matters is whether or not it can be seen. She stated that she believed this project flies in the face of the environmental element they approved this evening and that the Planning Commission should start practicing what it preaches. They have the tools to limit house sizes but do not care unless they can see it.

On the issue of setting a precedent, Commissioner Erickson stated that he hoped the Findings of Fact would state that this project was subject to a settlement agreement. In his opinion, that makes a significant difference. He agreed that unfortunate decisions were made in the settlement agreement, and he suspected that settlement agreements with other properties that they are not seeing with the special road easement are worse than what is seen in this project. There is no way this project would have been submitted or acted on in a positive light under the Sensitive Lands Ordinance had there not been a settlement agreement. He agreed with Commissioner Hays regarding precedent. The reason he asked Planner Shepard to include the fifth lot as a line item was to allow open debate on the fifth lot and to have the ability to make a motion with or without that lot. In terms of the large homes, he requested a debate on language regarding the impacts of large homes and wanted to make sure a mechanism was opened to consider large homes in the future.

Commissioner Larson stated that the difference between Hidden Hollow and another application is the settlement agreement. He believed the settlement agreement changed a lot of things; it exempts this subdivision from the Sensitive Lands Ordinance, specifies the number of units, and specifies the building envelopes. It is hard to throw good planning at an agreement that already exists, and the fifth lot was offered as a mechanism to get the building envelopes moved off the more visible ridges.

Commissioner Hier asked if the settlement agreement specified house size. Planner Shepard stated that she did not think house size was addressed. Commissioner Hier stated that everything involved with building a large house is self-evident. The larger the house, the more construction workers are needed and the more resources are consumed. In terms of maintaining the house, the Pitkin report concludes that once a house reaches 10,000 square feet, no additional employees are needed for any size beyond that. He felt the study did not provide him with enough data to make any conclusions on outgoing maintenance based on size above 10,000 square feet.

Chair O'Hara remarked that, in general, the Pitkin study was a good study, but he came away with different findings from the facts. He found the study to say that bigger houses provide employment, which is an overall benefit to the community.

Commissioner Erickson stated that, in his opinion, height and mass of the house was a bigger issue than house size in this case. If the Planning Commission is not comfortable reducing the overall house size, he was inclined to look more closely at the Aspen Springs restrictions on mass and sizes of walls. He commented that, with the exclusion of the SLO, they do not have a mechanism for house size on this subdivision.

Commissioner Hays disagreed and stated that she believed compatibility with the community was a mechanism. The largest house size presented as a comparable was 18,000 square feet at Bald Eagle and Morning Star Estates. The largest house size proposed for this project is 23,000 square feet, which is larger than anything else in the community. She noted that the fifth lot is their bargaining chip.

Commissioner Larson stated that he did not disagree with Commissioner Hays, and if he could get there with the Land Management Code, he would. However, it is not in place right now, and the Pitkin County study does not provide enough information to get them there either. These homes are too large, and they generate environmental impacts, but the Land Management Code and the General Plan in their current form do not provide the mechanism they need.

Commissioner Hier suggested limiting the two 23,000-square-foot homes to 19,000 square feet under the compatibility scenario. Chair O'Hara stated that this suggestion could be crafted as part of a motion.

Planner Shepard explained that the Planning Commission could approve the proposal as drafted with modifications to the findings, approve a five-lot scenario with reduced house sizes, or deny the proposal and give direction to the Staff for a four-lot scenario.

Commissioner Larson requested that the Staff look at the Aspen Springs Subdivision height requirement if this proposal moves forward.

Commissioner Hays stated that she wanted to draft a finding which would remove the fifth lot from the rest of the proposal and leave it as a tradeoff for good planning and reduced house sizes so the proposal could be forwarded to City Council with that recommendation.

MINUTES OF FEBRUARY 9, 2000

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 9, 2000

COMMISSIONERS IN ATTENDANCE:

Chair Michael O'Hara, Bruce Erickson, Karri Hays, Jim Hier, Chris Larson, Diane Zimney

EX OFFICIO:

Rick Lewis, Community Development Director; Nora Shepard, Special Projects Planner; Alison Kuhlow, Planner; Kevin LoPiccolo, Planner; Brooks Robinson, Planner

===

REGULAR MEETING - 7:00 P.M.

I. ROLL CALL

Chair O'Hara called the meeting to order at 7:00 p.m. and noted that all Commissioners were present.

II. ADOPTION OF MINUTES

MOTION: Commissioner Larson moved to APPROVE the minutes of January 26, 2000, as written. Commissioner Hier seconded the motion.

VOTE: The motion passed unanimously.

III. PUBLIC COMMUNICATIONS

There was no input.

IV. STAFF/COMMISSIONERS' COMMUNICATIONS

These reports were given during the work session.

Commissioner Hier noted that he will be out of town on February 23.

V. PUBLIC HEARING/DISCUSSION/ACTION ITEMS

1. Hidden Hollow - Final Subdivision Plat

Due to a conflict of interest, Commissioner Zimney abstained from discussing and voting on this matter.

The Planning Commission discussed this item at length during the work session. Chair O'Hara noted that the public hearing was closed at a previous meeting.

Special Projects Planner Nora Shepard reported that the Planning Commission raised issues at the last meeting and directed the Staff to draft additional findings to address them. The current proposal is for a five-lot subdivision in the Hidden Hollow area located between Deer Crest and Morning Star Estates.

MOTION: Commissioner Hays moved to forward a POSITIVE recommendation to the City Council with the findings of fact, conclusions of law, and conditions of approval outlined in the staff report with the following modifications:

> Finding of Fact 7 - Include additional language regarding house size concessions. If the house size complies with community compatibility and the redesign of the subdivision is achieved, the Planning Commission is willing to consider a fifth lot.
>
> Condition of Approval 2 - Eliminate this condition as it refers to Lot 5.
>
> Condition of Approval 3 - Delete Lot 5.

Commissioner Hays stated that the applicants redesigned the subdivision but did not reduce the house size. If they can do both, the Planning Commission will consider allowing the fifth lot.

Commissioner Hier clarified that the motion forwards a recommendation for a four-lot subdivision with the provision for a potential fifth lot based on concessions with regard to house size.

Chair O'Hara asked about the process, noting that the design presented to the Planning Commission consists of five lots. Forwarding a recommendation for four lots means that no one would know where the lots will be.

Planner Shepard stated that she would be more comfortable with the Planning Commission denying the proposal as presented and allowing the applicants to bring back a four-lot subdivision proposal. An alternative would be to forward a negative recommendation based on the fact that the concessions discussed were not adequately addressed but a fifth lot could be considered if those concessions are met. Another alternative would be to approve a five-lot consideration with reduced house sizes.

ACTION: Commissioner Hays withdrew her motion.

MOTION: Commissioner Hays moved to DENY the proposal.

ACTION: The motion died for lack of a second.

MOTION: Commissioner Hier moved to forward a POSITIVE recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval with a modification restricting the maximum house size to 19,000 square feet. Commissioner Larson seconded the motion with the amendment that it is recommended that the City Council review the building envelope and massing restrictions in Aspen Springs and consider adding them to this project. Commissioner Hier accepted the amendment.

Commissioner Erickson felt they should link the finding suggested by Commissioner Hays as part of the concessions for the fifth lot. Commissioner Hier accepted this amendment to his motion. Commissioner Larson included the amendment in his second.

VOTE: The motion passed 4-1, with Commissioners Erickson, Hier, Larson, and O'Hara voting in favor of the motion, Commissioner Hays voting against the motion, and Commissioner Zimney abstaining from the vote.

Findings of Fact - Hidden Hollow

1. The subject property is included in the 1995 Settlement Agreement and was entitled to 4 single family parcels. An exhibit included in the Settlement Agreement showed a preliminary subdivision layout including 4 parcels and numerous potential building envelopes.

2. Several of the building envelopes shown on the 1995 exhibit were highly visible from Highway 248 and slightly visible from Park City.

3. The 1995 Settlement Agreement exempted this subdivision from the provisions of the Sensitive Lands Ordinance.

4. The property was annexed to Park City on December 17, 1998. The annexation specified that the subdivision required review and approval by Park City but that it was not subject to application of the Sensitive Lands Provision of the Land Management Code.

5. The project is uniquely located so that it is not visible from Park City and is visible from few vantage points.

6. The property is unique in that primary access is through the Deer Crest Development, and the subdivision will be served by the Jordanelle Special Improvement District (JSSD) and is part of the Deer Crest Homeowners' Association.

7. The Community Development Staff, applicant, and the Planning Commission carefully analyzed the site and made numerous site visits to evaluate the application for subdivision. The applicant was willing to redesign the subdivision based upon input from the Staff and Planning Commission. Several of the more visible building envelopes were eliminated, thereby decreasing opportunities for building sites. In exchange for this concession, the Planning Commission was willing to consider a fifth lot to be located in the non-visible portion of the property.

8. The parties to the 1995 Settlement Agreement do not object to a 5-lot subdivision and will have to execute an amendment to the agreement prior to plat recordation.

9. The project was noticed and public hearings held in compliance with the Park City Land Management Code.

10. A 50-foot-wide access easement to adjacent properties is being shown on the plat because it is a requirement of the Settlement Agreement. That road is not being proposed to be built at this time. The inclusion of that easement on the plat does not constitute City approval or support of any plans or development on those adjacent parcels.

11. The large homes create more employees and therefore more of an impact on traffic and affordable housing. Large homes use a significant amount of valuable natural resources and have a significant impact on the environment. Large homes also contribute significant property taxes (a $5 million second home could contribute as much as $75,000 per year in property taxes).

Conclusions of Law - Hidden Hollow

1. The final plat, as conditioned, is consistent with the 1995 Settlement Agreement.

2. The plat contains numerous notes which are necessary due to the unique location and circumstances relating to this property and project.

3. Building envelope designation, dwelling size restrictions, and limits of disturbance are necessary for better compliance with the Land Management Code and General Plan.

4. The final plat, as conditioned, will not be detrimental to the health, safety, and general welfare of the citizens of Park City.

Conditions of Approval - Hidden Hollow

1. Prior to plat recordation, the plat must gain the approval of the City Engineer, City Attorney, and City Council.

2. Prior to, or concurrent with, plat recordation, an amendment to the 1995 Settlement Agreement must be executed by all affected parties to allow a 5-lot subdivision.

3. Building Envelope and House Size requirements are specified on the final plat. A property owner can choose to use only 1 building envelope for the primary dwelling. The maximum house sizes allowed shall be:

LOT 1	Envelope A	10,000 sf (the average of Snowtop is about 9,800 sf)
	Envelope B	19,000 sf
LOT 2	Envelope A	19,000 sf
	Envelope B	Eliminated
LOT 3		19,000
LOT 4	Envelope A	10,000 sf
	Envelope B	19,000 sf
LOT 5		19,000 sf

The square footage would be measured according to the definition in the Land Management Code at the time a building permit is applied for.

All single family residences in Hidden Hollow would be subject to the Deer Crest Architectural Guidelines which regulate the siting and design of structures to decrease the apparent mass. The homes would also be subject to the Park City Design Guidelines which are in effect at the time of building permit application.

4. Horses are subject to an administrative CUP on lots 1, 4, and 5 subject to the locations designated on the plat. In reviewing the administrative CUP, the following criteria should be evaluated:

   - Slope of area proposed for the horses to be kept - Horses should only be kept in areas of less than 15% slope. Significant grading will not be allowed.

   - Proximity to adjacent building pads.

   - Vegetation type - Existing open areas should be used, and significant vegetation removal will not be allowed.

   - Animal Management Plan - This should address, at a minimum, erosion control, waste disposal, and odor control.

5. Sewer and water will be provided by Jordanelle Special Services District. Lot 5 is being permitted to have a septic tank, subject to County approval. Road maintenance, including snow removal, will be the responsibility of the homeowners.

6. The plat shall contain language that indicates that due to the remote location of Hidden Hollow and the access through Deer Crest and Wasatch County, the subdivision may not be able to receive customary services such as garbage pick up and school bus access.

7. Final language on the dedication of the trail will have to meet the requirements of the City Attorney.

8. Plat notes on the 1/6/2000 draft shall appear on the recorded plat.

9. The Standard Project Conditions shall apply.

10. It is recommended that the City Council review the building envelope restrictions in Aspen Springs and consider adding them to this project.

2. <u>586 Main Street - Plat amendment</u>

MEETING RECOMMENDATIONS

Because of the length of the contract, it is included under separate cover in your mail.

DATE: March 23, 2000
DEPARTMENT: Building Maintenance Department
AUTHOR: Lane Jensen / Pace Erickson
TITLE: Resort Commercial Property Management Janitorial Services Contract
TYPE OF ITEM: Administrative/Contract Approval

SUMMARY RECOMMENDATIONS: Approve entering into a two year contract with Resort Commercial Property Management for janitorial services in City buildings in the amount not to exceed $70,000.00 a year.

DESCRIPTION:

A. **Topic:** Contract for janitorial services for the following locations:

Marsac
Miners Hospital
City Park Rec Building
acquet Club
wede Ally Restrooms
Miners Plaza - restrooms
Education Center
Public Works
Parks, Golf & Bldg. Maint - restrooms/break room
Golf Pro Shop - restrooms
South End Park - restrooms

B. **Background**: Over the years Park City Has looked at various approaches to janitorial services. At one point, all janitorial services were performed in house by building maintenance staff. As more and more buildings and areas of responsibility were added, rather than add staff, contract labor was increased to handle the increased work load.

There are currently areas in city buildings that are not included in the cleaning contract and are maintained by the City's building maintenance staff. The Library, Marsac offices, Tech Services, Public Works offices, Water Treatment Plant, and the Museum are examples of these areas.

Although contracting is an excellent alternative to hiring in house staff, it does have its drawbacks. Because the contractors employees do not work directly for us they have a different operating philosophy, different values, different work ethic, etc. and sometimes these differences do not mesh well with Park City's values. This has not had dramatic consequences, but it does contribute to considerable frustration from time to time.

C. Analysis: An RFP (Request For Proposals) was posted in the Park Record and Salt Lake Tribune on December 8, 15 and 19, 1999 requesting proposals for janitorial services at City properties in the amount not to exceed $70,000. We received three (3) proposals, they are:

Arteaga & Associates P.O. Box 1545 Layton, UT 84041	$70,000.00
Resort Commercial Property Management 1415 Lowell Ave. Park City, UT 84060	$70,000.00
Jani-King 111 East Broadway, Suite 300 Salt Lake City, UT 84111	$69,765.00

The criteria used to evaluate these proposals were:

1. The variety, creativity and scope of the services to be offered to the City.
2. The proposed charges/fees to be paid to the contractor.
3. The demonstrated professional experience of the contractor.
4. The demonstrated financial responsibility and business viability of the contractor, including the ability to commit to a multi-year contract.
5. The general attitude, ability and apparent willingness of the contractor to cooperate and fulfill the City's requirements.

Staff has determined that Resort Commercial Property Management (RCPM) has met all of the criteria set forth in the request for proposals and has submitted the proposal which best represents the needs of the City. If approved, this contract will take us through the Olympic Games in 2002.

D. Department Review: The Building Maintenance staff and Legal staff have reviewed the proposals.

ALTERNATIVES:

A. Approve Staff Recommendation: Approve recommendation to enter into a contract with Resort Commercial Property Management for two years and four months at a cost of $70,000.00 per year.

B. Continue the Item: Reduce the level of service and re bid the contract at a lower rate.

C. Deny the Request: Council could choose to have staff look at other options for janitorial services.

<u>SIGNIFICANT IMPACTS</u>: Staff has conducted significant research into both in house and contract cleaning services. Our findings show contracting it is the most economical approach to janitorial services, saving an estimated $30,000 per year.

<u>RECOMMENDATION</u>: Staff recommends that the Council approve entering into a two year agreement with Resort Commercial Property Management for janitorial services at City buildings, at a cost of $70,000.00 per year.

<u>CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION</u>: The Building Maintenance department is a very small department (four people). We rely heavily on contract labor which reduces overall costs to the City as well as reduces the City's need to make increases to its personnel line. If the recommended action is denied or delayed, it would be virtually impossible for the present staff to provide janitorial services without a major change in work load reallocation.

PARK CITY
1884

DATE: March 23, 2000
DEPARTMENT: Parks Department
AUTHOR: Pace Erickson/ Troy Dayley
TITLE: Derek's Lawn Care Mowing Services Contract
TYPE OF ITEM: Administrative/Contract Approval

SUMMARY RECOMMENDATIONS: Approve entering into a two year contract with Derek's Lawn Care for lawn mowing services at various City properties.

DESCRIPTION:

A. Topic: Mowing Services Contract at:

Extension of Main Street	Bad Ass Park
Swede Alley Entrance	Behind 524 Main Street
China Bridge Parking Structure	Swede Alley Islands
T.M.I. Parking Lot	Miner's Plaza
Park Meadows Pump House	Lower Trolley Turn Around
Olympic Park	Racquet Club
Thaynes Creek Ranch	Huntsman Sign and Park
West Side of 224 to Helen's Hill	Thaynes Buffer
Public Works Building	Offret House

B. Background: The Parks Department has used contract labor for lawn mowing for the past nine (9) years. By using contract labor, it has allowed us more flexibility with existing staff and reduced the number of in-house staff and equipment. Staff believes this program has been very successful and has achieved positive results.

There are several areas that the Parks Department staff presently mows, mainly categorized as large turf areas on fields and parks. We generally maintain these areas due to the fact that we have large enough equipment which makes it more economical to take care of them in-house.

Two years ago, we rolled the contract over and extended it for two more years. With City Council's desire to review all long term service contracts, we have re-let the mowing contract.

C. Analysis: Staff posted a request for proposals on February 19, 2000 seeking proposals for lawn care services at City properties. We received three (3) proposals, they are:

Questa Landscape Construction	$96,840.00
Bruce Construction	$25,731.12
Derek's Lawn Care	$19,058.00 ($2932.00/month)

The criteria used in this recommendation are:

1. The variety, creativity and scope of the services to be offered to the City.
2. The proposed charges/fees to be paid to the contractor.
3. The demonstrated professional experience of the contractor.
4. The demonstrated financial responsibility and business viability of the contractor, including the ability to commit to a two-year program.
5. The general attitude, ability and apparent willingness of the contractor to cooperate and fulfill the City's requirements.

Staff has reviewed all of the proposals and has interviewed all three (3) bidders. As a result, Questa Landscape Construction's bid was very high, and raised some question regarding some of the bid prices that they had supplied and how they produced their figures.
Bruce Construction furnished a detailed proposal with a strong desire to contract mowing for Park City although their bid was $6,673.12 higher per year than the lowest bid.
Staff feels that Derek's Lawn Care has successfully fulfilled the criteria laid out in the request for proposals and has a proven willingness to cooperate and fulfill the City's requirements.
In general, staff felt Derek has proven himself over the past two (2) years in fulfilling the previous mowing contract.

D. Department Review: The Parks and Legal Department's staff has reviewed this proposal.

ALTERNATIVES:

A. Approve the Request: Approve staff's recommendation and enter into a contract, in a form to be approved by the City Attorney, with Derek's Lawn Care for two (2) years for $19,058.00 per year ($2932.00/month).

B. Deny the Request: Re-bid the mowing contract.

C. Continue the Item: Modify the scope of work to reduce the project cost.

D. Do Nothing: Hire additional staff and perform the work in-house, or re-negotiate with other bidders for mowing services.

SIGNIFICANT IMPACTS: None, the Parks Department has budgeted for mowing services and would not require additional funds from City Council.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: The Parks Department will assume the mowing, but it will require additional staff and equipment to maintain the same level of service Park City is currently receiving.

RECOMMENDATION: Staff recommends entering into an agreement, in a form to be approved by the City Attorney, with Derek's Lawn Care for two (2) years at a cost of $19,058.00 per year ($2932.00/month) for lawn mowing services.

PARK CITY
1884

CITY COUNCIL
STAFF REPORT

DATE:	**March 23,2000**
DEPARTMENT:	**Community Development**
AUTHOR:	**Rick Lewis & Megan Ryan, Consultant**
TITLE:	**Environmental Element - Phase II General Plan**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS: Discuss draft as forwarded by the Planning Commission, conduct a public hearing and direct staff as to preferred course of action.

A. DESCRIPTION
Environmental Element of Phase II of the General Plan.

B. BACKGROUND
This element sets the direction for the City's policies on the environment. Utah Code section 10-9-302(2) requires each city to have a General Plan including:

(I) an environmental element that addresses:

(ii) the protection, conservation, development, and use of natural resources, including the quality of air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources; and

(iii) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards;

Elements of the General Plan consists of Issues, Intent, Policies and an Action plan to implement such policies. Each element, after adoption, will be reviewed annually by the Planning Commission.

On February 9, 2000 the Planning commission voted unanimously to forward the proposed draft with a positive recommendation to the Council. The Commissioners reviewed this item at their meeting of February 24, April 14, May 5,June 30, November and December 15, 1999. Public hearings were held on May 5th and June 30th , 1999 and February 9, 2000.

From May to July the Commissioners discussed the language and policies in the proposed draft. From June to November the staff focused on the following efforts in order to allow the Commissioners to have more information in order to come to a consensus on the proposed draft:

1. Research was conducted on environmental efforts at local and national ski areas and is available for the Council's review.
2. Research on city efforts were compiled and presented to the Commission.
3. Maps on wildlife migration areas were collected from the State and are available for review.
4. Staff met with Summit County in order to share resources and have agreed to utilize the same data from the State. Meetings on water quality for Summit County with the State are also in progress.
5. Environmental Protection Agency round table meetings began with the City and Federal officials on watershed management issues.
6. A new waste management contract was signed with BFI for Summit County services. Voluntary recycling is now available in test areas of the county.

After two meetings in December of 1999 and February 2000, the Planning Commission agreed on the policies and actions outlined in the revised element and forwarded a positive recommendation to the City Council.

C. ANALYSIS

The environmental element focuses on policies and suggested action plans for the use and maintenance of our natural resources, (air, water, land, animals) and deals with the aesthetic effect that the use of those resources have on our community.

The following research helped to lay a framework for environmental element.

National and Local ski area Research:

Deer Valley

Chuck English of Deer Valley Operations reports that the ski area has a revegetation and erosion control plan, recycling plan and hazardous waste management plan. The ski area is also going to participate in the Environmental Charter Initiative sponsored by the Keystone Institute. A meeting concerning this initiative was held at Snowbird, Utah on January 26, 2000. Deer Valley would be willing to participate in ongoing discussions with the City or other groups in regards to environmental practices.

Park City Mountain Resort

Doug Clyde reports that the ski area has an environmental management plan, a revegetation and Healthy Forest plan and is entering into discussions with the EPA in regards to Water Quality issues. PCMR would be willing to participate in ongoing discussions with the City or other groups in regards to environmental practices.

National Resorts

Colorado, California, Vermont and New Hampshire ski areas were researched. Aspen and Vail seem to be the national leaders in environmental programming. Ski areas that lease land from the U.S. Forest Service must comply with federal environmental standards which both Aspen and Vail do but both have implemented programs that go beyond the federal mandate. Many other states also have policies in place for environmental management in contrast to Utah.

Aspen in particular has developed programs for lift development, water conservation, transportation, Wildlife Enhancement Management plan and a Natural Resource plan. In addition the ski company has initiated a Green Building program for all on mountain development and has started an Environmental Foundation.

The City of Vail developed an Environmental Strategic plan that deals with water quality, land management, air quality, housing, solid waste and sustainable land use regulation. The work began in 1993 with input from over 54 area representatives, including the ski area, and developed the plan that was adopted a year later.

Other efforts

The Telluride planning agency recently amended its land-use code to protect headwaters from future damage by mining and development. House sizes were limited to 800 square feet. Aspen is also trying to limit house sizes and recently published a study showing the economic losses that the city incurs from house sizes over a certain square footage. The County is using the study to limit house sizes.

The EPA is offering an Energy Star Program for residential and commercial buildings. One project in Summit County, Utah utilized this program and provides a model for other developer.

City Research

Public Works

In the area of water quality and road salt this City department has indicated the following:
1. Water quality is significantly affected by the past mining practices. The City is currently working on compliance with Federal and State Safe Drinking Act standards.
2. The 1985 Weber Basin Conservancy District agreement with the City prohibits the use of greywater.
3. The City staff are researching ways in which to reduce the use of road salt. Environmentally friendly de-icers are available on the market but are more expenses than the locally produced salt. The Council would need to decide if the increased cost balanced the environmental impacts. Summit County recently announced the use of a mixture of sand and salt in order to reduce the use of salt on roads (Park Record 11/99).

City Managers Office

The City is currently working with the Environmental Protection Agency to develop a Watershed Management plan.

Leisure Services Department
The Leisure Services Department is responsible for the maintenance of the Park City Golf Course. In addition to developing an Integrated Pest Management program for the Golf Course, the City has been working with the Audubon Society to receive certification in their environmental golf course program. The City also runs monthly tests on water quality and works to improve the quality of runoff that runs through the golf course from the mines and the ski area. The Golf Course also has a Spill Management plan in the case of hazardous accidents. The Golf Course manager is working with the State on the overall Water Quality report.

Engineering Department
In 1981 a Storm Drain Improvements Plan was created for the City. The document outlines how the city should develop a storm drain system. The City has spent significant effort and money towards control of storm drain runoff. Examples include the open stream channels in City Park, the McPolin farm, and Prospector Square. Detention ponds have also been created in Deer Valley, Park Meadows Golf Course, Snow Creek, and Prospector Park. The purchase of the Osguthorpe Farm by UDOT and PCMC was partially funded by highway funds as storm drain mitigation for the widening of SR 224. Overgrazing along McLeod Creek was eliminated by these improvements. In light of the age of the study, the current work with the EPA and the fact that rural standards were used as guidelines for the plan it may be time to consider updating the study.

D. IMPACTS
Many of the action plans outlined in the document would have financial impacts to the City if implemented immediately and would require additional staff and possibly new or additional equipment. Action plan items will also require code amendments and/or new ordinances prior to implementation. Very few of the items outlined in this draft could be achieved with the current staffing and budget priorities. It will therefore be necessary to consider these impacts carefully before initiating the action plans.

E. DEPARTMENT REVIEW
The Community Development Department, City Attorney's Office, Public Works, Parks and Public Affairs have all participated in the preparation and review of the draft element. The Engineering Department recommends that the draft element be reviewed for its fiscal and staff impacts prior to adoption.

RECOMMENDATION:
Conduct the public hearing on the Environmental Element, review and discuss as appropriate and direct staff as to one or more of the following courses of action:
1. Close the public hearing, make any modifications as directed and prepare a resolution to adopt the Environmental Element at a future Council meeting.
2. Modify the proposed draft and continue the public hearing.
3. Remand to staff and Planning Commission for further review with direction as to which issues need further study.

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Environmental Element

"Park City is committed to preserving the natural resources of this unique mountain community through careful identification and management of our environment"

PARK CITY GENERAL PLAN
ENVIRONMENTAL ELEMENT
February 9, 2000

Issue Statement

A balance must be maintained between development, recreational activities and the natural environment for our community to continue enjoying a viable and healthy economy and a desirable quality of life. Since our natural environment is interdependent with the larger community surrounding Park City, it is also important to work with surrounding communities to ensure that local efforts are successful on a regional scale. Preserving and enhancing the existing natural environment and correcting the visual impacts from past mining activities is highly desirable to remain economically competitive with other ski resort communities. It is important to work cooperatively with State and Federal governmental agencies to resolve these issues. Environmental considerations must be part of community planning, recreational development, and the planning of large scale events.

This element focuses on policy statements and action plans to protect and enhance our environment, the aesthetics of our town and on our unique natural resources.

Discussion

A mountain ski resort community like Park City has a unique relationship to the environment since the town's prosperity and well being are directly dependent upon clean air, clean water and protection of natural resources. People enjoy Park City because of its unique natural beauty, recreational opportunities and small town charm. Features that make our community unique are the broad vistas provided by the mountain landscape, the high altitude clear blue sky, the mild climate, the presence of wildlife, natural ponds, stream corridors and alpine wild flowers. Tourists desire and expect this type of environment when visiting a mountain ski town. Residents also are attracted to move and live here because of the environment, life style, and other features. It is important, therefore, that building and land development be accomplished to complement the aesthetic features of the existing landscape. Technologically current building techniques that are minimal in their impact must be used so we can co-exist with acceptable impacts on our environment as the community develops.

Natural Resources. The extremes of weather in Park City also make it necessary that new construction be planned with sound engineering practices which consider natural events such as avalanches, floods, heavy snowfall and spring water run-off, high water tables, steep slopes and intense sunlight.

Park City has limited forested areas as compared to many other ski resort communities and no state or federal forest lands within the community . The forests on private land are therefore extremely important and should be protected to the extent possible when considering new ski runs, ski resort support facilities and other development. In some cases, current best practice forest management techniques may be preferred over prohibition against tree cutting. Adequate study of viable alternatives should be required prior to approval of development that would remove significant stands of healthy forests.

The Utah Geologic and Mineral Survey completed a report entitled "Engineering Geology of Park City, Summit County, Utah" in June of 1984. The report provides general information for making planning decisions related to geologic conditions and hazards in Park City. The report discusses areas with the potential for natural problems such as flood plains and steep hillsides. It also addresses mine related hazards such as open shafts and adits, increased loading on slopes due to waste piles, contamination of soil and water by toxic elements in old mill tailings, and subsidence resulting from collapse of abandoned underground workings. Persons contemplating building should check the report itself.

The Park City Landscaping and Maintenance of Soil Cover Ordinance (Park City Municipal Code) regulates the handling, disposal, and capping of mine tailings in a large portion of the City. The ordinance is enforced by the Building Department pursuant to an agreement between Park City, The U.S. Environmental Protection Agency, and the Utah Department of Environmental Quality. These agencies, in cooperation with other special interest groups and the community, are also exploring opportunities for addressing water quality concerns in addition to the mine tailings issues. Anyone living in or building within the area regulated by the ordinance should be aware of the special requirements. Non-compliance with the ordinance could result in violations of State and Federal laws.

Water Resources. Despite an abundance of snowfall in some years, the natural landscape of Park City is an arid Great Basin high altitude climate that can be particularly dry during summer months. Water is limited, subject to the cycles of nature, and should be carefully allocated and utilized. Recent improvements in water-using technologies allows quality lifestyles while consuming less water. Water efficiency strategies are imperative as the region increases in population.

Landscaping and general water usage should be constantly examined to ensure that the most efficient practices are in place. Protection of the entire watershed of the Park City area is an important consideration in managing growth. Park City will continue to cooperate with local, state and federal officials to study the overall health of the City's watershed areas and to develop strategies that improve water quality where necessary. The quality, quantity and allocation of water should be considered in every new development in the City.

Regulations and procedures for managing storm water and natural run-off from new construction and grading projects should be kept current. When potential water degradation is identified from mining or other construction sites, measures should be taken to bring these sites into compliance with current codes.

In order to protect the quality of our streams and wetlands, it will be necessary to require a higher level of grading management, re-vegetation and site management than in the past. In situations where projects are located outside of the City's jurisdiction but within the watershed, inter-governmental and inter-agency cooperation will be critical to ensure adequate protection of our water quality.

Air Quality. Park City is located in a canyon at high altitude. Our local air quality has not been consistently measured or monitored, but from visibility perspective, seems to be generally clear. Clean mountain air is an important natural asset that contributes to Park City's appeal to visitors and residents.

Prevention management is the only practical way to deal with air pollution from automobiles, air-borne dust, wood burning stoves and many other sources. Regional strategies are also important for the long term success of any measures adopted to maintain and enhance air quality. Efforts to insure the long term quality of our air should focus on the reduction in personal vehicle use, reduction of sand and salt on roads, control of airborne dust from construction projects and encouragement of alternative heat sources that are efficient and produce lower levels of emissions.

Energy. Recent advances in technology provide the consumer with several efficient alternative energy resources. Significant savings, both economic and resource related, can be realized if these alternative sources are used. Municipal efforts that follow the State's Building Energy Efficiency Program should be developed as a benchmark for private industries and businesses.

Solar availability is an important resource in our natural environment and should be utilized in planning considerations. With an abundance of sunshine at our high altitude, solar energy is a viable natural resource that can be used as a supplement or alternative to fossil fuels. Conversely, in a cold climate such as ours the increase in shadows from development should be considered for their effect on loss of sunshine in public spaces and increase in energy costs for snow and ice removal.

Material Resources. Using our material resources much more efficiently to prevent resource depletion, waste, and pollution is a critical component of resource responsibility. Our landfills are limited and efforts to reduce waste and to encourage recycling should all be explored in order to preserve the region's natural resources.

Aesthetics. In planning for the future, it is important to acknowledge the characteristics which make our community unique and desirable. Park City must maintain its natural beauty in order to preserve and enhance its appeal to visitors and residents. Aesthetics--or visual quality--is vitally important to our economic success because of the resort nature of our economy. People come to Park City because it is attractive and different, offering a mix of urban amenities, small town environment and open spaces not typically found elsewhere. Because of this impact on the well-being of Park City, aesthetics is a necessary component when planning the community's future.

Aesthetics is being recognized more frequently as a valid consideration in community planning. In 1991, the Utah State Legislature approved an amendment to the State planning enabling legislation which acknowledges both aesthetics and historic preservation as legitimate bases for land use decisions. As a result, aesthetic standards for development can be used to protect and maintain the important aesthetic qualities of Park City such as open vistas, view corridors and open ridge lines.

For instance, the open ridge lines and hillsides, combined with the agricultural meadows along State Roads 248 and 224, introduce Park City as a distinct mountain community, basing its livelihood on the natural environment and recreation. These features provide a unique visual experience upon entering the City limits. One challenge lies in how to preserve these vistas while simultaneously allowing existing development rights. Visual mitigation of structures located in areas with a low vegetation canopy or mountain meadows also presents unique site planning challenges.

Intent

The Environmental Element recommends methods to preserve, enhance, and protect the natural features and the aesthetic qualities they provide to residents and visitors alike. Such natural features are ridge lines, hillsides, meadows, lakes, stream corridors, flood plains, and areas with significant vegetation. Other important elements are preservation of air quality, water quality, solar access, and wildlife habitat. These are all features which makes Park City appealing as a place to visit and live. Success in developing this balance will include efforts to develop:

1. Innovative, fair, and consistent land use regulations
2. Protection and restoration of the area's ecosystem
3. Ecological awareness and educational outreach
4. Environmental management

Policies

The following policies are suggested to address natural resource and environmental issues facing Park City as the community continues grow and prosper.

<u>Natural Resources</u>

- Protect the variety of ecosystems in the Park City area.
- Reduce dependence on activities that encroach upon or diminish natural resources.
- Delineate wildlife habitat and migration routes and develop protection and enhancements standards for a variety of wildlife types including but not limited to moose, deer, and elk.
- Balance vegetation protection and fire hazard. Address wildland fire potential in an aesthetic manner and/or limit or redirect development in critical areas.

- Respect and be aware of Park City's natural environmental constraints such as avalanches, steep slopes, sensitive vegetation and other factors when land is developed.

- Exercise caution when disturbing or developing on soils that may have the potential of containing contaminants from previous mining operations.

- Manage our limited forests with care to preserve and improve the overall health of the mountain vegetation.

Water Resources

- Maintain and enhance the community's water quality.

- Protect stream corridors and wetlands which exist in, around and downstream of Park City. Improve, enhance and restore wetlands as opportunities arise.

- Identify aquifer recharge areas. Work towards protection and enhancement of these areas.

- Develop responsible water conservation standards and requirements.

- Require detention ponds or similar systems to allow contaminants and sediments to filter out prior to being released into the storm sewer system or streams. All run-off from buildings, paving and other impervious surfaces should be contained on site.

- Protect and improve water quality by controlling run-off during construction by using best available technology for minimizing contaminants and sediments that may be eventually released into streams and ponds.

- Require resort and other development projects, including residential, commercial, ski run grading and forest management to prepare and submit construction mitigation plans which provide for silt control, detention areas, and proper maintenance during and after construction.

Air Quality

- Maintain and improve the air quality within and surrounding the community.

- Review the impact on air quality when reviewing and approving development projects.

- Protect the quality of the community's air by encouraging a reduction in the use of personal vehicle trips, controlling air borne dust from construction and road maintenance and a reduction in the use of wood burning fireplaces and stoves.

- Increase the awareness among adjacent governmental jurisdictions of the potential for air quality degradation and the adverse impacts on our economy and quality of life.

Energy

- Reduce energy consumption and waste streams through the use of energy efficient technology and recycling efforts.

- Reduce dependence on fossil fuels, underground metals, and minerals through energy conservation and procurement practices.

- Encourage the use of new technologies in both solid and non-solid fuel burning devices that meets or exceeds national Federal standards for emissions.

Material Resources

- Develop recycling programs that serve our residents and visitors to reduce the amount of material currently being deposited in land fills.

- Encourage project construction mitigation plans to address recycling construction material.

- Cooperate and take a leadership role in discussions with adjacent governmental jurisdictions to implement a regional approach to recycling.

- Work with local land owners, state and federal agencies to identify and mitigate environmental hazards relating to the City's past mining activity.

Aesthetics

- Guide hillside development so that it is clustered at the base of the hills and stays off of ridge lines.

- Prevent or mitigate development on steep slopes by evaluating and refining the sensitive lands provisions and design guidelines

- Protect natural vegetation and require new vegetation to compliment the existing vegetative character of a site.

- Maintain entry corridor aesthetics including open vistas and natural stream corridors.

- Maintain large expanses of open space in its existing condition.

- Reclaim and re-vegetate closed mining sites and tailings stockpile areas as opportunities become available.

- Maintain and enhance trail and open space linkages.
- Maintain and refine lighting standards to preserve a visible night sky.
- Develop methods to ensure that ski area development (temporary and permanent) is sensitive to the environment by controlling erosion, water run-off, visual impacts, impacts to wildlife and the preservation of natural features.

Actions

Natural Resources

- Identify and engage community and regional organizations with interests in the region's ecology and environment. Create active and productive partnerships with these groups. Develop a community wide program that establishes environmental policies and techniques which should be applied city and county wide.
- Establish a working relationship with the local ski resorts in order to better understand the specialized needs of ski resort development. Encourage these entities to adopt an "environmental charter" with principles and practices which protect and enhance Park City's overall environment. Groups such as The Keystone Center in Colorado can be instrumental in helping develop relationships with the local community and the ski resorts.
- Develop a review procedure and interlocal agreement with Summit and Wasatch County governments regarding ski area development that abuts the city limits. The procedures should stipulate use of best available practices to preserve wildlife habitat, control avalanches, and conserve natural resources.
- Conduct an environmental assessment citywide to identify existing or potential problems and propose mitigation measures. Develop an action plan to address environmental deficiencies and risks.
- Amend the Sensitive Lands Ordinance to:
  a) Modify the sensitive lands provisions of the Land Management Code to be consistent with Summit County Standards. Any modifications proposed shall strengthen the intent of the provisions, not diminish them.

  b) Develop standards in areas of wildland fire potential to minimize both fire risk and environmental disturbance. If necessary prohibit development in critical areas. Keep development out of high hazard areas when possible.

- Require a wildlife analysis for any project areas that is in State or locally designated resource or wildlife habitat areas or that may create negative impacts on such designated areas. The analysis should be developed in conjunction with the City's 1999 Wildlife Migration and Habitat Mapping Study. Development should maintain critical wildlife habitat and provide wildlife corridors if applicable.

- Require stricter limits of disturbance criteria in densely vegetated areas that considers alternatives in order to preserve significant vegetation.

Water Resources

- Amend the Sensitive Lands Ordinance to:
  a) Strengthen language in the sensitive lands provisions of the Land Management Code to preserve and enhance water quality, stream corridors and wetlands.

  b) Require developments in the Sensitive Lands Overlay Zone and all annexations to conduct aquifer recharge, water quality and water run-off studies and to prepare designs that protect and enhance those features.

- Work with federal and state agencies, as opportunities and funding are available, to further mitigate direct storm drain runoff into creeks and streams.

- Amend the Construction Mitigation Requirements to require erosion control plans and implementation program for construction projects.

- Amend the Land Management Code to require run-off control mitigation plans for all new projects.

- Develop criteria for use of best available practices to implement water conservation programs. Evaluate water fee policies and consider higher fees for heavy water users. Re-examine landscape requirements that encourage high water use.

- Work with Weber Basin Water Conservancy District to establish policies that allow the use of "grey water" and other methods to reduce water wasting discharges and reduce the need for new water sources.

- Participate with state and federal agencies and local stakeholders to study the entire watershed of the Park City area to determine the overall health of the watershed. Develop strategies to improve the quality of the watershed where necessary. Water efficiency strategies should be developed that employ new technology along with innovative management practices to use less water.

- Modify and enforce construction standards to avoid storm water run-off. Minimize dust and mud on streets, establish re-vegetation policies, and minimize construction material on City streets.

- Discourage features that waste water resources in private and public developments.

- Develop standards and procedures for golf course development that encourages use of existing natural features, minimizes grading, water use, fertilizers, reduces phosphorus, and prohibits the uses of toxic chemicals.

Air Quality

- Investigate the establishment of a regional, cooperative air quality monitoring program with Summit County and the State to provide baseline data on air quality.

- Develop policies that balance the City's desired high standard of winter road maintenance with the corresponding detrimental affect caused from salt and sand dust. Coordinate with the State to develop a highway management plan that reduces dependency on road salt by exploring EPA approved de-icers that minimize the destruction of vegetation, harm to wildlife and pollution of air and water sources.

- Amend the Land Management Code to require all newly permitted wood burning fireplaces and stoves to meet emissions standards set by the EPA. Limit wood burning fireplaces to public spaces such as lobbies, meeting rooms, etc. Require all newly permitted gas log fireplaces and gas appliances to conform to the Uniform Mechanical Code. Consider new technology devices, such as EPA certified stoves, pellet stoves, masonry heaters and fireplaces with after burners and heat recovery systems when establishing limitations on the number of wood burning or (solid fuel burning) fireplaces and stoves in single family homes and duplexes.

- Modify the sensitive lands provisions of the Land Management Code to further restrict road and utility cuts along slopes greater than 30% as a criteria in determining the appropriateness of locating development.

- Modify the sensitive lands provisions of the Land Management Code to further refine visual resource management policies both inside and outside the City in order to preserve the visual quality of the area.

Energy

- Create design guidelines that encourage the use of the best available alternative energy sources such as, solar access, passive solar and energy efficient building materials and forms.

- Comply with Federal and State Model Energy Code and encourage builders to participate in the Department of Energy's Energy Star Programs , or best available practices, that aim to reduce energy consumption in residential and commercial buildings.

- Promote the use of efficient building materials and energy efficient fixtures in all City and commercial buildings.

<u>**Material Resources**</u>

- Develop criteria and standards for the implementation of recycling of construction material on or off site for construction projects.

- Study the impacts of limiting the maximum house sizes in new subdivisions in order to reduce excessive grading, vehicle trips, limit excessive material use and ongoing energy costs, and to minimize vegetation disturbance,

- Establish a recycling policy for City facilities, Main Street, public spaces and on City assisted projects by encouraging waste reduction and use of renewable energy sources. Municipal procurement procedures should also be established that use recycled materials and promotes the use of energy efficient resources.

- Coordinate city efforts with Recycle Utah and other environmental service providers. Provide information on the Good Wood Construction Waste Project to the community.

- Participate with Summit County on the County Services Agreement regarding trash services. Require the installation of trash compactors and recycling centers for all commercial and large residential developments. Support efforts to develop informational programs for residents and contractors that explains how and where to dispose of hazardous waste and oil.

- Develop interlocal and/or intergovernmental agreements regarding natural resource management and the management of federal or state lands within or near the City.

- Amend the Land Management Code to include the process and criteria for reviewing and approving any future mining activities within the community.

Aesthetics

- Review and modify, if necessary, the sensitive lands provisions of the Land Management Code to:
  a) identify additional significant visual resource points to protect the visual quality of the region.
  b) specifically define setbacks, criteria and standards in the entry corridor
  c) encourage clustered development in order to conserve visual or physical resources if the location warrants such conservation.

- Amend the Land Management Code to:
  a)Require a re-vegetation program for all development projects when trees are removed to construct a structure or ski run.

  b)Refine lighting standards so that a night sky with visible stars is maintained. Consider restrictions on exterior residential lighting.

  c) Revise landscape requirements to require residential landscape plans that minimize water use and uses native vegetation to the extent possible.

- Review and update the Park City/Snyderville Basin trails plan to reflect the patterns of new development and to identify critical links in the overall plan.

Resources:

Maps

Sensitive Lands Map - Visual Vantage Points/Critical Hillsides
Prospector Soils Area
Water Sources
1999 Wildlife Migration and Habitat Study Maps

Reports

Engineering Geology of Park City, Summit County, Utah June 1984
Integrated Pest Management Study
1981 Storm Water Detention Study
Ski Industry Environmental Charter Initative, a report by The Keystone Center, 11/19/99

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PARK CITY
1884

CITY COUNCIL REPORT

DATE:	**March 30, 2000**
DEPARTMENT:	**Legal Department**
AUTHOR:	**John Harwood, Intern** JH **Tim Twardowski, Asst. City Attorney**
TITLE:	**Proposed Amendments and Additions to the Municipal Code of Park City ("MCPC") updating Title 8, Criminal Code.**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS: Hold a public hearing and adopt the proposed ordinance which updates Title 8, Chapters 1, 4, 5 and 7.

DESCRIPTION:

A. Topic.

The Municipal Code of Park City ("MCPC").

B. Proposal.

Recommended amendments and additions to the MCPC which update Title 8, Chapter 1 (General Provisions), Chapter 4 (Offenses Involving Public Peace and Welfare), Chapter 5 (Offenses Relating to Minors) and Chapter 7 (Offenses Relating to Drugs) in compliance with state legislation.

C. Background and Analysis.

Park City's current ordinances regarding criminal law have not been updated in a number of years. Because Utah legislation governing criminal behavior has changed, it is necessary to modify Park City's legislation to comply with the new state legislation. All modifications are generally reflecting changes to ensure compliance with updated language in Title 76 of the Utah Code Annotated. Modifications and additions include the following:

1. The definition of "Dangerous Weapon" has been modified; and
2. The fines and penalties associated with misdemeanors have been modified; and
3. The ordinance regarding Disorderly Conduct has been modified to reflect gender neutrality; and
4. An ordinance regarding Public Urination has been proposed, per the request of the prosecutor, Terry L. Christiansen; and
5. An ordinance regarding Unlawful Purchase, Possession, or Consumption by Minors has been proposed, per the request of the prosecutor, Terry L. Christiansen; and
6. The language of the Municipal Code regarding Possession of Controlled Substances has been changed to clarify the definition of Controlled Substance under the Utah Code Annotated, Section 58.

D. <u>Significant Impacts</u>

Failure to update the code will result in the presence of errors and inconsistencies between Title 8 of the MCPC and Title 76 of the Utah Code Annotated.

E. <u>Alternatives</u>

1. **Hold a work session and public hearing on the Ordinance and approve the revisions and additions to Title 8.** This is the recommended action.

2. **Modify the Ordinance.** If after public input and discussion the Council desires further changes, it should direct staff accordingly.

F. <u>Staff Review</u>

The Legal Department reviewed this matter. Prosecutor Terry Christiansen recommended the changes and reviewed the ordinance.

G. <u>Recommendation</u>

Approve the revisions and additions to Title 8 of the Municipal Code of Park City.

Ordinance 00-_____

AN ORDINANCE TO UPDATE THE MUNICIPAL CODE OF PARK CITY, TITLE 8, CRIMINAL CODE

WHEREAS, Utah state criminal law has been updated; and
WHEREAS, Amendments made to the Utah Code Annotated, Title 76 (1999) require an update of Title 8 of the Municipal Code of Park City to ensure compliance with state standards; and
WHEREAS, Text changes to Title 8 are mainly changes to ensure compliance with the updated language in the Utah Code;

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

SECTION I. Title 8, Chapter 1, Section 14(E) is hereby deleted and replaced by amended Title 8, Chapter 1, Section 14(E) attached hereto as Exhibit A; and

SECTION II. Title 8, Chapter 1, Section 26 is hereby deleted and replaced by amended Title 8, Chapter 1, Section 26 attached hereto as Exhibit B; and

SECTION III. Title 8, Chapter 4, Section 14 is hereby deleted and replaced by amended Title 8, Chapter 4, Section 14 attached hereto as Exhibit C; and

SECTION IV. Exhibit D as attached is hereby enacted as Title 8, Chapter 4, Section 22; and

SECTION V. Exhibit E as attached is hereby enacted as Title 8, Chapter 5, Section 5; and

SECTION VI. Title 8, Chapter 7, Section 1 is hereby deleted and replaced by amended Title 8, Chapter 7, Section 1 attached hereto as Exhibit F.

SECTION VII. **EFFECTIVE DATE.** This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 23rd day of March, 2000.

Park City Municipal Corporation

____
Bradley A. Olch, Mayor

Attestation by:

____
Jan Scott, City Recorder

Approved as the Form:

____
Mark Harrington, City Attorney

EXHIBIT A

8- 1-14. GENERAL DEFINITIONS.

The provisions of U.C.A. 76-1-601, as amended, are hereby adopted and incorporated. Unless otherwise provided or a different meaning plainly required, the following terms shall be applicable to this Code, in its entirety, and shall have the meanings designated in this section:

(A) **ACT**. A voluntary bodily movement and includes speech.

(B) **ACTOR**. A person whose criminal responsibility is in issue in a criminal action.

(C) **BODILY INJURY**. Physical pain, illness, or any impairment of physical condition.

(D) **CONDUCT**. An act or omission.

(E) ~~**DEADLY OR DANGEROUS WEAPON**. Anything that in the manner of its use or intended use is likely to cause death or serious bodily injury.~~

DANGEROUS WEAPON.

(1) Any item capable of causing death or serious bodily injury; or

(2) A facsimile or representation of the item; and

(a) The actor's use or apparent intended use of the item leads the victim to reasonably believe the item is likely to cause death or serious bodily injury; or

(b) The actor represents to the victim verbally or in any other manner that he is in control of such an item.

EXHIBIT B

8- 1-26. FINES OF PERSONS.

A person who has been convicted of an offense may, in addition to any term of imprisonment imposed, be sentenced to pay a fine not to exceed two thousand five hundred dollars ($2,500) when the conviction is of a Class A misdemeanor, pay a fine not to exceed one thousand dollars ($1,000) if the conviction is for a Class B misdemeanor and ~~five hundred dollars ($500.00)~~ seven hundred fifty dollars ($750.00) when the conviction is for a Class C misdemeanor or infraction.

EXHIBIT C

8- 4-14. DISORDERLY CONDUCT.

A person is guilty of disorderly conduct if:

(A) ~~He~~ A person refuses to comply with the lawful order of the police to move from a public place or knowingly creates a hazardous or physically offensive condition, by any act which serves no legitimate purpose; or

(B) Intending to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, a person;

(1) ~~He~~ Engages in fighting or in violent, tumultuous, or threatening behavior; or

(2) ~~He~~ Makes unreasonable noises in a public place; or

(3) ~~He~~ Makes unreasonable noises in a private place which can be heard in a public place; or

(4) ~~He~~ Engages in abusive or obscene language or makes obscene gestures in a public place; or

(5) ~~He~~ Obstructs vehicular or pedestrian traffic.

(C) "Public place" for the purpose of this section, means any place to which the public or a substantial group of the public has access and includes but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, shops, plazas, parking lots, public parks, cemeteries, and similar areas open to the public or a substantial group of the public.

(D) Disorderly conduct is a Class C misdemeanor if the offense continues after a request by a person to desist. Otherwise it is an infraction.

EXHIBIT D

8- 4-22. PUBLIC URINATION.

A person is guilty of public urination if the person urinates or defecates:

(1) In a public place, other than a public restroom; and

(2) Under circumstances which the person should know will likely cause affront or alarm to another.

Public urination is a class C misdemeanor.

EXHIBIT E

8-5-5. UNLAWFUL PURCHASE POSSESSION, OR CONSUMPTION BY MINORS.

(1) It is unlawful for any person under the age of 21 years to purchase, attempt to purchase, solicit another person to purchase, possess, or consume any alcoholic beverage or product, unless specifically authorized by this title.
(2) It is unlawful for any person under the age of 21 years to misrepresent his age, or for any other person to misrepresent the age of a minor, for the purpose of purchasing or otherwise obtaining an alcoholic beverage or product for a minor.
(3) It is unlawful for any person under the age of 21 years to possess or consume any alcoholic beverage while riding in a limousine or chartered bus.
(4) When a person who is at least 13 years old, but younger than 18 years old, is found by the court to have violated this section, the provisions regarding suspension of the driver's license under Utah Code Annotated Section 78-3a-506 apply to the violation.
(5) When the court has issued an order suspending a person's driving privileges for a violation of this section, the Utah Driver License Division shall suspend the person's license under the provisions of Utah Code Annotated Section 53-3-219.
(6) When the Department of Public Safety receives the arrest or conviction record of a person for a driving offense committed while his license is suspended pursuant to this section, the department shall extend the suspension for an additional like period of time.
(7) A violation of this section is a class B misdemeanor.

EXHIBIT F

8- 7- 1. POSSESSION OF CONTROLLED SUBSTANCES.

No person shall knowingly or consciously possess or use a controlled substance as defined in the Utah Controlled Substances Act, U.C.A. 58-37-1 - 21 ~~Controlled Substances Act of the Utah Code Annotated 1953~~, unless it is obtained pursuant to a valid prescription or order or directly from a practitioner authorized to prescribe such substances, while acting in the course of his professional practice, or except as otherwise authorized by the Controlled Substance Act.

PARK CITY
1884

CITY COUNCIL
STAFF REPORT

DATE: March 23, 2000
DEPARTMENT: Facilities and Special Events
AUTHOR: Melissa Caffey/Meg Ryan
TITLE: WestBound Festival September 1-4, 2000
TYPE OF ITEM: Master Festival License

SUMMARY RECOMMENDATIONS: Review proposed event, conduct a public hearing, and approve the Master Festival License as conditioned for September 1- 4, 2000.

DESCRIPTION:

A. Background

The Westbound Festival is sponsored by The Summit Institute of Park City in conjunction with Deer Valley Resort. The event will be held at Deer Valley in the Snowpark Lodge and Amphitheater from Friday, September 1 through Monday September 4, 2000. Events will run from noon to 10 p.m. each day. The sponsors anticipate approximately 1,500 participants per day for a variety of musical events, art exhibits, performances and lectures. Participants will use the parking lots at the base of Snowpark Lodge.

This is a new event. Traditionally the Miners Day parade, run by the Park City Rotary Club, and subsequent celebrations have been the only events scheduled for the Labor Day weekend.

B. Analysis

The event will be conducted on private property and will not require the use of any City facilities or equipment. Private security forces will be employed. All City departments including Transportation, Police, Planning, Building, OCM&B and Public Works have reviewed this application and no concerns have been registered. The applicant has stated that the Park City Rotary Club has been contacted and has no objections to the event. Staff contacted the Park City Chamber Bureau and, although it is not a Chamber-sponsored event, the Chamber supports the event as presented. The Summit Institute is aware of the construction activity that will be in progress at Heber and Deer Valley Drive. Deer Valley Resort has met with the Office of Capital Management & Budget and has agreed to address the Deer Valley Drive construction issue in all of its pertinent marketing materials, including the new Westbound Festival.

C. Department Review

All affected city departments have reviewed or been noticed of this application and no concerns have been registered.

ALTERNATIVES:

A. **Approve the Master Festival License** based on the findings of fact, conclusions of law, and conditions of approval incorporated herein. This is the recommended action.

B. **Deny the Master Festival License.**

C. **Continue the item**. If Council desires more information on this proposal, it should request such information and continue the item.

SIGNIFICANT IMPACTS:

The primary impact of the event will be felt in the area of traffic slowdowns based on the City's reconstruction of Deer Valley Drive at Heber Avenue.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The Institute would have to either cancel or reschedule the event for this year or research an alternate location for the event.

RECOMMENDATION:

Review proposed event, conduct a public hearing and approve the Master Festival License for September 1-4, 2000, based on the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact:

1. The conduct of the event will not substantially interrupt the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its Venue. Construction activity will be in progress on Deer Valley Drive and the applicant is aware that traffic impediments may occur.

2. The conduct of the event will not 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. Private security forces will be employed.

3. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services. The event will be conducted on private property and participants will use the parking lots at the base of Snowpark Lodge.

4. The event will not substantially interfere with any other Special Event or Master Festival for which a license has already been granted or with the provision of City services in support of other such events or governmental functions. The only other event scheduled for this weekend is the Miners Day Celebration, on Monday, which is concentrated on the center of town.

5. The event does not create the imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.

6. The Applicant has demonstrated an ability and willingness to conduct the event pursuant to the terms and conditions of the Park City Municipal Code and has never failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

7. The event will be conducted on private property and will not require the use of any City facilities or equipment. Private security forces will be employed.

8. The facts discussed in the Background and Analysis sections are incorporated herein.

<u>Conclusions of Law</u>:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.

<u>Conditions of Approval</u>:

1. The Westbound Festival shall be held at Deer Valley in the Snowpark Lodge and Amphitheater from Friday, September 1 through Monday September 4, 2000. The duration of events shall be limited to the hours of noon to 10 p.m. each day

2. Participants will use the parking lots at the base of Snowpark Lodge.

3. Deer Valley Resort shall address the Deer Valley Drive construction issue in all of its pertinent marketing materials, including this Westbound Festival.

4. The Applicant will work with Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided by Applicant.

5. The Applicant shall provide to the Special Events Manager proof of liability insurance as may be required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured.

APPROVED this 23d day of March, 2000.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

EXHIBITS:
Exhibit A - MFL Application

K:\ADMIN\CC\packets.00\Westbound.wpd

MASTER FESTIVAL LICENSE QUESTIONNAIRE

APPLICANT: PLEASE FILL OUT THIS QUESTIONNAIRE AS IT RELATES TO YOUR PLANNED EVENT. YOU NEED ANSWER ONLY THOSE QUESTIONS WHICH PERTAIN TO YOU OR YOUR EVENT. MARK QUESTIONS WHICH DO NOT APPLY "N/A". MANY ANSWERS REQUIRE SIMPLY CIRCLING YES OR NO

1. Name, address, phone of applicant (license holder): The Summit Institute
1922 Prospector Avenue, STE 201
Park City, UT 84060
435/649-2315

Name and Date(s) of Event:
Westbound Festival - September 1-4, 2000

2. Name, address, and phone of person, other than applicant who will be responsible for the event in case of an emergency:
Ginger Reis
Deer Valley Resort, 435/645-6504

3. Name and address of corporate sponsors, if any:
The Canyons, Coca Cola,
Park City Mountain Resort and Deer Valley Resort

4. Location of event - describe property to be used. Applicant must supply written permission from private property owners for the event venue.
Snow Park Lodge and Amphitheater, Deer Valley Resort

5. Describe the event in detail (dates, times, crowd expected, activities, etc.) approx. 1,500 per da[y]
Friday, September 1, 2000 - 6:00pm - 10:00pm musical performances/amphitheat[er]
Sat, September 2, 2000 - 12:00pm-10:00pm - art exhibits, lectures, perform.
Sunday, Same as Saturday, Monday, Sept. 4, 2000 12:00pm - 8;00pm

6. List any street closures desired, as well as times and dates.
N/A

7. What parking facilities are available for your event?
Deer Valley Resort parking lots 1-5

8. Will you be selling concessions? (Yes No) If yes, what will you be selling and where will sales take place?
Deer Valley Resort concession stands - T-shirts, sweatshirts, food & drinks

List sales tax number ________ or tax exempt number 94-260-7732

9. Will you be selling clothing or memorabilia which is copyrighted or logoed for your

Rec. 2/22/00
9:00 am

particular event? (Yes No) If yes, how do you plan to enforce exclusivity?

Logo is copyrighted

10. Will you be selling beer during your event? (Yes No) If yes, describe location of sales, hours of operation, control of sales to minors, type of containers.

Snow Park Lodge, Deer Valley Resort
12:00pm - 9:00pm
Tips trained servers, plastic cups

11. Have your alcoholic beverage servers had state certified server training? (Yes No)

12. Do you require a consent letter from the city council for single event liquor sales? (Yes No) If yes, please note consent must be obtained prior to attending the Alcoholic Beverage Control Commission meeting which occurs only once each month.

13. Are you going to charge admission to your event? (Yes No) If yes, how much will be charged each person $ 9.00 and who (person, business, charity) benefits from the admission charge?

14. Is your event profit or non-profit?

Non-profit

15. Attach proof of liability insurance for your event in the amount of one million dollars or more. Park City Municipal Corporation should be named as an additional insured on your policy. Please note, some events may require more insurance and/or indemnification of the Park City Municipal Corporation.

16. If you are using or storing flammable materials, including fuels, gasses, or fireworks,

where will they be stored?

N/A

17. Have you received approval of the fire marshall for Question 16? (Yes No)

N/A

18. What is the source for your electrical needs?.

Snow Park Lodge

19. Has the ambulance service been contacted regarding your event? (Yes No) If yes, will they be on stand-by at the scene of your event? (Yes No) If yes, who will pay any associated fees?

Deer Valley Resort will provide 2 EMT's on property during the event

20. Describe restroom facilities to be used.

Restrooms located in Snow Park Lodge

21. Will you be renting portable toilets? (Yes No) If yes, where will they be erected? Who will remove them?

22. List your anticipated signage needs. Traffic control signs will be supplied and erected by the city, if available. No signage is allowed on state highways without state approval. Other types of off-site advertising signs or banners mus have planning department approval.

Sponsorship banners on and around amphitheater stage
Deer Valley sign on Deer Valley Drive

23. Will you be requesting banner placement at the banner site on Park Avenue? (Yes No) If yes, have you made a reservation through the Public Works Department?

24. Are you requesting city transportation services? (Yes No) If yes, are you requesting

shuttle service or expanded route service? Describe shuttle route, frequency of service, and expected number of passengers. If you wish expanded route service, describe the new route and times of operation.

Bus to Snow Park Lodge - no additional buses or expansions necessary

25. Will you be erecting temporary structures such as grandstands, tents, etc.? (Yes No) If yes, describe type of structure, expected use, who will erect, take down, etc. Please note all temporary structures are subject to city inspection to assure compliance with building and fire codes.

26. Will you be requesting permits for fireworks? (Yes No) If yes, then describe location of fireworks display, times and types of fireworks (aerial, concussion, etc.)

27. Do you need trash containers supplies by the city? (Yes No) If yes, how many and where?

28. Will you be using a city building? (Yes No). If yes, which building, when and for what reason? (Note: Some city buildings may have user fees which apply to your event and are generally NOT waivable)

29. Will you be using a city park? (Yes No) If yes, describe park, including pocket parks, times of use, expected crowd, who will clean up, etc. (Note: Some city parks may have

user fees which will apply to your event and are generally not waivable.)

30. Have you made a reservation through the Leisure Services Department for use of city parks or buildings? (Yes No)

N/A

31. Do you desire law enforcement services beyond routine periodic patrol? (Yes No) If yes, for what purpose (security, traffic control, parking control)? State dates and times officers are needed and how many officers you need. (Note: The chief of police reserves the right to place officers and staff events as he feels is in the best interest of public safety and all officers remain employees of the city when working private events.

We are going to hire a contracted security service through Deer Valley Resort - for 24 hour service during our event

32. Do you require assistance from the public works department for such items as street maintenance, heavy equipment, sweeping, set-up/take-down, etc.? (Yes No) If yes, describe services you feel you need. (Note: City equipment will not be loaned, and your event will be charged for labor, materials and equipment

33. It is the applicants responsibility to contact agencies outside of Park City which may be involved in the permit, inspection, sales, convenience, or assistance process connected with your event. Those agencies may include, but not be limited to: Health Department, Utah Power and Light, Mountain Fuel, Utah Department of Transportation, Alcoholic

Beverage Control Commission, Summit County Sheriff, Utah Highway Patrol, Merchants Association, ASCAP, BMI, Summit County Commission) (Circle those agencies listed above which you have contacted)

34. Are you coordinating your event with the Park City Chamber Bureau and Visitor's Center? (Yes No) If yes, which staff member is assisting you? Have you checked existing even schedules for possible event conflicts? (Yes No) If yes, are there any conflicts?

Miner's Day - Monday, September 4, 2000
Rotary Club has been contacted to avoid any conflicts and ensure cooperation and cross advertising.

Signatures: Jamison Gordon, The Summit Institute
Bob Wheaton DEER VALLEY

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: March 23, 2000
DEPARTMENT: Leisure Services and Office of Capital Management and Budget
AUTHOR: Craig Sanchez and Tom Bakaly
TITLE: Golf Course Funding
TYPE OF ITEM: Legislative/Administrative

SUMMARY RECOMMENDATIONS: The City Council should take the following actions related to the Golf Fund:

1) Provide staff budget direction concerning a necessary $275,000 transfer to the Golf Fund for FY 1999-00 (current year) so that the fund does not end the fiscal year with a negative cash balance. Staff recommends that funds be transferred from the City Park CIP project.

2) Provide direction and possibly take action concerning season pass policies for the upcoming 2000 golf season. Season pass policies include whether season passes should be sold at all, "grandfather" clauses, and significant season pass rate increases.

3) Authorize the City Manager to spend up to $20,000 form the Venture Account (General Fund) for assistance in studying the Golf Fund. The study would focus on fee analysis and be completed within the next month in time for budget deliberations.

DESCRIPTION:

A. Topic: Golf Course Funding

B. Background:

Since the purchase of the golf course in 1980, the goal has been to operate the facility as a 100 percent cost recovery enterprise fund. From 1985 to 1997 the course has achieved this goal. Another goal has been to have at least 40% - 50% of the rounds played on the course be local (Park City proper residents). In 1996, City Council adopted a 10 year plan that reaffirmed this commitment to local play and a local community oriented course. Fees for non-residents were increased significantly and local fees received only a modest increase. The 10 year plan is now in need of modification due to issues discussed below.

On March 6, 2000 a meeting was held to receive input from golfers. Approximately 40 people attended the meeting. Generally, people were concerned about the construction of the hotel and the quality of the course due to construction. Many golfers expressed a reluctance to pay higher golf fees during construction. Sentiment was mixed as to whether the Golf Course Fund should pay its own way (as it has for the last several years) or receive a subsidy from the City.

On March 13, 2000 staff presented the alternatives listed in this report to the Golf Committee. The Golf Committee is an advisory committee to the Parks, Recreation and Beautification Board (PRBB) consisting of golfers and three PRBB board members. The recommendation from the Golf Committee concerning the proposed alternatives is as follows:

1) $275,000 Transfer: The Golf Committee deferred to the three PRBB board members on the committee. Two PRBB members felt that half of the $275,000 ($137,500) should come from the City Park project and half should come from other sources. The other board member thought that all of the $275,000 should come from the City Park project. The three PRBB board members on the Golf Committee agreed that the transfer should be a grant instead of a loan.

2) Season Passes: The Committee agreed that season pass fees should go up 10% for regular and season passes. The committee was split over whether or not youth fees should be raised. The committee did not want to limit play or put restrictions on the use of passes. Rather, the committee wanted the golf staff to book as many times with hotel guests as possible and limit pass play through that process.

3) Golf Fund Study: The Golf Committee was not interested in pursuing a golf fee or management study. They felt it would be difficult to do a meaningful study at this time due to the construction impacts of the hotel project.

On March 15, 2000 staff presented the alternatives listed and the Golf Committee recommendations to the PRBB. The recommendations from the PRBB are as follows:

1) $275,000 Transfer: The PRBB (with the exception of those three members on the Golf Committee) preferred that the transfer be a loan rather than a grant. They felt that the Golf Fund had the ability to pay back a loan in the future once their financial position stabilized. The PRBB preferred that the City Park account not be the source of funding for the loan. The PRBB asked staff to explore other funding sources and only use the City Park account for a portion of the loan if no other options existed. If any of the City Park account is used as a source for the loan, the PRBB would like a commitment as to when the funds would be returned to the City Park Account (preferably 3 - 5 years).

2) Season Passes: The PRBB recommended that season passes not be sold as usual in early April. Rather, the PRBB requested that all fees and expenses of the fund be studied first and reported back to them in mid-April. It was suggested that daily passes in the off-season range of $10 - $15 per 18 holes be sold in April until season passes are perhaps approved in May, 2000.

3) Golf Fund Study: The PRBB did not support hiring a consultant to study the Golf Fund. The PRBB was not opposed to staff receiving additional resources to complete the fee study by their April meeting.

C. Analysis:

Financial Position of Fund: For the last three fiscal years (including FY 2000) green fee revenues have been down and expenses up. Please see Attachment A - funding sources and uses. As can be seen, the losses experienced in FY 1997-98 and 1998-99 have eroded the positive performance of the fund from prior years and the fund balance of the fund. Unfortunately, losses for FY 1999-00 (current year) have continued and staff is projecting that the fund will have a negative cash balance of $275,000 for FY 1999-00 if no action relating to fees and expenses is taken.

Factors Contributing to Losses: Factors that have contributed to this situation are: weather, hotel construction, and player resident/non-resident mix. To generate revenue increases, we believe fees and the mix of who is utilizing the course need to be addressed.

Hotel Construction - In the fall of 1997 Island demolished the old Pro Shop and Adolph's restaurant. At that time the Pro Shop was moved to a temporary building in the south corner of the property. Island was responsible for supplying the building, but the improvements to the building and the course were the responsibility of the golf course. In fiscal year 1998 the course had to re-design number 9 (now 18), number 3 tee (now 12), and the parking area. These costs came to $350,000. Island did pay $103,00 in accordance with the development agreement. The remaining balance had to be financed out of golf operation funds. In 1998 Island Outpost abandoned the project and put the property up for sale. At this time staff had to redo the parking area, and revegitate around the old Pro Shop.

In fiscal year 1999 Talon development purchased the property, and the development agreement from Island Outpost. In the summer of 1999 construction began on the Hotel. Because of the location of the Pro Shop and the changes made to the course, personnel requirements have increased 20% in those two years. During the current construction phase we have lost our big practice green and a large piece of our driving range. We will be keeping the range open for teaching, but feel it would be difficult to utilize the area we have for a full operation. This could effect our play, in that many golfers like to warm up before play. Loss of the driving range in 2000 will result in a loss of roughly $40,000 in revenue.

Player Mix and Green Fee Revenue Per Round - As can be seen from the "number of rounds" chart below, the number of rounds from 1995 to 1999 has decreased by roughly 16%. In 1995 the golf course did a total of 30,149 rounds. Resident play accounted for 35% of play and 29% of revenue, season pass play accounted for 17% of play and 9% of revenue, non resident was 41% of play and 55% of revenue, tournament was 7% of play and 10% of revenue.

Resident play in 1999 was 39% of our play and 33% of revenue. This came out to $18.45 per round. Season pass play was 23% of our play and 13% of our revenue. This came out to $11.70 per round. Non resident was 33% of our play and 45% of our revenue. This came out to $29.20 per round. Tournaments were 5% of our play and 7% of our revenue. This came out to $31.30 per round. Over the years, it was a goal of City Council to decrease tournament play in order to increase resident play. We did achieve this goal, but it did decrease revenues.

Number of Rounds:

Year	Resident	Season Pass	Non Resident	Tournament	Total	Res/Season %
1995	10,562	4,979	12,464	2,144	30,149	52%
1996	10,481	4,804	11,863	1,717	28,865	53%
1997	11,350	6,425	10,214	1,498	29,487	60%
1998	9,087	6,273	8,424	1,494	25,278	61%
1999	9,961	6,022	8,586	1,144	25,713	62%

Expenditures and Cost Per Round: As can be seen from attachment A, expenditures have increased significantly over the last few years. Personnel expenditures in particular have increased in order to accommodate the pro shop configuration necessitated by the hotel construction. As can also be seen from Attachment A, the total cost per 18 hole round of golf is roughly $52. When expenditures on golf retail items are factored out, the cost per round is roughly $45. When this figure is compared to the revenue per round figures listed above, it is easy to see why the fund is in a deficit position. The number of rounds are down and the mix between resident/pass play and non-residents is not favorable. In fact, the season pass program has caused the Golf Fund to forgo roughly $52,000 in annual revenue. It should be noted that the Park City Golf Course is the only public course in Utah that has an unrestricted season pass program for residents. These figures also suggest some strategies, immediate and longer term, for addressing this deficit position.

Past Fund Performance and Recommendations: Negative cash balances in enterprise funds are prohibited by State Law. Staff is projecting a negative cash balance for FY 1999-00, and staff recommends that as part of the budget review process in May, 2000, City Council transfer $275,000 to the Golf Fund for FY 1999-00. Staff recommends this action regardless of what steps City Council may take in the future related to Golf Fund fees and revenues. If too much is transferred into the Golf Fund in May, funds can always be transferred back. Staff would like direction from City Council as to whether this transfer should be a loan or a direct subsidy.

As staff prepares the budget for delivery to City Council in May, staff would like preliminary direction as to where the transferred funds should come from. Because of the relation to recreation and the location of the Golf Course in the Lower Park Avenue Redevelopment Area, staff recommends reducing the current City Park Capital Improvement Program (CIP) budget of approximately $1.3 million by $275,000 and transferring those funds to the Golf Course. Please note that additional RDA funds are already planned to be used for parking improvements relating to the Golf Course and hotel.

Projected Current Performance and Season Pass Policy Recommendations: As stated earlier, it is projected that the fund will end the current year in a $275,000 deficit position. Rather than adjust all fees upward during a major construction period, staff recommends adjusting certain fees and operating procedures to realign the mix more evenly. Specifically, staff recommends increasing season pass fees (regular, senior and youth) by 10% to 40%. City Council may wish to increase the three categories of season passes by different amounts. The table below shows the new fees.

Season Pass Rate Increase

Type of Pass	Current Fee	10%	20%	30%	40%
Regular	$600	$660	$720	$780	$840
Senior	$300	$330	$360	$390	$420
Youth	$300	$330	$360	$390	$420

Remember, the goal of these increases is to change the player mix rather than generate revenue from the new fees. The Golf Course will also be looking at changing the mix by increasing play from hotel guests through changing reservation procedures. The new golf computer system will allow staff to decrease personnel expenditures and will also generate better management data.

Projected Future Performance: It is difficult to know what the impact will be of fee related actions because of the number of variables impacting the situation. It is for that reason that staff recommends expending some money to provide resources for a comprehensive review of the fund and make recommendations to the City Council. Funds are available in the Venture Fund Account. Council would need to approve expending any funds over $10,000 from this account. If resources are available immediately, the analysis will be available in May to address all Golf Course fees before the peak season begins on Memorial Day. May of 2000 would also be a good time frame for the Council to incorporate the analysis into the budget review process. Regardless of what action Council takes regarding the study, staff will need to return in May to address other fees (daily rates), personnel costs, service reductions, and other actions as part of the budget process. Please see the attached schedule of fees that are currently charged that will need to be examined in May.

D. Department Review: This report has been reviewed by the Leisure Services Department, the Office of Capital Management and Budget and the City Manager.

ALTERNATIVES:

The following is an alternative matrix to assist Council in addressing staff's recommendations:

Recommendation	Option 1	Option 2	Option 3	Option 4	Option 5
$275,000 Transfer	Deny Request	City Park	Other Fund	Loan	Grant
Pass Increase	Do Nothing	Defer to May	Increase all/some	Don't Sell Passes	Limit Play
$20,000 Study	Deny request	Approve	Defer	Staff do it	Scale Down

A. Staff's Recommendation: 1) Provide staff budget direction concerning a $275,000 transfer to the Golf Fund for FY 1999-00 (current year) from the City Park CIP project; 2) Provide direction and possibly take action concerning season pass policies for the upcoming 2000 golf season; and 3) Authorize the City Manager to spend up to $20,000 from the Venture Account (General Fund) for assistance in studying the Golf Fund.

B. Approve Combinations of Alternatives: City Council should refer to the alternatives options matrix on the prior page and the attached pro/con pass and preferred play policy alternative matrix and select options. Please note that a combination of more than one option per recommendation is possible.

C. Deny the Request in Total: The City Council could deny the request in total. This would result in the Golf Course Fund ending the fiscal year in a negative cash position.

D. Continue the Item: Time is of essence if season passes are to be sold in early April which is typically the case. Deferring action will also limit analytical options prior to budget presentation.

E. Do Nothing: Same as continuing the item

SIGNIFICANT IMPACTS :

Through Attachment A and the analysis section of this report, staff has addressed the significant financial impacts of this issue.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION:

The consequences vary with the alternative selected. With option 1 (prior page), the Golf Course Fund will end in a negative cash balance position and will continue to lose money. All other options will address the negative cash balance. Actions to defer pass sales, increase their cost or restrict their use will improve to varying degrees the financial position of the golf course.

RECOMMENDATION:

1) Provide staff budget direction concerning a necessary $275,000 transfer to the Golf Fund for FY 1999-00 (current year) so that the fund does not end the fiscal year with a negative cash balance. Staff recommends that funds be transferred from the City Park CIP project (all options but #1).

2) Provide direction and possibly take action concerning season pass policies for the upcoming 2000 golf season. Season pass policies include whether season passes should be sold at all, "grandfather" clauses, and significant season pass rate increases (illustrated variously in options 2 -5).

3) Authorize the City Manager to spend up to $20,000 form the Venture Account (General Fund) for assistance in studying the Golf Fund. The study would focus on fee analysis and be completed within the next month in time for budget deliberations (option #2).

Attachment A

Golf Course Pro Forma
Funding Sources and Uses

Sources	FY 1996 Actual	FY 1997 Actual	FY 1998 Actual	FY 1999 Actual	4 Year Avg	(1) FY 2000 Projection
Green Fees	552,861	568,692	491,453	457,577	517,646	455,901
Pass Fees	54,780	65,527	57,146	66,662	61,029	66,662
Cart Fees	195,535	197,837	165,707	168,659	181,935	159,746
Driving Range Fees	38,911	41,537	32,515	42,929	38,973	21,212
Pro Shop Retail Sales	142,707	149,212	157,474	185,768	158,790	162,039
Golf Lessons	39,042	41,802	52,210	43,632	44,172	40,000
Transfer From General Fund						25,000
Loan From General Fund						
Other	44,221	46,248	154,165	25,427	67,515	134,568
Tournament Administration	3,884	1,793	1,971	2,500	2,537	2,549
Tournament Refreshment	2,735		1,427		2,081	
Other Contribution						
Lease Income	9,589	13,060	9,178	10,896	10,681	9,000
Bond Proceeds						
Other Miscellaneous	181	539	106,942	2,348	27,503	116,738
Cash Over/Short	55	(3,074)	(103)	194	(732)	
Interest Earnings***	27,777	33,930	34,750	9,489	26,487	6,281
Total Sources	**1,068,057**	**1,110,855**	**1,110,670**	**990,654**	**1,070,059**	**1,065,130**

Uses	FY 1996 Actual	FY 1997 Actual	FY 1998 Actual	FY 1999 Actual	4 Year Avg.	(1) FY 2000 Projection
Personnel**	373,107	406,666	492,985	545,241	454,500	520,000
Materials, Supplies & Services	281,596	314,919	341,553	378,457	329,131	384,462
Interfund Transactions	60,940	60,940	82,106	83,915	71,975	155,956
Debt Service	115,762	115,762	115,762	115,762	115,762	115,762
Genl Fund Loan Repayment\Cart Replacement						
Carts Purchase						
Capital Outlay	75,650	62,073	132,980	103,401	93,526	163,699
Total Uses	**907,055**	**960,360**	**1,165,386**	**1,226,776**	**1,064,894**	**1,339,879**
Difference (Sources and Uses)	**161,002**	**150,495**	**(54,716)**	**(236,122)**	**5,165**	**(274,749)**

(1) Assumes no change in policy.

Cost Per 18 Hole Round

FY 2000 Projected Expenses	**$1,339,879**
Projected Hole Rounds (same as 1999)	**25,713**
Average Cost Per Round	**$52.11**
Average Revenue Per Round	**$41.42**

Park City Golf Course

1999 PARK CITY GOLF COURSE RATES

(Prices are subject to change without notice)

In order to receive discounted rates, you must show your current Park City Recreation card. All rates include tax.

MULTIPLE PLAY PASSES

• Season Pass with Rec. Card	$600.00
• Jr.-Sr. Pass with Rec. Card (65+)	$300.00
• Non-Resident Season Pass	$775.00
• 10 Play Punch Pass	$265.00
• Sr. 10 Play Punch Pass	$240.00
• Cart Season Pass	$360.00

18 HOLE

• Recreation Card Holders	$20.00
with cart	$32.00
• High Season (5-29 to 9-12)	$33.00
with cart	$45.00
• Off Season	$26.50
with cart	$38.50

9 HOLE

• Recreation Card Holders	$10.00
with cart	$17.00
• High Season (5-29 to 9-12)	$16.50
with cart	$23.50
• Off Season	$13.25
with cart	$20.25

(OVER)

PULL CART RENTAL

• 18 Hole	$4.00
• 9 Hole	$2.00

DRIVING RANGE

• Large Bucket (Approx. 60 Balls)	$5.00
• Small bucket (Approx. 30 Balls)	$2.50
• Individual Season Pass	$150.00

RENTAL AND DEMO CLUBS

• 18 Hole Rental Sets	$20.00
• 9 Hole Rental Sets	$10.00
• Pro Line Demo Sets	$30.00

GOLF PRIVILEGE TAG

Must have City Recreation card with county stamp to receive discounts $75.00/individual

ASSOCIATION TAG

Receive discounts only on Association days $75.00

RESERVATION POLICY

Tee time reservations can be made seven days in advance. A Bankcard number is required for more than one tee time.

PHONE

Park City	615-5800
Salt Lake City	521-2135

We are a spikeless facility.

Policy Alternatives for Golf Course Fund
Passes and Preferred Play Only

A. Fee Increase - Season Passes

PROS	CONS
Increased revenue. Projected $4,500 (10%)	PR
Could help to increase non-resident play (player mix)	Make the course less of a locals course

B. Fee Increase - Senior and Youth

PROS	CONS
Increased revenue. Projected $2,500 (10%)	PR

C. Fee Increase - High Season Only

PROS	CONS
Increase play and revenue in shoulder season.	Cost Increase to golfers
Demand is at the lowest	

D. Premium Fees - Available to Residents or Pass Holders for Preferred Dates, Time and Days

PROS	CONS
Increased revenue	Residents would feel they are losing by paying more
Would most likely impact player mix	

E. Preferred Play - Limited for Residents or Pass Holders to Certain Times in the Day

PROS	CONS
Free up times for non-residents and hotel guests	PR
Increased Revenue	Residents would feel restricted

F. Preferred Play - Limited for Residents or Pass Holders to Certain Days of the Week

PROS	CONS
Increased Revenue (Player Mix Changes)	Restricted Play for Pass Holders (week vs weekend workers)

G. Preferred Play - Limited for Residents or Pass Holders to Certain Times of the Day

PROS	CONS
Increased Revenue (Player Mix Changes)	Restricted Play for Pass Holders

H. Preferred Play - Allow Non-Residents and Hotels Same Opportunity as Residents to Book Times

PROS	CONS
Increased Revenue (Change in Mix)	Would significantly restrict residents

I. Preferred Play - Save Blocks of time in each Day for Non-Residents or Hotel Guests

PROS	CONS
Increased revenue. Projected $75,000.	Could create fewer times for residents.
Direct pre sold times to non prime times.	
Save prime times for week out reservations.	

J. Preferred Play - Lottery System for Preferred Times and/or Seasons Pass

PROS	CONS
Increased Revenue (player mix)	PR
	Administrative costs