PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 22, 1996

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, February 22, 1996.

AGENDA

Closed Session
1:00 p.m. Property acquisition

Work Session
1:45 p.m. Council questions and comments
2:05 p.m. Request of escrowed parking funds - Lot 14C
2:20 p.m. Recap of neighborhood meetings on Council goals

Break
2:40 p.m.

Work Session
4:00 p.m. Main Street building regulations
4:30 p.m. Grant process - update from committee and direction from Council
4:45 p.m. Sandstone annexation
5:30 p.m. Parking/transportation update

Regular Meeting (to be held in work session room)
6:15 p.m.

I ROLL CALL

II PUBLIC INPUT

III MINUTES AND WORK SESSION NOTES OF THE MEETINGS OF FEBRUARY 1, 1996 AND FEBRUARY 8, 1996

IV RESIGNATIONS AND APPOINTMENTS

1. Appointment of Gordon Strachan to the Board of Adjustment for a term beginning immediately and expiring on January 1, 2001

2. Acceptance of resignation of Chris Larson from the Historic District Commission and appointment to fill his unexpired term to February 1, 1997

3. Two appointments to the Historic District Commission for terms beginning immediately and expiring on February 1, 1998

V NEW BUSINESS

Consideration of temporary zoning regulations for Main Street

VI ADJOURNMENT

Posted: 2/16/96
Revised: 2/20/96

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
FEBRUARY 22, 1996

Present: Mayor Brad Olch; Council members Hugh Daniels, Roger Harlan, Shauna Kerr, Paul Sincock, and Chuck Klingenstein

Rick Lewis, Community Development Director; Jan Scott, Administrative Assistant; Pat Putt, Planning and Zoning Administrator; Eric DeHaan, City Engineer; Nora Seltenrich, Special Projects Manager; Hope Bleecker, Transportation Director

Dean Berrett, Prospector Home Owners Association; Don Sergeant and Gerry Jackson, Black Diamond Partners - Sandstone annexation proposal

1. **Council questions/comments.** Shauna Kerr and Paul Sincock commended the Leisure Services training seminar. The Mayor requested a Sandstone Project tour before the public hearing on March 7 and discussed the arrangements on Thursday, February 29 at Snow Basin for Council's social day. Chuck Klingenstein stated that he met with Sally Elliott, Mike Andrews and Russell Wong who suggested a summit on youth. He added that Russell Wong, Main Street Merchants Association, suggested that he be involved sooner in proposals affecting those businesses, i.e., valet parking. Mr. Klingenstein continued that ICTHOS has changed its name to Mountainlands Community Housing Trust and noted that the new board of directors include Bruce Dart, President; Bob Wells, Vice President; and Tom Bakaly, Treasurer. A work program is being developed to alleviate the burden on the City's planning staff. Hugh Daniels pointed out some corrections in the work session notes. Mr. Daniels suggested that the 10 o'clock Whistle be reset, because it hasn't been working. Roger Harlan requested that Council be kept advised of the support of the enhancement project. Rick Lewis advised that he and Pat Putt have been working with Mark Dickens who testified at a public input session a few weeks ago.

2. **Request of escrowed parking funds - Lot 14C.** Rick Lewis explained that in 1987 the City and the Prospector Square Property Owners Association entered into a parking agreement. The agreement specifies that parking is required for the first two floors of development and any development above two stories requires providing parking on the site or providing an escrow account in the amount of $10,000 per required parking space. The first to contribute in many years is the developer of 2029 Sidewinder Drive on Lot 14C because it will be three stories and the owner elected to pay the fee in the amount of $40,000. Mr. Berrett is requesting $30,000 of the escrowed funds to finish the parking lot project and approximately $10,000 for landscaping related to the parking lots. Mr. Lewis discussed the Council's options including releasing all of the funds to the Association for parking lot improvements, or releasing a portion and help off-set a parking study of the area; $5,000 is suggested. Dean Berrett stressed that the Association has collected $119,000 for parking lot improvements from its members and costs have exceeded the projections by about $30,000. Mr. Berrett also discussed an overlay zone which would restrict heights to two stories until the parking situation can be thoroughly analyzed in the Prospector Square area. The board supports

an overlay zone and urges Council to also support the concept. He stressed that none of the money would be used for maintenance but would be allocated toward capital improvements.

Shauna Kerr indicated that she had no problem releasing the escrowed funds; $30,000 now and $10,000 when the landscape improvements are completed. Mr. Berrett explained to Mr. Sincock that these improvements are not related to the enhancement project. Mr. Berrett described the common parking areas in Prospector Square. The board supports the position that there is adequate parking for two story buildings. Mr. Lewis explained that the agreement provides that when build-out reaches 85%, a parking study needs to be performed. Mr. Lewis believes that build-out is now at 75% to 80% and a study will probably have to be initiated within the next year. The congestion at the parking lot with building tenants and liquor store patrons was discussed and Mr. Berrett again stressed the importance of the overlay zone. He added that parking is a concern to the board which has discussed the possibility of forming a special improvement district to acquire private lots for increased parking. Mr. Berrett stated that if the overlay zone is implemented there may not be a need for a parking study because of the restriction to two stories. Paul Sincock felt comfortable with releasing $30,000 now but was unsure if the remaining $10,000 should be allocated for landscaping or a parking study. Chuck Klingenstein agreed that releasing the $30,000 was appropriate and if the Association could demonstrate that a study was not needed because of the overlay zone, he would be willing to release the total amount. He questioned how that could be demonstrated, however, without the benefit of a study. Hugh Daniels agreed to release the $30,000. Action will be scheduled on the March 7 agenda.

3. **Recap of neighborhood meetings on Council goals.** Jan Scott reported that the neighborhood meetings were a great success with 167 residents attending the three meetings. She reviewed her report and pointed out that she attempted to quantify and rank the comments recorded on several sets of notes and written notes submitted by attendees at the meetings. Ms. Scott noted that she tried to be careful in distinguishing between program requests and policy topics. She described five policies discussed by the public that were not a part of the Council's 1996 policy agenda, including air quality measures which ranked 13; protecting the Historic District at 3, youth and cultural support at 7; affordable housing at 14; and delivery of services ranking 11. Shauna Kerr felt that some of the extraneous policies could be addressed in the mission statements rather than the policy list. Hugh Daniels agreed and felt that the policy agenda could be fine-tuned without a lot of difficulty and be adopted at the half-day retreat. Council agreed to meet on March 28, perhaps in the morning.

4. **Main Street temporary zoning regulations.** Rick Lewis explained that in the last three years, there has been a lot of interest of adding on to two-story buildings. He added that there are only about six vacant parcels left on Main Street and because of rising real estate prices, owners would like to maximize their properties. He discussed the impacts of the in-fill of three-story buildings. Preserving the Historic District is a concern expressed at several General Plan meetings and the neighborhood meetings discussed earlier. Mr. Lewis reviewed the schedule of the General

Plan and once the Council decides on a policy, an ordinance would be drafted, public hearings would be held before the City Council, and the General Plan would be adopted by August. Rather than waiting for the General Plan to be adopted, there is provision in Utah Code for a jurisdiction to adopt an interim zoning ordinance that would allow specific regulations to be in effect for a six month time frame.

Pat Putt, through illustration of a map, discussed the location of the Historic Commercial Business (HCB) and Historic Transition Overlay (HTO) Districts in the Main Street area. He pointed out that there are no building setbacks in the HCB zone and explained that building height is measured 30 feet at the street front and rear and the roof height is a maximum of 45 feet, theoretically in the middle of the building. The underlying floor area ratio for the HCB zone is 4.0. FARs are calculated by multiplying the lot square footage by 4.0 and on a 25 foot by 75 foot standard lot would equate to about 7,500 square feet. The HTO zone allows commercial development on areas that are zoned HR-1 if the project meets certain criteria, but the HR-1 height requirements remain in effect which is 28 feet front and back, and 33 feet maximum. The FAR is 4.0 in this zone as well. If property has paid into the Main Street Parking SID, parking requirements are exempted for the first two floors. The Land Management Code requires that the development provide parking for additional levels. In response to a question from the Mayor, Eric DeHaan explained that the entire SID generated only about $150,000 in the late 1970s; many assessments ranged between $600 to $800. Based on today's costs, this would generate only about 10 to 15 parking spaces. Mr. DeHaan added that not everyone participated so properties are affected differently.

Mr. Lewis stated that historically, there weren't massive buildings on Main Street and the range was a lot to a lot and a half. There were exceptions, but those were not typical. A FAR of 4.0 would produce 2,800 square feet on each floor. It was pointed out that there is no parking requirement for the first two floors, but the recommendation for retail is three parking spaces per 1,000 square feet and five parking spaces per 1,000 square feet for restaurant use. Mr. Lewis discussed the alternatives outlined by staff including maintaining the current HCB and HTO zoning regulations until Council's adoption of the General Plan Update. Following the adoption of the General Plan, direct staff to prepare Land Management Code amendments related to Main Street development. The other alternative is to adopt a temporary zoning ordinance, capping the height and possibly square footage. In response to a question from the Mayor, Rick Lewis explained that if a building was totally destroyed, the design would have to conform to current standards; if a portion was destroyed, the replacement building could duplicate the original. Ms. Kerr asked if the HRC zone should also be included in this consideration, because parking is also a concern there. Rick Lewis noted that most of the projects, like Sweeney, have approved height. He added that staff is working on amendments to the LMC which will move forward in the next 60 to 90 days.

Staff is recommending a 27 foot height limitation which would allow two stories, with 2,800 square foot levels. Rick Lewis noted that the Expanding Heart building would meet this criteria. Mr. Lewis discussed the lot combination process and the existing vacant lots on Main

Street. Paul Sincock recommended that in consideration of similar concerns expressed earlier about Prospector Square, that that area be included in the temporary height regulation as well. Mr. Ross explained that a separate ordinance would have to be prepared for that zone. Roger Harlan stressed that it is time to readdress the parking exemptions for two story buildings. Mr. Lewis felt that the results of the parking study will be helpful in formulating recommendations for amendments to the LMC. Discussion ensued regarding including parking as a feature of the temporary ordinance, and Mr. Ross distinguished that parking is more of a financial issue because there is limited ground to provide for parking. Mr. Harlan continued that he couldn't understand why we would not want to address this issue in the ordinance. Ms. Hoffman responded that it is a touchy issue since most who were in the SID believe that they bought two stories of free parking when in reality they bought improvements to Swede Alley, and this may not be the best vehicle to accomplish this. Rick Lewis reported on the level of inquiries about Main Street and adding third stories to existing two-story buildings. Pat Putt added that there have been inquiries about CADs on buildings that would surprise Council, primarily one-story buildings.

The Mayor stated that he is supportive of the temporary zoning ordinance; Chuck Klingenstein stated that he is looking at it as a "bridge" to get us through the General Plan process. Aside from the historic scale, his concern also includes the uses on Main Street and national chain stores in this area would forever change Main Street. The Mayor discussed the situation in Aspen where rents are astronomical and historic businesses are gone. Hugh Daniels emphasized that he was unsure if the 27 feet is appropriate but is willing to support that cap in the interim. He would like to hear from the public which can be done in conjunction with the General Plan. He added that the parking is very important to him and if it is not part of the interim ordinance, it needs to be addressed by some other way as quickly as possible. Mr. Daniels does not want to see new businesses coming in with two floors of free parking. Toby Ross stated that without a parking study, it is difficult to judge if new buildings on Main Street should have a different standard.

Ms. Hoffman described the normal procedures for zoning ordinances, including public hearings before the Planning Commission and City Council. She explained that pursuant to Utah Code, Section 10-9-404: temporary zoning regulations, the Council can pass this deliberately without public notice because there is a finding of a threat to the public's interest. She urged Council to thoroughly review the findings in the ordinance, and stressed that Council must enact permanent zoning within six months. This project needs to be prioritized for Council's direction. In response to a question from resident Todd Gabler, Ms. Hoffman clarified that no public hearing is required under Section 10-9-404, but public notice is required, like posting and notice to the news media. With regard to setting or changing work priorities, Mr. Lewis explained that this would fall under growth management which has already been established as an important program and described the stringent schedule for review and public hearings before the Planning Commission and City Council. Roger Harlan reiterated that he wanted to see the parking addressed as soon as possible. Ms. Hoffman explained that this is not a moratorium because it allows construction if it is two stories. Mr. Sincock felt that realistically a building couldn't be built in six months if the application were

submitted now, and Chuck Klingenstein discussed the vesting law in Utah. Shauna Kerr recommended that 7.2.13 and 7.4.7 be amended by adding the word "land" to precede the word "use". See regular agenda.

5. Grant process - update from committee and direction from Council. Hugh Daniels reported on a meeting held with Shauna and staff regarding grants. He noted that about half of the grants approved last year were to agencies that provide a service the City. It was the feeling that the most appropriate method would be to contract with recipients for services; funds would be set aside in the budget for special services. These would include the Historical Society, Chamber/Bureau, Mountainlands Community Housing Trust, etc. Groups like the Park City Arts Council and youth organizations could also contract. It is suggested that the Council determine a percentage of the budget for grants which would fluctuate with the economy cycle of the City. Shauna Kerr highlighted the merits of an umbrella organization allocating funds to youth and cultural organizations. Paul Sincock brought up requests for proposals for services, and Ms. Kerr felt that the Council could renegotiate with existing agencies that the City has had a relationship with. She felt that the contract would be somewhat standard. Roger Harlan supported this concept. Ms. Kerr added that a contingency could be set aside for new requests. Mr. Sincock pointed out new organizations in the town including a business network group who formed because it was felt that the Chamber/Bureau was not representing its needs. He felt that new groups may approach Council. Mr. Klingenstein added that recipients often need to know if the funding can be guaranteed for more than one year and it is important to formulate annual evaluation criteria. Teri Orr, Domestic Peace House, expressed her concern about meeting specific criteria which has created some problems because it can be restrictive. Shauna Kerr noted that scope of work would be very liberal as there is no competing service for a shelter. With regard to the parameter for funding, Mr. Ross indicated that grant recipients will be contacted regarding this new process and asked if there are any changes with regard to scope of services.

6. Sandstone annexation. Chuck Klingenstein disclosed that he has had discussions about this proposal with Don Sergeant. Ms. Seltenrich explained that the annexation request includes 80 acres for an 18 lot subdivision. The Planning Commission has reviewed this on several occasions in a year and a half; the original proposal was for 50 lots. Through illustration of a map, Ms. Seltenrich described the location of the property which is east of Highway 224 and northwest of the Ridgeview and Mountain Ridge Subdivisions. With the elimination of the cul-de-sac on the west side of the property, the reduction of the number of lots, and the dedication of 30 acres of open space, the Planning Commission rendered a positive recommendation. There were discussions on emergency and secondary access, and limits of disturbance. The Planning Commission isn't quite comfortable with building size at this point. A public hearing is scheduled before the City Council on March 7. The majority of the public input before the Planning Commission dealt with emergency access through the Mountain Ridgetop Subdivision.

Don Sergeant stated that with the approval of the Kearns-Tribune project, Eagle

Point, that this is an in-fill development and not really an extension. He pointed out that the 18 units fit well into the hollow; it cannot be seen from the entry corridor and the dedication of open space will enhance the corridor. He felt that the development is consistent with adjacent uses and works well with the circulation patterns. Ms. Seltenrich stated that as a part of the General Plan update, there has been considerable discussion with the advisory committee, Planning Commission and staff about how we want to grow, what kind of development we want to see, and in what order. However, this area has not been discussed in detail, and staff brought up the concern that annexation may be premature. This development cannot be served by existing water tanks, and a tank will have to be constructed which could serve this subdivision and the Mountaintop Subdivision, but it is intentionally not oversized so that it can accommodate other developments. The Mountaintop Subdivision currently has 12 lots, seven of which are developed, and the remaining five cannot be developed because of fire flow problems. The location of the tank could physically accommodate that but there would still have to be an approval for the connection to the City system. Gerry Jackson stated that the fiscal analysis indicates that 60% would be second home owners. The Mayor pointed out that Kearns-Tribune and the adjacent subdivisions are primary residences and questioned Mr. Jackson's conclusion. Ms. Kerr agreed. Mr. Jackson responded that he reviewed comparable projects, more specifically larger lots with similar CC&Rs which tend to force the resulting construction to the high-end. He stated that an aggregate value of house and lot is $900,000 plus, and that range excludes for the most part, Risner Ridge, Park Meadows, and Kearns-Tribune. The Mayor suggested that Mr. Jackson run two sets of numbers. In response to a question from Mr. Harlan, Ms. Seltenrich explained that it is recommended that cul-de-sacs not exceed 600 feet. The area currently has cul-de-sacs longer than 600 feet in Mountaintop and Eagle Point, but Ron Ivie and Chief Kelly Gee felt comfortable with the installation of a water tank. Ms. Seltenrich added that roof materials must be fire retardant and made of non-combustible materials and no wood burning devices are allowed. Irrigating surrounding vegetation for fire suppression was discussed and Mr. Sincock commented that that condition is ironic in consideration of the City's water conservation efforts. Mr. Jackson described the irrigated area; Ms. Seltenrich added that the CC&Rs discourage large lawns and the dedication of water per lot is 1.6 acre feet. In response to a question from Mr. Sincock, Ms. Seltenrich felt that if this annexation is approved, it will may prompt Mountaintop to request annexation and there are other large parcels in the area. Mr. Jackson discussed the deletion of the 19th lot and the resulting elimination of a cul-de-sac and enlarging two building sites. Mr. Jackson agreed to host a field trip to the property before the March 7 public hearing.

Paul Sincock pointed out that under the County's zoning two houses are allowed and it is apparently a benefit to develop 18 units in the City. He asked what the benefit to the City is for annexing Sandstone. Don Sergeant answered that the City would gain control, and although the County would only allow for two at this time, they could apply for a General Plan amendment and it is uncertain how that would be decided. The project is very much oriented toward Park City and the open space corridor dedication is a benefit. He continued that additional water capacity for fire protection is also a benefit. Mr. Jackson commented that it makes topographical sense and that the revised fiscal analysis will indicate how it makes financial sense.

Mr. Jackson explained that the proposed dedication of water rights were appurtenant to Aspen Springs, a portion of those water rights were already dedicated to the City and the water rights' point of diversion is the Park Meadows Well. It is proposed to give the City a good portion of the balance of those rights that weren't required for Aspen Springs. Ms. Seltenrich stressed that the water requirement is still being negotiated. Mr. Jackson stated that the rights being proposed for dedication are currently being leased by the City. Chuck Klingenstein stated that although this is a site for future development, he questioned its timing, especially in consideration of Eagle Point's density, and suggested a timing mechanism. He also needs to know house size and its relationship with adjacent subdivisions and questions the 60/40 second home split as this is Park Meadows. Mr. Klingenstein continued that fire protection is an issue and enforcement is a burden for the City and he questioned the effectiveness of home owners associations. He felt that actual water rights are important. Gerry Jackson responded that in order to minimize impacts and maximize values it would be beneficial to move this project ahead and get the construction done at the same time as adjoining construction. Councilman Harlan strongly suggested that the amount of sod be limited. Hugh Daniels noted that he agreed with many of Chuck's comments including the 60/40 split, has some concern with the size of the homes, and would like to visit the site. He continued that the enforceability of the irrigated 50 feet of undisturbed vegetation is tedious, but is pleased about the open space and protecting the entry corridor. Mr. Daniels also brought up night lighting and Ms. Kerr agreed that exterior lighting may have to be limited.

7. **Parking/transportation update.** Ms. Bleecker discussed the purchase of three new buses which will be more attractive, and more cost effective. She explained that these will not be smaller size buses but larger capacity vehicles and pointed out that Silver Lake buses have been overcrowded. The ridership at Silver Lake has almost doubled. Ms. Bleecker indicated that she found the cost of providing service to the Silver Mine Adventure prohibitive, and in consideration of the success of Silver Lake service, research has been delayed for service on the Mine Road. She distributed charts on ridership and discussed the goal of the Department by trying to better accommodate what is charted as lodging statistics. Ms. Bleecker discussed the Thaynes Canyon service implemented in December and felt that residents are still familiarizing themselves with the service. The bus is somewhat harder to take back to Thaynes because it only leaves once in the hour from the Ski Area. Although ridership is not high, Ms. Bleecker pointed out that Thaynes Canyon is performing at the same rate as other residential neighborhoods. There was concern that Adolph's would be disenfranchised by the new route, but there was more business generated for Adolph's because of Radisson patrons.

Ms. Bleecker addressed employment of bus drivers and stated that about 50% of the work force return for an average of two years. She discussed the merits of having an experienced driver who knows the town; bus drivers play an important role of how the visitor gets introduced to the City. She suggested that the Council consider an incentive package like a health insurance plan while employed or an accident-free miles compensation rate. She felt that there is an available employee pool here but you have to buy their loyalty. Ms. Bleecker felt that maintaining experienced

drivers could cut the costs of employee training and decrease the accident ratio.

Ms. Bleecker discussed the test valet program and noted that there has been an increase in parked cars by approximately 56%. Although there is a higher rate of utilization, there are problems with the valet system in that it works for some merchants but not others. Ms. Bleecker stated that the City could achieve a comparable result with paid parking, with only a slightly lower level of utilization. Ms. Bleecker noted that the employee shuttle has not been very successful. She added that the program is on budget but not netting as much as anticipated. Paul Sincock emphasized the importance of educating employees about the valet system. Ms. Bleecker suggested that if a paid parking system is implemented that it may be prudent to hire a public relations firm to promote the program.

In response to a question from Chuck Klingenstein, Ms. Bleecker explained that the new buses will be diesel. She discussed the acceleration shortfalls of electric buses on steeper terrain. Jerry Gibbs clarified that there is a big improvement with the emissions of new diesel vehicles.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 22, 1996

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6:15 p.m. at the Marsac Municipal Building on Thursday, February 22, 1996. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

Temporary zoning regulations for Main Street -

Tom Hurd, resident of Park Avenue, discussed comments made in the paper about the Historic District losing its designation because of building practices in the past. He researched this matter and contacted the National Parks Service Office in Denver and the State Historical Preservation Office. He stated that the people in the Parks Department don't care and the Preservation Office indicated that they designated the Historic District in the early 1980s and would not consider it again. He felt that the threat of losing something we have is being used in a way to further regulate the Historic District. The Historic District includes only Main Street on the state registrar and the local boundaries are different as established by the City Council, so you can't lose something you self-ordain. He stated that Main Street will not be lost and even if it were, the tourists would still come. The only people who would lose would be those seeking tax credits for rehabilitation efforts. He didn't think that regulations should be more stringent but should be relaxed for current owners, and there should be some focus on property owners' rights so that it is as fair in Old Town as other parts of town.

Todd Gabler, resident, stated that he has some concerns on the public notice for this TZRO and the public process at City Hall has always been a great concern to him. He felt that the horse is well out of the barn, although he supports the Council's efforts to make the revisions to the General Plan meaningful, but the timing is poor. He noted that the Mayor's brother has already built his three-story building, so the timing just might be perfect. The Mayor interjected that the comment was not necessary and pointed out that the building is two-stories on the Main Street side; it's three stories on the Swede Alley side with the lowest level designated for parking. Mr. Gabler felt that a TZRO would be meaningful for other parts of the General Plan, if done well in advance, otherwise the Council is just short-circuiting the public process by giving inadequate notice to the public to comment on an ordinance that deserves some public comment.

Jim Powell, Main Street property owner, strongly felt that the City Council should not pass an ordinance without the benefit of the parking and transportation study.

III MINUTES AND WORK SESSION NOTES OF THE MEETINGS OF FEBRUARY 1, 1996 AND FEBRUARY 8, 1996

Hugh Daniels disclosed that he was absent from the February 1 meeting. Paul Sincock, "I move to approve the Minutes and Work Session Notes of the Meetings of February 1 and 8, 1996 (as corrected). Chuck Klingenstein seconded. Motion carried.

Hugh Daniels	Abstention February 1; Aye February 8
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Paul Sincock	Aye

IV RESIGNATIONS AND APPOINTMENTS

1. Appointment of Gordon Strachan to the Board of Adjustment for a term beginning immediately and expiring on January 1, 2001 - Shauna Kerr, "I so move". Paul Sincock seconded. Motion carried unanimously

2. Acceptance of resignation of Chris Larson from the Historic District Commission and appointment to fill his unexpired term to February 1, 1997 - Chuck Klingenstein, "I move to appoint Linda McReynolds to the Historic District Commission". Shauna Kerr seconded. Motion carried unanimously.

3. Two appointments to the Historic District Commission for terms beginning immediately and expiring on February 1, 1998 - The Mayor recommended appointing Jim Petrie and reappointing Ken Martz. Chuck Klingenstein, "I so move". Roger Harlan seconded. Motion unanimously carried.

V NEW BUSINESS

Consideration of temporary zoning regulations for Main Street - See work session and public input comments. Mr. Klingenstein acknowledged Mr. Powell's comments about the transportation study and emphasized that this ordinance will deal with scale of buildings on Main Street and although related they are two separate matters. The TZRO is an interim step in recognition that there is a General Plan process underway. He pointed out the pressures to maximize vacant lots and modify existing buildings on Main Street and agreed with the findings in the ordinance. Mr. Klingenstein added that pending adoption of the General Plan, the Council needs to do something and felt that this is appropriate at this time. He stated that he wasn't sure about the 27 foot height limitation, but wants to see Main Street alive. Shauna Kerr suggested that there be some flexibility on the trade-out of height in exchange for setbacks on certain parcels, for example the

vacant parcel on the bottom of Main Street and Heber Avenue. If there were adequate setbacks from the street to provide a visual corridor, the heights could be higher, but the temporary ordinance may provide feedback on this. She continued that the compelling public interest is preserving what we have and preventing the in-fill of incompatible buildings and to discouraging the demolition of existing structures. Hugh Daniels stated that he would have liked to have at least a week on this to provide more notice. He felt that the parking element is very important and future buildings on Main Street should contribute to the parking needs. Mr. Daniels supported the general theory and felt that Main Street is the heart of the community and stated that he supports the ordinance. Paul Sincock discussed the price of property on Main Street and that that economic dictates maximizes everything possible, and by limiting it, sends a message to people, which is important as a temporary measure. He added that this will focus efforts to get the General Plan completed within six months. Roger Harlan pointed out that if the four lots on the top of Main Street were maximized it would prompt public outcry. He felt that the Council is moving in the right direction. With no further comments from the Council or the public, the Mayor requested a motion. Chuck Klingenstein, "I move approval of an ordinance adopting a temporary zoning regulation for the Historic Commercial Business District and the Historic Transitional Overlay Zone District to establish interim zoning standards pending the adoption of the updated General Plan and revisions to the Land Management Code of Park City, Utah with the changes that were noted by Shauna earlier on Page 3, Items 7.2.13, inserting "land use" after the word "or" and also in Section 7.4.7 also inserting "land use" after "or". Shauna Kerr seconded with the addition of wording that this is being done pursuant to Utah State Code Section 2-9-404. Chuck Klingenstein amended his motion. Mr. Klingenstein directed the City Manager to revise work schedules to accomplish this and the City Manager indicated that there may be a request for contracted personnel and reported that Planner Peter Staks is leaving. Shauna Kerr encouraged the City Manager to monitor Council requests so they don't interfere with the General Plan process. Motion carried unanimously.

VI ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 1 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Mark Harrington, Assistant City Attorney; Jerry Gibbs, Public Works Director; and Jodi Hoffman, City Attorney. Shauna Kerr , "I move to close the meeting to discuss property acquisition". Chuck Klingenstein seconded. Motion carried unanimously.

The meeting opened at approximately 2 p.m.

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

Prepared by Janet M. Scott

Janet M. Scott, Deputy City Recorder

PARK CITY SUMMIT COUNTY, UTAH
CORPORATE
Seal
MARCH 1,
1884

PARK CITY
1884

CITY COUNCIL REPORT

DATE: February 14, 1996
DEPARTMENT: Community Development
AUTHOR: Richard E. Lewis, Director of Community Development
TITLE: Request for release of escrowed parking funds - Lot 14C in Prospector Square
TYPE OF ITEM: Work Session

SUMMARY RECOMMENDATIONS: Review the request for release of escrowed parking funds made by the Prospector Square Property Owners Association and direct Staff accordingly.

DESCRIPTION:

A. Topic: Request for release of escrowed parking funds.
Applicant: Dean S. Berrett, Board Member, Prospector Square Property Owners Association
Location: 2029 Sidewinder Drive - Lot 14C in Prospector Square

B. Background: The Prospector Square Property Owners Association and Park City Municipal Corporation entered into a Parking Agreement in September of 1987. (See Exhibit "A".) The Agreement addresses the concern for use of shared parking in the Prospector Square Commercial Area and specifies that parking is required for the first two floors of development and that any development above two stories may meet the parking requirement by providing parking on the site of the structure, or by providing an escrow account in the amount of $10,000 per required parking space.

The Parking Agreement further specifies that when all developable land in the Prospector Square area reaches 85% build-out a parking study will then be conducted. Parking will then be built in the locations where it is most needed. If there is no demonstrated need, any escrowed funds will be reimbursed to the individual developers that were assessed the parking fee.

In order to better manage the parking situation and the concern over three story structures in the Prospector Area, the Community Development Department has been working with Mr. Berrett and others to develop a zoning overlay district which will restrict structures to two stories and only allow three story structures when adequate parking is available on the site of the structure. This overlay district would eliminate the need for the Parking Agreement and would be uniformly administered throughout the district. Mr. Berrett has indicated that the Prospector Square Property Owners Association Board Members will support such an overlay district. (See Exhibit "E".) The Planning Department Staff is currently working on the first draft of the zone overlay and plans to present it to the Planning Commission within the next six months.

Based on a recent analysis of the build-out of Prospector Square, the Prospector Square Property Owners Association indicate that development has not yet reached the 85%. The Community Development Department has also reviewed the parking in the general area and believes that the build-out of developable parcels in the area including the Prospector Square Commercial Area is very close to the 85%. The Staff further believes that a parking analysis should be initiated this year.

The first property to contribute funds into the parking escrow is under construction at 2029 Sidewinder Drive on Lot 14C in Prospector Square. The structure has a third floor and was required to provide either four additional parking spaces on the site, or to contribute $40,000 into the parking fund. Intermountain Mortgage Company, Inc., the property owner, elected to contribute the $40,000 cash into the parking fund. The cash was placed in the escrow fund on January 24, 1996. (See Exhibit "B".)

On February 5, 1996, Mr. Dean S. Berrett, representing the Prospector Square Property Owners Association, requested that the escrowed funds be released to the Association to pay for costs incurred in the construction of three new and/or expanded parking lots. $30,000 of the escrowed funds would be used for costs incurred to finish the parking lots and approximately $10,000 would be used to finish landscape related to the parking lots. Mr. Berrett's original request was made on December 26, 1995 prior to the $40,000 being deposited in the escrow fund. (See Exhibits "C" and "D".)

In order to better manage the parking situation and the concern over three story structures in the Prospector Area, the Community Development Department has been working with Mr. Berrett and others to develop a zoning overlay district which will restrict structures to two stories and only allow three story structures when adequate parking is available on the site of the structure. This overlay district would eliminate the need for the Parking Agreement and would be uniformly administered throughout the district.

C. <u>Department Review</u>:

The Community Development Department believes there will be some costs incurred in conducting the required parking study. If the City Council wishes to hold some of the escrowed funds for that purpose, such a study could certainly be considered parking related.

The escrow agreement, which includes receipt, acknowledgment, and waiver provisions specifies that Park City shall set aside the funds to be used for parking, or parking-related enhancements,

within the Prospector Area. Intermountain Mortgage also acknowledges through the agreement that it is Park City's discretion to use the funds and they have waived any right to future repayment of, or to influence Park City's use of payment of, the funds. City Council therefore has discretion for using the funds as long as it is for parking, or parking-related enhancements, within the Prospector Area.

ALTERNATIVES:

A. Release the $40,000 of escrowed funds to the Prospector Square Property Owners Association as requested to be used for costs incurred in the construction of parking lots and the landscaping of said lots.

B. Release a portion of the escrowed funds, retaining some of the funds (approximately $5,000) to off-set the costs of conducting a parking study in the Prospector Area.

C. Retain the funds in escrow to be used at a later date.

D. Various combinations of the alternatives above could be considered.

SIGNIFICANT IMPACTS/CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: If the funds are not released to the Prospector Square Property Owners Association, the Association will need to find other funding sources to pay for the improvements (the parking lot improvements made by the Association were contracted for prior to the owner of Lot 14-C escrowing any funds).

RECOMMENDATION: Make a determination as to the use of the escrowed parking funds and direct staff accordingly.

PARKING AGREEMENT BETWEEN
PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION AND
PARK CITY MUNICIPAL CORPORATION

This Agreement entered into by and between PARK CITY MUNICIPAL CORPORATION (hereinafter Park City), and PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION (hereinafter Prospector), to set forth an amendment to the Prospector Property Owners' Association covenants concerning parking.

WHEREAS, Park City and Prospector desire to quiet concerns over the adequacy of parking in the Prospector Square area, and to amend their homeowners association covenants to reflect this parking agreement, and;

WHEREAS, Park City and Prospector agree that adequate parking is necessary for the future development and growth of the Prospector Square area, and ultimately Park City, and;

WHEREAS, adequate parking in Prospector Square area is necessary for the full enjoyment of visitors to Prospector Square, Prospector residents in their homes, and commercial property owners of their property,

THEREFORE, the parties agree as follows:

1. Any questions regarding the ownership of the Prospector Square common parking lots and the tax

EXHIBIT 'A'

liens placed on the parking lots have been fully answered. The Property Owners Association is able to show clear ownership of those lots prior to execution of the Agreement.

2. Any new developments applying for building permits will be required to count parking for the first two floors out of the total available developed parking spaces in Prospector Square, and provide additional parking for all development above two (2) stories pursuant to the requirements in the Land Management Code.

All future development above two (2) stories will be required to meet the parking requirements for the development above two (2) stories by either providing on-site parking or providing an escrow account in the amount of Ten Thousand Dollars and No Cents ($10,000.00), per required parking space.

3. When the development of all developable land in Prospector Square reaches eighty-five (85) percent build-out, the parking situation will be reviewed by the City Planning Staff and a needs assessment will be made. Parking will then be built as required in the locations where it is most needed, based upon use patterns, site suitability, cost effectiveness,

and other development parameters. Site selection will be jointly determined by the Prospector Square Property Owners Association and the City Planning Department. If there is no demonstrated need, the escrowed funds will be reimbursed to the developer.

4. The City Planning Department proposes to the Prospector Square Property Owners that if this proposal does not fulfill their long range planning needs, the Property Owners Association shall contract and pay for a comprehensive study which would offer other design and development options to handle the future parking needs.

DATED the 15th day of September, 1987.

PARK CITY MUNICIPAL CORPORATION

By: Michael McConnell

PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION

By: Dean L. Berrett

(ProsPark/PC11)

Receipt, Acknowledgment and Waiver

Intermountain Mortgage Company, Inc. (Intermountain Mortgage) hereby delivers to Park City, and Park City hereby acknowledges receipt of Forty Thousand Dollars ($40,000) (the Funds) as payment in lieu of on-site parking required for the construction of third floor office space at 2029 Sidewinder Drive. For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties further agree as follows:

1. Park City shall set aside the Funds to be used for parking, or parking-related enhancements, within the Prospector area.
2. Intermountain Mortgage acknowledges that Park City's use of the Funds may not ultimately or directly benefit Intermountain Mortgage.
3. Intermountain Mortgage hereby warrants that payment of the Funds fulfills a contractual obligation only, and is not a payment of impact fees.
4. Intermountain Mortgage acknowledges Park City's discretion to use the Funds and hereby waives any right to future repayment of, or to influence Park City's use or payment of, the Funds.

~~Dated this~~ 24 day of ~~December~~ January, ~~1995~~ 1996

INTERMOUNTAIN MORTGAGE

By _____

Its President

STATE OF UTAH)
ss.
COUNTY OF SUMMIT)

NOTARY PUBLIC
MARITA R. BEALL
3605 W. Saddle Back Rd.
Park City, Utah 84060
My Commission Expires
November 7, 1998
STATE OF UTAH

The foregoing was acknowledged before me on the 24 day of ~~December~~ January, ~~1995~~ 1996, by Rob Karz on behalf of Intermountain Mortgage Company, Inc., who executed the same with authority of said corporation.

Marita R. Beall
Notary Public

APPROVED AS TO FORM:

Jodi Hoffman, City Attorney

PARK CITY MUNICIPAL CORPORATION

Richard Lewis, Director of Community Develop

To Rob Karz	From Rich Lewis
Co./Dept.	Co. PCMC
Phone #	Phone # 645-5021
Fax # 649-6689	Fax # 655-9801

Post-it® Fax Note

PCMC-CDD DEC 04'95 12:35 No.002 P.01

31

EXHIBIT 'B'

THE BACK OF THIS DOCUMENT HAS A SECURITY WATERMARK. HOLD AT AN ANGLE TO VIEW. THIS DOCUMENT HAS A MICROPRINT SECURITY BORDER

01249

INTERMOUNTAIN MORTGAGE COMPANY, INC.
P.O. BOX 682378
PARK CITY, UTAH 84068

WEST ONE BANK, UTAH
PARK CITY OFFICE (20)
P.O. BOX 30177
PARK CITY, UTAH
31-4/1240

CHECK NO. 1249

PAY FORTY THOUSAND DOLLARS

DATE 01/24/96

AMOUNT ****$40,000.00

TWO SIGNATURES REQUIRED OVER $250.00

TO THE ORDER OF PARK CITY MUNICIPAL CORP.

⑈001249⑈ ⑆124000041⑆ 410410304259 3⑈

LC-2 © SECURITY PRINTERS, INC.

INTERMOUNTAIN MORTGAGE COMPANY, INC. - Park City, Utah 84068 01249

VENDOR ID: PCMUNICI CHECK NO.: 1249 DATE: 01/24/96
PAYEE: PARK CITY MUNICIPAL CORP. MEMO: IMPACT FEES - GARDNER

CHECK TOTAL: ****$40,000.00

Notary Public

APPROVED AS TO FORM:

Jodi Hoffman, City Attorney

PARK CITY MUNICIPAL CORPORATION

32

1086-559 6899
1205-560

PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION · P.O. BOX 3273 · PARK CITY, UTAH 84060

Prospector Square

February 5, 1996

Park City Municipal Corporation
Department of Community Development
PO Box 1480
Park City, Utah 84060

Attention: Rick Lewis

I wanted to follow our recent conversation with a confirmation in writing regarding the escrow and release of funds in connection with construction on Lot 14C in Prospector Square. You indicated to me that the project has been issued a full building permit and that the $40,000 parking related escrow is now in the possession of the City.

Our Association would again like to make a formal request that the funds be released to the Association as was described in our earlier letter of December 26, 1995. It is my understanding that you will be able to put the request on the Council agenda such that a decision could be made at their last meeting in February. However, if it is at all possible to handle the request any sooner, it would be greatly appreciated.

Our proposed use of the funds has not changed since that outlined in the letter referred to above. Please let me know if your office needs any additional information regarding this request. I can be reached at 649-3497.

Sincerely,

Dean S. Berrett
Board Member

cc Mayor Brad Olch
File

RECEIVED
FEB 6 1996
PARK CITY
PLANNING DEPT.

EXHIBIT 'C'

PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION · P.O. BOX 3273 · PARK CITY, UTAH 84060

December 26, 1995

Park City Municipal Corporation
Department of Community Development
PO Box 1480
Park City, Utah 84060

Attention: Rick Lewis

In a recent meeting attended by yourself, Mayor Brad Olch and representatives of the Prospector Square Property Owners Association, it was concluded that the Association could request the release of funds in escrow related to the construction of a three story building on Lot 14C in Prospector Square. The purpose of this letter is to formally request release of those funds. It is our understanding that the total of the escrow is $40,000.

The funds will be used to pay for the costs incurred in the construction of three new and/or expanded parking lots that the Association completed this year. Approximately $30,000 of the funds will be used for a portion of the costs incurred to finish these parking lots. Approximately $10,000 of the funds will be used to complete the finish landscape related to those parking lots.

I am requesting that the $30,000 be released immediately as that work has been completed and invoiced to the Association by the contractor. If you would like to continue holding the final $10,000 until the landscape work is scheduled in the summer of 1996, that would be acceptable. I only need to have something in writing to assure the contractor hired by the Association that the funds are available for the work.

Sincerely,

Dean S. Berrett
Board Member

cc Mayor Brad Olch
File

RECEIVED
DEC 27 1995
PARK CITY
PLANNING DEPT.

EXHIBIT 'D'

34

PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION P.O. BOX 3273 · PARK CITY, UTAH 84060

December 5, 1995 **HAND DELIVERED**

Park City Municipal Corporation
Department of Community Development
PO Box 1480
Park City, Utah 84060

Attention: Rick Lewis

As you know, our Association and your office have been working together to determine the most appropriate manner in which to regulate the final development in the Prospector Square area. After discussing some of the different alternatives, the Board of Directors of the Association formally requests that Park City Municipal Corporation, through your office, begin the process of adopting an "over lay zone" that will regulate the continued development of the Square.

It is our recommendation that the basic intent of the zone will be to allow development within the concept of a floor area ratio, at a ratio of 2.0. You know that it is our intent to support continued development of two story buildings. If the floor area ratio concept is the best mechanism to accomplish this, that should be the vehicle used.

We also request that the zone deal with encroachments into our common area that is consistent with the language in the architectural design guidelines portion of our current CC&R's of the Association. Historically, the City has supported this approach. It is also our desire that the zone include a final and complete acceptance of the current parking in the area covered by the "overlay zone" consistent with two story buildings or the 2.0 FAR concept. If the results of the staff review and/or public process indicate that there is a need for an option to a property owner to build a three story building within allowable height limits, this issue should be addressed. If this is the case, it is our opinion at this time, that additional parking requirements will need to be satisfied by the property owner.

Also, setback requirements currently in place will continue, that is a "0" setback, front, rear and side.

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DEC - 6 1995
PARK CITY
G DEPT.

EXHIBIT 'E'

At this point in time, these items have surfaced as the main issues to address. This could certainly change with your staff review and the required public hearing process. Our Board will take an active role in the review process with your staff and will work to communicate information to our members and to take a position regarding the proposed zone.

Sincerely,

Dean S. Berrett
Board Member

cc File

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DEC - 6 1995
PARK CITY
PLANNING DEPT.

PARK CITY
1884

DATE: February 22, 1996
DEPARTMENT: Administration
AUTHOR: Jan Scott
TITLE: Neighborhood Meetings - Goals
TYPE OF ITEM: Informational

SUMMARY RECOMMENDATIONS: This report is informational. There will be an opportunity for Council to reevaluate its priorities at a half-day retreat. However, adopting and publishing goals as soon as possible after the neighborhood meetings is probably in the best interest of Council and the community.

DESCRIPTION:

A. Topic: The City Council held three meetings on February 5, 6, and 7 at Silver Lake, the Miners Hospital Community Center, and Majors Restaurant, respectively, to bring its goals to the community and evaluate the response to these priorities. According to Hugh, the participation at these locations were as follows:

Silver Lake	35
Miners Hospital Community Center	55
Majors Restaurant	77
Total	167

B. Analysis: The City Council received input on all but two goals, the annexation policy and financial plan. It should be pointed out that there were many comments about Flagstaff that could be representative of the concerns residents have about annexation in general. As I interpreted notes, there were no comments on the financial plan of the city, and that could be because the city is financially stable and it is not a topic of controversy.

There was public input on other policies that were not included in the City Council's policy agenda. These include exploring air quality measures, protecting the historic district; supporting youth and cultural programs; maintaining affordable housing as a priority; and increased delivery of services.

The comments are separated by the location of the meetings, although this may not be reflective of the residency of the participating citizens at those meetings, but may be of interest to compare.

The policy agenda for 1996 is as follows, and is numbered for ease of reference:

Top Priority:

1. General Plan
2. Annexation policy and plan
3. Open space: plan and action
4. Flagstaff development and annexation: direction

High Priority:

5. Financial plan and policy
6. Relations with counties
7. Comprehensive traffic/transportation study
8. Community outreach strategy
9. Plan for Olympics
10. Growth policy and direction
11. Community events
12. Transit service extension
13. Recreation: direction
14. Night sky/night lighting ordinance

Policies NOT on 1996 Council Policy Agenda:

15. Air Quality measures
16. Protecting the Historic District
17. Youth and cultural support
18. Affordable housing
19. Delivery of services

Based on the total of responses received both at the meetings and in writing, the rating of topics fell into the following raking:

1. 19.3% Comprehensive traffic/transportation study (7)
2. 12.0% Open space: plan and action (3)
3. 12.0% Protecting the Historic District (16)
4. 10.0% Community events (11)
5. 8.6% Community outreach strategy (8)
6. 7.3% Flagstaff development and annexation: direction (4)
7. 7.3% Youth and cultural support (17)
8. 6.0% General Plan (1)
9. 3.3% Growth policy and direction (5)
10. 2.6% Plan for Olympics (4)
11. 2.6% Delivery of services (19)
12. 2.0% Relations with county (6)

13. 2.0% Air quality measures (15)
14. 2.0% Affordable housing (18)
15. 1.3% Recreation: direction (13)
16. .6% Transit service extension
17. .6% Night ski/night lighting ordinance (14)
18. 0% Annexation policy and plan (2)
19. 0% Financial plan and policy (5)

RECOMMENDATION:

1. Adopt policy agenda for 1996 - There was support for the goals established by Council. The City Council spent a great deal of time and effort on arriving at a consensus in formulating a policy agenda at the retreat in January. It is my understanding that Council intends to discuss policies at a half-day retreat, adopt at that time, and then publish in a newsletter.

2. Revise the policy agenda for 1996 - Staff attempted to distinguish between program requests and policy topics. The Council could revise the policy agenda to include air quality measures, for instance, in conjunction with the night light ordinance. Extending financial support to the arts and youth would be an additional policy as would focusing on the Historic District. Delivery of services is an on-going priority of Council and a typical topic of discussion at public meetings. Council could revise its priorities as it deems appropriate, and then publish.

3. Address extraneous policies in mission statement - Rather than expanding on policies or adding to them, these issues could be addressed in the vision statement.

CITY COUNCIL POLICY AGENDA MEETINGS
HELD FEBRUARY 5, 6, AND 7, 1996

TOP PRIORITY

1. GENERAL PLAN - *FOCUS ON OPEN SPACE, LAND USE GROWTH MANAGEMENT*

SILVER LAKE COMMENTS

Down zone - no up zone	*Private property fairness*	*Land trusts*

WRITTEN COMMENTS

Growth management should be goal	*Define how big we want to be*	*Continue to promote ski resort image*	*Encourage tourism development - not residential*	*Tourism overshadows neighborhood aspect*
Seems to change as a reaction to development, rather than continuous process				

2. ANNEXATION POLICY AND PLAN - *EXPLORE OPTIONAL STRATEGIES*

3. OPEN SPACE: PLAN AND ACTION - *PURCHASE AND EXPLORE OPTIONS*

SILVER LAKE COMMENTS

X-crossing skiing opportunities	*Better access to trails*	*Bonding vs. exactions for open space*	*Protect habitat*	*Use real estate transfer fee*

MINERS HOSPITAL COMMENTS

Parking for Osguthorpe property	*Trails don't need to be paved*

MAJORS RESTAURANT COMMENTS

Green space legal and financial analysis - what will it really cost?	*Protect in perpetuity with legal mechanism*	*Connecting trails with County*	*X-county amenities - warming hut/restrooms*

WRITTEN COMMENTS

Open space - should be goal	*Perimeter of open space important*	*Other ways of obtaining besides buying it*	*Incorporate trail systems with development*	*Lit trails for night use*
More open space to separate PC from County	*Real estate transfer fee to fund acquisition*			

4. FLAGSTAFF DEVELOPMENT AND ANNEXATION: DIRECTION - *MORE INFO; VISIT SITE; JOINT WORK SESSIONS*

SILVER LAKE COMMENTS

Construction traffic on Mine Road now unacceptable	*Make mine road one-way*	*Community can't handle a project that big*	*Ensure publicly accessible trails*

MINERS HOSPITAL COMMENTS

Pro Flagstaff - look at interconnect

MAJORS RESTAURANT COMMENTS

Main Street disruptions	Lost recreational opportunities - community involvement important

WRITTEN COMMENTS

Too dense	Ensure that SR224 is safe and manageable	Require employee housing	Too much traffic

HIGH PRIORITY

5. FINANCIAL PLAN AND POLICY (PROTECT FINANCIAL STABILITY OF CITY) - *SECOND HOME OWNERS; EDUCATE CITIZENS; MONITOR STATE*

6. RELATIONS WITH COUNTIES - *INTERAGENCY TASK FORCE AND AGREEMENT; APPROACH WASATCH COUNTY*

MINERS HOSPITAL COMMENTS

Expand liaison to Wasatch and SL	Support incorporation of Basin

MAJORS RESTAURANT COMMENTS

Interlocal agreements for affordable housing and transportation

7. COMPREHENSIVE TRAFFIC/TRANSPORTATION STUDY - *EXPLORE ALTERNATIVE AND WHO PAYS*

SILVER LAKE COMMENTS

Old Town resident parking	*Better parking enforcement in Old Town*	*Old Town snow removal for better parking*	*Free valet spaces for handicapped and employees*	*SR248 hazardous - improvements and enhancements*

MINERS HOSPITAL COMMENTS

Satellite parking	*Move transportation and parking to highest priority*	*Eliminate Main Street parking*	*Look at trolley service*

MAJORS RESTAURANT COMMENTS

Extended bus service to SLC and the Basin	*Smaller vehicles for neighborhood service*	*Satellite parking for City employees - set example*

WRITTEN COMMENTS

Long-term Main Street/Resort Plan	*Eliminate Main Street spaces - widen sidewalks*	*Main Street one-way*	*Signage for access to Ski Area for pedestrians*	*Satellite parking for Main Street and Ski Area patrons*
There's good parking enforcement	*Traffic impacts should be goal*	*Traffic light and crosswalk at 8th for skiers*	*Postal service in Deer Valley would help parking*	*Businesses should pay for parking improvements*
Like valet parking	*Install parking meters*	*Traffic light on Belt Route and Bonanza*	*Make Main Street pedestrian only*	*Mine Road traffic - and safety*
SR248 dangerous				*Buy Main Street Mall for parking*

8. COMMUNITY OUTREACH STRATEGY - *TAKE GOALS TO COMMUNITY; INCREASE EXPOSURE*

SILVER LAKE COMMENTS

Continue community meetings	*Feedback on requests*	*No limit on testimony*	*Perception that newcomer gets better deal*	*Make process user-friendly for average person*

MAJORS RESTAURANT COMMENTS

Outreach program for Hispanic community

WRITTEN COMMENTS

There is a user-friendly City Hall *No closed meetings or protected memos*	*Individual rights; not collective* *Use volunteers*	*Governs least; governs best*	*Relationship with staff and council seems confrontational*	*Council accountability after input*

9. PLAN FOR OLYMPICS - *SEND REPS TO MEETINGS; LOOK AT OTHER VENUES; CODE OF ETHICS*

MINERS HOSPITAL COMMENTS

Be pro-active - monitor air traffic	*Clearly identify our role*	*Local task force*	*Sensitive to economic policy - don't push out local businesses*

10. GROWTH POLICY AND DIRECTION - *GET PUBLIC UNDERSTANDING; MITIGATE CONSTRUCTION IMPACTS*

SILVER LAKE COMMENTS

Maintain diversity	*Recognize tax burden consequences*	*Innovative economic approaches*

WRITTEN COMMENTS

Eliminate construction from 1/1 to 4/1	*Growth should be based on what is already approved for next 10 years*

11. COMMUNITY EVENTS - *TREE PLANTING AND ENHANCEMENT; MCLEOD CREEK*

SILVER LAKE COMMENTS

Clown Day	*Sledding hill*	*Local Hero Day*	*Historical museum at City Park*

MINERS HOSPITAL COMMENTS

Tree planting spoil views conflict with x-country	*Welcome sign to town*	*Block parties*	*No Car Day*

MAJORS RESTAURANT COMMENTS

Tree planting - foster community spirit	*Tree planting expensive and conflicts with x-country*

WRITTEN COMMENTS

More clean-up days	*Cinco de Mayo celebration*	*Mark entrance to PC to separate from other areas*	*Heritage Park at City Park*	*Support Main Street enhancement*

12. TRANSIT SERVICE EXTENSION - *LINK SCHOOL AND CITY BUSES; FUNDING MECHANISMS*

MAJORS RESTAURANT COMMENTS

Extend service to SLC and the Basin

13. RECREATION: DIRECTION - *IMPLEMENT TRAIL MASTER PLAN; LOOK AT SKATING FACILITY; COUNTY*

SILVER LAKE COMMENTS

[redacted]

WRITTEN COMMENTS

[redacted]

14. NIGHT SKY/NIGHT LIGHTING ORDINANCE - *REVIEW AND EXPLORE*

WRITTEN COMMENTS

[redacted]

POLICIES NOT ON 1996 COUNCIL AGENDA

15. AIR QUALITY MEASURES - *REVIEW AND EXPLORE*

SILVER LAKE COMMENTS

Air quality - wood burning stoves

MINERS HOSPITAL COMMENTS

Air quality - auto emissions

WRITTEN COMMENTS

Ban wood-burning fireplaces

16. PROTECTING THE HISTORIC DISTRICT

SILVER LAKE COMMENTS

Historic District improvements behind

Update design standards

Fast track for minor remodels

MINERS HOSPITAL COMMENTS

More importance on history

Update inventory of properties

HDC standards - design quality

Better pedestrian access

Update design standards

Amendments controversial - better notice

Mining past

WRITTEN COMMENTS

Unique - should be plan for improvements and parking	*Curb and gutter repairs*	*No SID for Town Lift bridge - should be supported by all*	*Support ski run into town*	*Continue grant program*
Focus on historic preservation	*Standards should include view and sun easement*	*Bridge not historic - residents should be taxed for maintenance*		

17. YOUTH AND CULTURAL PROGRAMS

MINERS HOSPITAL COMMENTS

More programs for youth	*Funding for the arts*	*Tax to support the arts*	*Galleries on Park Avenue*	*Youth meetings with Mayor and Council*

MAJORS RESTAURANT COMMENTS

Involvement in School District construction projects	*More support for youth and cultural programs*	*More involvement in drugs and gang concerns*

WRITTEN COMMENTS

More youth programs	*Cooperation between city, county and school district on operational level*	*Police involvement for the prevention of gangs*

18. AFFORDABLE HOUSING

MINERS HOSPITAL COMMENTS

Continue efforts - still a need

MAJORS RESTAURANT COMMENTS

Not enough employees qualify

WRITTEN COMMENTS

Should be post

19. DELIVERY OF SERVICES

SILVER LAKE COMMENTS

Maintain services, Add street lighting — Assist postal delivery

MINERS HOSPITAL COMMENTS

Improve snow removal — Improve dog control

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE:	**February 15, 1996**
DEPARTMENT:	**Community Development Department**
AUTHOR:	**Nora L. Seltenrich**
TITLE:	**Sandstone Cove Annexation and Zoning Map Amendment**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS: Work Session Only

DESCRIPTION:

A. Topic.

PROJECT STATISTICS:

Applicant:	Jack Johnson Company/Black Diamond Partners
Location:	East of Highway 224 and northwest of Ridgeview and Mountain Ridge Subdivisions
Zoning:	Not zoned in the City Zoned Critical/Sensitive Area in Summit County Proposed Zoning of ROS and Estate
Adjacent Land Uses:	Open space, single family residential
Date of Application:	July 8, 1994
Project Planner:	Nora Seltenrich

B. Background.

Since this annexation and MPD request was submitted in July 1994, the applicant and staff have worked to identify and address technical and conceptual issues. In response to input from the staff and Planning Commission, the applicant has revised the plan several times. The original application was for 50 units and included a culdesac on the west side of the property, visible from U224. At this time, the Staff recommended to the Planning Commission that the Annexation Petition be considered premature based upon the adopted Annexation Policy Declaration. On May 9, 1995, the applicant submitted a revised plan which the Planning Commission discussed in July. This plan eliminated all

lots on the west side of the property, facing U224. At that time, the Planning Commission felt that the plan had merit but lacked a satisfactory secondary access. The Commission directed the applicant and staff to work on resolving the issue of emergency access prior to further discussion on the request. The applicant and Chief Building Official/Fire Marshall have agreed on a Fire Prevention and Protection Plan.

The current revised proposal includes 18 large single family lots and eliminates the culdesac on the west side of the property, facing U224. The parcels are very large. Although the original site plan indicated that the entire 80 acres would be in private ownership as part of individual parcels, the applicant is willing to dedicate the property on the west side of the property (facing U224) to the City or other appropriate entity. A site plan is attached for your review.

The staff has met many times to discuss the project and there have been several work sessions with the Planning Commission. The applicant is requesting two things; Annexation into the City and zoning consideration to increase density over what is currently allowed in the County (1 unit per 40 acres allowing 2 dwellings on the 80.13 acres). This area is currently in tier 2 and is zoned critical/sensitive area. In order for this to develop in the County, a land use amendment would have to be granted as well as a modification to the tiering system. The current Comprehensive Plan for Park City does not designate a land use for this area.

The applicant received conditional MPD and Sketch Plan approval from the Planning Commission and the Commission forwarded positive recommendation on the Annexation and Zone Change to the City Council.

The annexation should also include 2 small pieces of property on the corner of Meadows Drive and U224. One is where the Mountain Fuel gas pressure regulator is located and the other is a small parcel owned by Osguthorpe. The annexation plat shall include these parcels so that an island of unannexed land is not being created.

A draft Annexation Agreement is attached for your review.

C. Analysis

Fiscal Impact Analysis
The applicant submitted a fiscal impact analysis with the original submittal. That analysis is being revised for the 18 parcel alternative and will be presented at the meeting on Thursday.

Consistency with the Park City Annexation Policy Declaration
In December 1993, the City Council approved a revised Annexation Policy Declaration. This project meets some of the criteria for consideration of annexation in that policy and has followed the process outlined. The proposal is in conflict with other criteria of the policy, however. Section 7(k) of the Annexation Policy requires a comprehensive land

use analysis of the annexation property as well as the surrounding area. This is to include an analysis of adjacent property in sufficient detail for the City to determine the long term impacts of the proposed annexation on adjacent properties. That has not been done, but is being done as a part of the General Plan revision which is not yet completed.

Section 8 of the Annexation Policy Declaration states that the City will not consider annexations that prematurely extend public utilities and services. This is to include adequacy of water. This section goes on to state that:

"The City prefers projects which
(a) expand the resort and/or tourist economy.
(b) provide second home or rental residential projects with more than ten percent of the units for community based affordable housing and over 65% open space.
(c) provide significant public open space and/or community facilities."

The applicant believes that the project will be primarily second homes, based upon analysis of other similarly situated projects. In addition, the developer is offering to dedicate a large piece of open space (about 31 acres) which is contiguous with other City owned property. Although the individual parcels are very large, building and disturbance will be limited to areas adjacent to the roadway.

General Plan Revision Process

The City is currently in the process of amending the General Plan. Key to this amendment is an evaluation of how and where Park City should grow. Although this proposal may be consistent with adjoining properties in character of development, it is not currently within the City Limits and the City has not determined when or if to serve it. The timing and form of development should be determined in the context of broader policy decisions.

Already some 700 parcels are within the City Limits of Park City which are not built upon. Many of these parcels are large and allow large homes to be developed. The discussions to date of the General Plan revision emphasizes annexation only when open space can be achieved. The discussions have also encouraged clustering development and avoidance of more "suburban" development.

Fire Safety and Emergency Access

The applicant is proposing a mitigation plan for Fire Prevention and Protection in lieu of providing improved secondary access. In summary, the plan includes:

- Exterior building materials shall be constructed of non combustible materials
- Exterior and interior fire sprinklers required
- Wood burning devices prohibited

- Defensible space required which would include a primary zone of twenty-five feet from the dwelling in which plant materials must be irrigated and a secondary zone of an additional fifty feet in which dead or unhealthy plant material must be cleared.

- Adequate fire flow will be provided for this project with added capacity to provide possible fireflow for the Mountain Top Subdivision.

The Fire Code requires two points of ingress and egress, with an exception for a culdesac of 600 feet in length or less. The existing Mountain Top dead-end road already violates Park City's length standard, as does the adjacent cul-de-sac in the Quarry Mountain MPD. The Sandstone Cove extension is therefore a unique situation.

The Chief Building Official/Fire Marshall and the Park City Fire Protection District agree to this mitigation plan. The mitigation measures proposed and the improvement of the water capacity in the vicinity offsets the requirement for an improved secondary access in this case.

Amended Design Guidelines and C,C & R's have been provided. The Design Guidelines and C,C&R's will be required to be approved as a part of the final plat for the subdivision. These guidelines are consistent with the fire mitigation measures proposed.

Water and Growth Inducing Impacts

The applicant is proposing to construct a 250,000 gallon tank which will be adequate to serve the culinary and fire protection needs of the Sandstone development. There is also excess capacity in the tank to provide fire protection to the Mountain Top Subdivision. The tank and appurtenances will be required to be constructed by the developer, but will be dedicated to the City. In order for Mountain Top to utilize the excess capacity, the City would have to authorize hooking up to City facilities and utilization of City water. If such an agreement is reached, it may facilitate the development of existing undeveloped parcels in the Mountain Top Subdivision.

The applicant has agreed to donate water rights sufficient to serve the Sandstone Development. The applicant and the Public Works Director are currently discussing what that requirement is.

Visual Impact

During the initial review of this project, the applicant prepared a visual analysis. The parcels which were most visible from the significant vantage points have been eliminated. The site in which the building sites are to be located is a fairly flat "hollow" and is generally not visible from most locations in town. Some of the Planning Commissioners have toured the site. If the City Council is interested, the staff and applicant would be happy to arrange site visits.

Based upon input at the public hearing before the Planning Commission, the applicant and staff are reviewing the visual analysis to determine proposed home sizes based upon

visibility of the building pads.

House Size
The applicants initially proposed the following maximum house sizes:

7500 sq ft on parcels less than one acre (8 parcels)
9000 sq ft on parcels one to three acres (4 parcels)
12000 sq ft on parcels over 3 acres (7 parcels)

The applicant has conducted a comparative analysis. That analysis results in the following revised proposal:

6000sq ft on parcels less than one acre
8000 sq ft on parcels one to two acres
10000 sq ft on parcels over 2 acres

Based upon input received from the Planning Commission at the last meeting, the staff and applicant are further reviewing the visual analysis and revised home sizes will be recommended concurrent with preliminary plat approval.

Private vs Public Road
The applicant has agreed that the road be public without gates. Snow removal will be the responsibility of the property owners until 50% of the subdivision is built out, as is the case with all new subdivisions in Park City.

Employee Housing
Since this is an annexation, there is an employee housing requirement of 1.8 units. The applicant is proposing that a fee in lieu be paid.

Sewer Alignment
The applicant is exploring aligning the sewer and other utilities to run through the Eagle Pointe Subdivision. The staff would prefer this alternative as it would likely result in less site disturbance. If this cannot be achieved, the Planning Commission will consider alternatives in a public forum.

Open Space
Since the property being offered for open space is contiguous to City Property and since it is considered critical from a visual standpoint since it is in the entry corridor, the staff would recommend that the property be conveyed to the City with appropriate restrictions on future development. In addition, a trail will be provided from an existing stub in the Mountain Ridge Subdivision.

D. Planning Commission Recommendation

The Planning Commission conditionally approved the MPD and Sketch Plat for

Sandstone Cove and forwarded a positive recommendation to the City Council on the requested Annexation and Zoning Map Amendment based upon the following:

Findings of Fact:

1. A petition for annexation and application for MPD and Sketch Plat was submitted on July 8, 1994 for Sandstone Cove.

2. The subject property is within the Annexation Policy Declaration Boundary of Park City, is contiguous to the City's corporate boundary and is appropriate for development in the corporate boundary due to its proximity to and access through Park City.

3. There is net benefit to Park City in accepting this Annexation because it adds to the protection of the entry corridor by donating critical property along the entry corridor and adjacent to other City property to Park City.

4. The project proposes to build a water tank which will provide adequate water for this subdivision as well as potentially providing adequate water for fire protection for the Mountain Top Subdivision. The Mountain Top Subdivision is currently not within the City Limits, but is immediately adjacent to it and does not contain adequate water for fire protection.

5. The project proposed extraordinary fire protection measures necessary due to the inability to provide two points of access. These include:

- Exterior building materials shall be constructed of non combustible materials
- Exterior and interior fire sprinklers required
- Wood burning devices prohibited
- Defensible space required which would include a primary zone of twenty-five feet from the dwelling in which plant materials must be irrigated and a secondary zone of an additional fifty feet in which dead or unhealthy plant material must be cleared.
- Adequate fire flow will be provided for this project with added capacity to provide fireflow for the Mountain Top Subdivision.

6. The Planning Commission conducted a public hearing on December 10, 1995 and distributed written notice of the public hearing consistent with the Park City Land Management Code.

7. The site design is consistent with the Park City Land Management Code and Sensitive Lands Ordinance. The site is also consistent with the non-standard cul-de-sacs contained in Mountain Top subdivision and Quarry Mountain MPD.

8. Upon annexation, the developed portion of the property will be rezoned to Estate (E) and the portion of the property to be donated to the City shall be zoned Recreation Open Space (ROS).

Conclusions of Law:

1. The Sandstone Cove Master Planned Development, sketch plat and Annexation are consistent with the health, safety, welfare, and provide a benefit to Park City through the dedication and preservation of Open Space, providing in lieu fees for affordable housing, providing an important trail linkage and improving the adequacy of water for fire flow in the area.

2. The Annexation proposed meets the standards set forth in the Annexation Policy Declaration and UCA (Section 10-2-417).

Conditions of Approval:

1. The MPD and sketch plat approval will not become effective unless and until the Annexation for Sandstone Cove is approved by the City Council. The expiration of the MPD shall be timed from the date of City Council approval of the Annexation request.

2. The City Council shall review and approve the Annexation Agreement which covers, at a minimum, those items in the attached outline.

3. The Planning Commission shall be required to review and approve the preliminary and final plats for Sandstone Cove. The plats shall substantially conform to the MPD and Sketch Plat approval. Specifically, the approval will include the following:

-Home sizes which are consistent with adjacent developments and which take into consideration the visual impact of the building pads.

- Exact trail locations which provide a soft surface trail connecting Mountain Ridge Subdivision to Meadows Drive in the Eagle Pointe Subdivision. This trail shall be constructed concurrent with subdivision improvements.

-Architectural Guidelines and C,C&R's which are consistent with the MPD approval which shall address fire prevention measures approved by the Chief Building Official, limits on building location, limits on irrigable area, and design guidelines consistent with City standards.

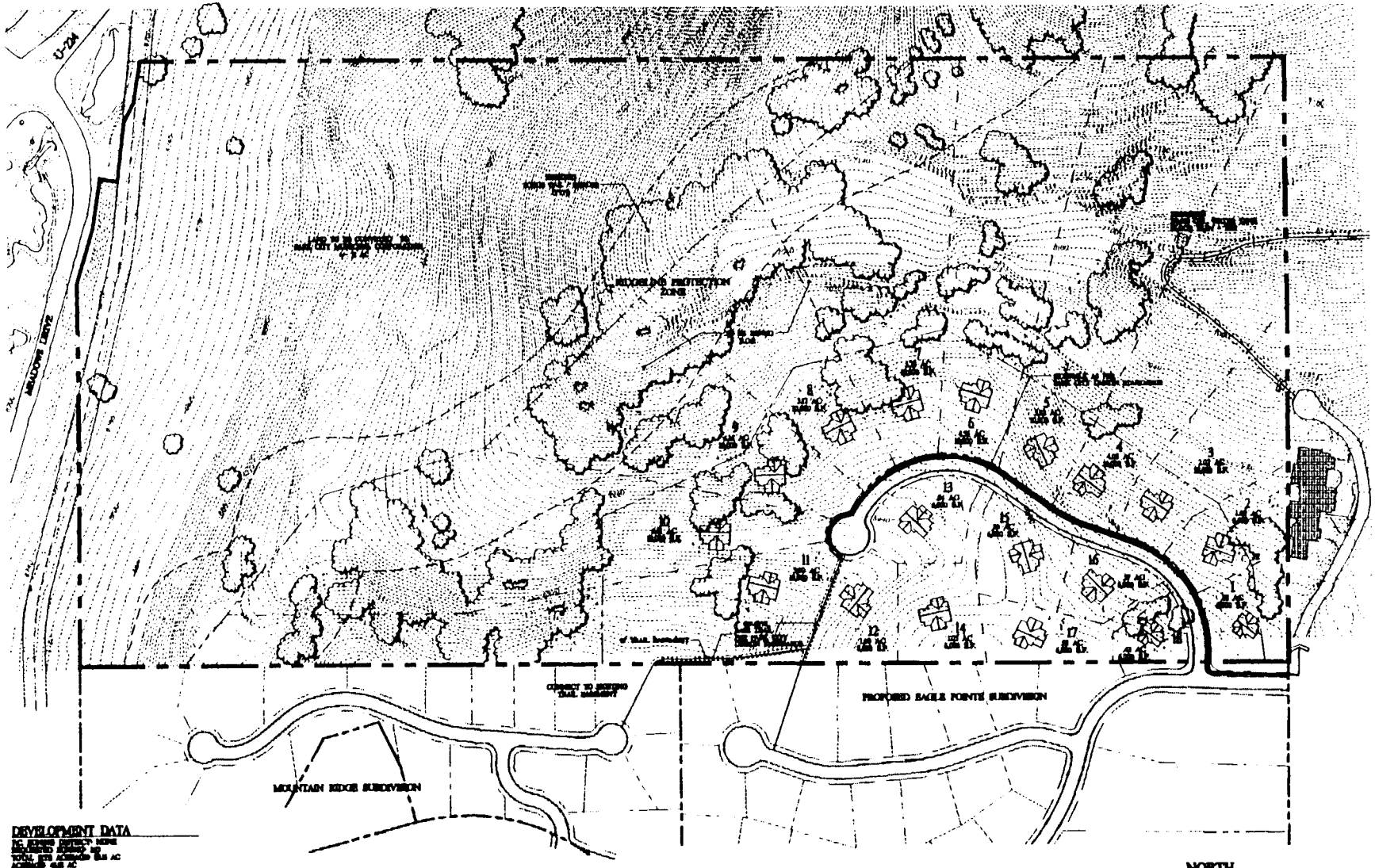
4. The sanitary sewer connection for the project shall connect to the Eagle Pointe Subdivision. The staff shall review and approve the alignment so that it complies with the Sensitive Lands Ordinance by creating the least amount of visual impact and disturbance. If this alignment is not able to be achieved due to property ownership or other issues, any new alignment will be reviewed and approved by the Planning

Commission and will be a matter of public hearing. Development of the parcel is contingent upon satisfactory alignment that mitigates visual and neighborhood impact to the satisfaction of the Staff and Planning Commission and that is acceptable to the Sewer District and City Engineer.

5. All Park City Municipal Corporation Standard Project Review Requirements shall apply.

6. The applicant shall be required to build a 250,000 gallon water tank, and all appurtenances, including but not limited to an above ground pump station, as required by and to specifications approved by the City Engineer.

This item is scheduled for Work Session only. A public hearing will be held on March 7, 1996.



DEVELOPMENT DATA

SANDSTONE COVE M.P.D.

ILLUSTRATIVE SITE PLAN - 2

PREPARED FOR
BLACK DIAMOND PARTNERS
MR. GARRY JACKSON
P.O. BOX 1776
PARK CITY, UTAH 84060

PREPARED BY
THE JACK JOHNSON COMPANY

RECEIVED

PARK CITY
PLANNING DEPT.

Sandstone Cove Annexation Agreement Outline
Draft February 13, 1996

2/15/96
PARK CITY PLANNING DEPARTMENT

ANNEXATION AGREEMENT AND SUPPLEMENTAL ANNEXATION POLICY DECLARATION FOR THE SANDSTONE COVE PROPERTY

This Annexation Agreement is made by and between Park City Municipal Corporation ("Park City") and Black Diamond Partners ("Applicant") to set forth the terms and conditions under which Park City will annex land owned by Applicant into the corporate limits of Park City and extend municipal services to that property. This Agreement is made under authority of Utah Code Annotated §10-2-414 (1953, as amended), and shall serve as a supplemental annexation policy declaration when executed by all parties. In consideration of Park City's agreement to annex Applicant's real property and in consideration of the mutual promises contained herein, the parties agree that the terms and conditions of annexation shall be as follows:

1. Property. The property to be annexed is an 80.13 acre parcel contiguous to Park City as described on the attached Exhibit A, and is referred to as Sandstone Cove. Park City reserves the right also to annex an adjoining parcel owned by Mountain Fuel Supply Company concurrently with annexation of this property.

2. Zoning. Upon annexation, the Sandstone Cove property will be zoned in two areas as shown on the annexation plat for the property, which is incorporated into this agreement as Exhibit B. The property from the ridgeline to the west, facing U224 will be zoned Recreation Open Space. The developed area will be zoned Estate, with a maximum density of 18 units.

3. Master Plan Approval. The Planning Commission has approved a Master Plan as a part of this action on annexation. The density, road and lot locations, open space and other parameters of the project shall be consistent with the Master Plan approval as shown in Exhibit C. The MPD is valid for two years from the date of action on this agreement by the City Council.

4. Density. The total density of this project shall be no greater than 18 single family parcels.

5. Trails. A trails plan shall be approved as a part of the preliminary plat for Sandstone Cove. There shall be a connection from the Mountain Ridge Subdivision to the future Phase of Eagle Pointe.

6. Open Space. The Sandstone Cove Property open space shall be as shown on Exhibit B.

A. Ownership. Black Diamond Partners shall by statutory warranty deed transfer land designated as Recreation Open Space (ROS) to the City in fee simple.

B. Use Restrictions and Preservation. The open space shall be subject to a restriction which will ensure the perpetual preservation of the open space and restrict the uses of the parcel.

C. Maintenance. Open space shall be maintained by the entity holding fee title to the property unless other provisions have been made by agreement.

7. Fire Prevention Measures. Because of the inability of the developers to provide two points of access, the Chief Building Official requires the following mitigation plan:

- Exterior building materials shall be constructed of non-combustible materials
- Exterior and interior fire sprinklers required
- Wood burning devices prohibited
- Defensible space required which would include a primary zone of twenty-five feet from the dwelling in which plant materials must be irrigated and a secondary zone of an additional fifty feet in which dead or unhealthy plant material must be cleared.
- Adequate fire flow will be provided for this project with added capacity to provide fireflow for the Mountain Ridge Subdivision.

8 Affordable Housing. The applicant shall be required to provide 1.8 units of affordable housing, or provide an in lieu of fee consistent with City Policy at the time the annexation agreement is approved.

9. Roads and Road Design. All streets and roads within Sandstone Cove shall be public and public access may not be obstructed.

10. Sanitary Sewer. Alignment of the sanitary sewer shall be reviewed and approved as a part of the preliminary plat for Sandstone Cove. The preferred alignment is through Eagle Pointe, in a location to be determined, which results in the least visual impact and site disturbance. If this alignment cannot be achieved, a revised alignment shall be the subject of public hearing during the preliminary plat process.

11. Dedication of Water Rights. Black Diamond Partners shall dedicate to the City adequate water rights to serve normally anticipated needs of the development, as determined by the City Engineer and Public Works Director. The developer shall undertake the burden and expense of converting the dedicated water rights to year-round municipal uses, if necessary, and changing the points of diversion of those rights to the City's diversion point at the Park Meadows Well or elsewhere as determined by Park City, at its sole discretion. Black Diamond shall be responsible for the administrative and legal expenses incurred in making such changes.

Upon acceptance by Park City of the dedication of water rights will constitute full satisfaction of the water development fees it would otherwise collect from the owners of lots within the annexed area at the time of building permits. The City may, at its discretion, decide that water fees in lieu of dedicated rights is preferred. In that case, no rights shall be required to be dedicated, but each lot must pay the full fee as required at the time of building permit issuance.

12 Water Connection and Other Water System Costs. Black Diamond will be required to construct a 250,000 gallon water tank and all necessary appurtenances including an above ground pump station at a site and to specifications approved by the City Engineer. Upon completion to a satisfactory standard, the developer shall dedicate the infrastructure to the City. As each building permit is obtained for individual houses within the subdivision, the owner shall pay the Park City Water Connection fees as provided by the Park City ordinance in effect at the time of application for building permits.

13. Planning Review Fees. The developer shall be responsible for all subdivision approval and construction inspection fees required by the Community Development Department at the time of application.

14. Impact and Building Fees. Black Diamond, or the successor owners of lots will pay all generally applicable impact (including school facilities impact fees), building permit, and plan check fees due for construction on the annexed land as provided by Park City ordinance in effect at the time of application for building permits.

15. Acceptance of Public Improvements. Park City will accept title to the public improvements upon final approval of the construction.

16. Snow Removal and Storage. Park City is not obligated to take over snow removal responsibility on public streets within Sandstone Cove until 50% (9 out of the 18 lots) have been improved by the construction of a house on those lots as evidenced by issuance of a certificate of occupancy for the houses.

17. Effective Date. Annexation of the Property shall be effective upon recording of the plat and ordinance approval of the annexation

18. Governing Law. The Agreement shall be governed by the laws of the State of Utah.

19. Real Covenant, Equitable Servitude. This Agreement constitutes a real covenant and an equitable servitude on the Property. The terms of this Agreement touch and concern both benefit and burden the Property. The benefits and burdens of this Agreement run with the land, and are intended to bind all successors in interest to any portion of the Property.

20. Assignment. This Agreement is a personal obligation of the Applicant. Applicant may assign its obligations under this Agreement, only upon prior written consent of the City,

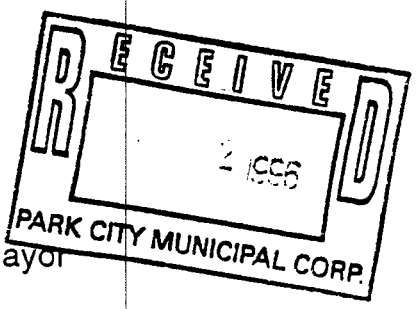
upon demonstration that the City's rights are adequately secured by the assignment. Consent to assignment shall rest in the sole discretion of the City.

21. Compliance with City Code. Notwithstanding paragraph 17 herein, from the time of City Council approval of this agreement, Black Diamond shall comply with all City Codes and Regulations pertaining to the subject property.

22. Full Agreement. This Agreement contains the full and complete agreement of the parties regarding the Annexation and there are no other agreements in regard to the annexation of the Property. This Agreement may be amended only by a written instrument signed by all parties hereto.

DATED this _____ day of _____ 1996.

Vincent Dominick Donile
Owner



To The Honorable Brad Olch, Mayor

The Planning Commission recently approved the annexation of the Sandstone Cove Project and the preliminary plat. This 80 acre parcel has 18 single family lots, an enormous amount of ROS area, and is currently in Tier 2 in the County zoned for one home per 40 acres.

The vacating of Tier 2 by the City in favor of these 18 lots is, in my view, a major undertaking which should be very intimately studied. In the preliminary plat the lots are situated such that lots 1,2, and 3 are in the view corridor from the Mountain Top Subdivision. We have relied upon the Tier System to protect the views. Now we find ourselves hastily annexing this parcel and abandoning Tier 2. This is no small matter for the City, and I urge you to examine this Plat again before setting this immensely historical precedent.

The staff has recommended a very large portion of this land to be zoned ROS and be dedicated to the City. I certainly support the ROS, but the ROS area could be more appropriately located. The developer desired some homesites located in the lower portion of the land and was denied. I respectfully request relocation of lots 1, 2, and 3 to this lower area. This will create a most desirable setback from the road, open the view corridor, and place 3 homesites in the lower area that both the developer, myself, and the residents of Mountain Top would welcome.

We have an opportunity to preserve a view corridor, satisfy the developers, create an open area for the City, and accomplish this project to the benefit of all concerned. I would concede to the accelerated development of the land by Mr. Rothwell and Mr. Jackson knowing they will create a luxurious and spacious subdivision now, rather than the authorization of a much larger development when Tier 2 has expired.

If you approve this annexation and development, please review carefully the impact of lots 1, 2, and 3 and please allow the relocation of these lots to the lower and or western portion of the land.

THE MID MOUNTAIN LODGE IS DISTINGUISHED AS PARK CITY'S OLDEST ORIGINAL MINE BUILDING AND WAS CONSTRUCTED IN THE LATE 1880's. ON SEPTEMBER 3, 1987, THE 140 TON MID MOUNTAIN LODGE WAS MOVED BY FIVE BULLDOZERS OVER 3500 FEET UP THE MOUNTAIN. AND HAS SINCE BEEN COMPLETELY RESTORED.

Pioneer Chair Lift · Park City, Utah 84068 1057 · 801 / 649-3044

This is a difficult position we face. Approve a small somewhat desirable subdivision now, or wait for a larger and more intrusive one in the future. I must tell you that I agree with the Planning Commission philosophy of a small number of homes, just not as situated in the current plan. I am hopeful we can resolve this allocation issue and until that time I respectfully ask that more study be given this important issue.

The Mountain Top owners have recently agreed to pursue annexation to Park City. If the Sandstone project could be allocated properly and, with water available, this could be a perfect occasion for us to annex to the City. With City water and utilities close at hand and all of the surrounding property annexed we would certainly entertain a request for annexation.

Sincerely,

Vincent D. Donile

Vincent D. Donile

PUBLIC WORKS
PARK CITY
1884

Transit • Streets • Water • Central Garage • Building Maintenance

TO: Honorable Mayor and Council Members
FROM: Hope Bleecker, Transportation Director Hope 2-16-96
SUBJ: Departmental Update
DATE: February 16, 1996

Attached is a report on the current status of transit and parking operations in Park City. It contains information on the current performance of the bus system, the Wilbur Smith Parking Study, and potential action items for the transportation department's agenda. I will further elaborate on information contained in the report during a presentation at the next work session on February 22. At that time I will be prepared to take questions and comments from the Council regarding further development of transportation improvement plans.

Please call me with any questions or comments you may have regarding the attached report. As always, I look forward to our next meeting and to my role in working with each of you to achieve the established goal of improved transportation in Park City.

Attachment

cc: Toby Ross, City Manager
Jerry Gibbs, P.E., Public Works Director
Eric DeHaan, P.E., City Engineer

Park City Municipal Corporation • #10 Ironhorse Drive • P.O. Box 1480 • Park City, UT 84060-1480
Phone (801) 645-5120 • FAX (801) 645-5172

I. Vehicle Fleet

Current Fleet Size
Park City Transit has a fleet of nineteen transit vehicles: fourteen 35' coaches, one trolley bus, three 16-passenger vehicles, and one senior citizen van. Approximately nine of these vehicles operate on regularly scheduled service in the winter service operation. Five busses operate during the summer months in regular service.

The number of vehicles in the transit fleet represents a 50% spare ratio, which is slightly high for a transit system of Park City's size. The vehicles are used to provide special services during the Art and Film Festivals and are utilized in the event that peak demand warrants the introduction of additional busses into the system.

Replacement Plans
The Federal Transit Administration's Section 18 Program for Small Transit Providers has funded up to 80% of Park City's vehicle acquisitions in the past. Over the next two years, the department expects to incur $990,000 in replacement costs. Four hundred eight thousand dollars has been awarded to Park City already and is on deposit with the Utah Department of Transportation. If federal funding is reduced, local share contributions may range anywhere from $300,000 to $400,000. A twelve-year replacement schedule and related costs are illustrated in Exhibit 1.

Among the proposed purchases planned for 1996, are three 30' busses which will last ten years and have been identified as more effective vehicles for meeting Park City's peak travel demands on both the Silver Lake route and the summer routes.

Vehicle	Total Cost	Status of Federal Contribution	Expected Local Share Cost
Senior Bus	$ 40,000	will apply for $32,000 this year under Section 16	$ 8,000
3 El Dorados	$510,000	will apply for $408,000 this year under 1997 allocation for Section 18	$102,000
4 Gilligs	$880,000	$408,000 received, will apply for $296,000 under 1998 allocation for Section 18	$176,000

II. Operations

Fixed-Route Ridership
Park City Transit's fixed-route ridership has realized a high level of productivity since commencement of winter service this year. Reduced service began on November 17 and then increased to a full level of frequency on December 8, following the Chamber of Commerce announcement that the town would experience 40% occupancy. Ridership as of February 12, 1996 totaled 384,822 one-way passenger trips. This number is only slightly below the February 12, 1995 record of 397,433 passengers. To date, the system has operated 300 fewer hours than the 1995 service. The current productivity ratio is 35 riders per service hour.

EXHIBIT - 1

PARK CITY MUNICIPAL CORPORATION - TRANSPORTATION DEPARTMENT

12 - Year Vehicle Replacement Schedule

BUS #:	VEHICLE ID:	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL:
618	'82 Thomas Transitliner	-----	220,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	220,000
619	'82 Thomas Transitliner	-----	220,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	220,000
624	'85 Chance Trolley	280,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	350,000	-----	-----	630,000
607	'86 Ford Eldorado	-----	170,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	210,000	-----	380,000
608	'91 Ford Eldorado	-----	170,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	210,000	-----	380,000
609	'91 Ford Eldorado	-----	170,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	210,000	-----	380,000
610	'86 Thomas Transitliner	-----	-----	-----	250,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	250,000
611	'86 Thomas Transitliner	-----	-----	-----	250,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	250,000
627	'87 Ford 4x4 (seniors)	-----	-----	40,000	-----	-----	-----	-----	-----	-----	-----	-----	60,000	-----	100,000
629	'88 Jeep Cherokee	-----	-----	-----	25,000	-----	-----	-----	-----	-----	-----	-----	-----	-----	25,000
630	'92 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	300,000	-----	-----	-----	300,000
631	'93 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	320,000	-----	-----	320,000
632	'93 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	320,000	-----	-----	320,000
633	'93 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	320,000	-----	-----	320,000
634	'93 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	320,000	-----	-----	320,000
635	'93 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	320,000	-----	-----	320,000
636	'93 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	320,000	-----	-----	320,000
637	'93 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	320,000	-----	-----	320,000
638	'95 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	340,000	340,000
639	'95 Gillig Phantom	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	340,000	340,000
TOTAL/YEAR: (in thousands)		280	950	40	525	0	0	0	0	0	300	2,590	690	680	6,055,000

Silver Lake

A dramatic increase in ridership has been experienced on the Silver Lake route, which was extended to the Park City Silver Mine Adventure and into the evening hours until 10:30 p.m. Park City entered into a special transit service agreement with the United Park City Mine Company to provide bus service in exchange for formula payments similar to other amusement entities within the Park City limits. Ridership this year on Silver Lake totals 12,253 riders as compared to last year's 7,974.

Staff is continuing to track the progress of the current Silver Lake route before reexamining requests for service via Ontario Canyon State Highway 224. This addition was examined during the fall of 1995, and staff decided to postpone further development of the proposal when the costs were estimated at approximately $12,000 per month, including labor and vehicle expenses.

Regarding the current Silver Lake route, it is believed that because of the success of the Silver Mine Adventure, and because of the lack of snowfall early in the season, skiers and non-skiing visitors have used the bus for both sightseeing and as a means to bypass unskiable terrain. Records indicate that the Mine Adventure accounts for up to 1,600 additional one-way trips this season. Evening ridership on the route is almost non-existent (less than 2 riders per hour) and further examination of the evening service at season end may warrant suspension next year.

Thaynes Canyon Extension

Thaynes Canyon bus ridership has increased as a result of service to the Radisson Hotel. The Radisson/Payday/Prospector Drive segments have thus far produced an increase of 3,000 one-way trips as compared to the 1994 route alignment that did not include these stops. Payday Drive has produced a total of 130 round trips, resulting in a productivity level of approximately 8 riders per day. The Prospector Drive segment of the route has totaled 396 one-way trips. It is expected that the extension through Payday and Prospector Drives will produce only a slight increase over the 1994 routing. The real increase will result from increased participation from the Radisson Hotel. It is expected that the overall ridership counts will exceed 20,000 in comparison to 1994's 16,000 count.

Community Outreach Efforts

There is little communication between the City and key business leaders regarding the effectiveness of the system and its ability to fulfill community needs. Park City Transit should share a strong relationship with key representatives of the Chamber, the Restaurant Association, the Main Street Merchants, and the Lodging Association. These associations should play key roles in the development of media publications and customer service policies. It is also important to gain private sector business support if expansions are planned from key commercial areas to residential districts, the Snyderville Basin, or to Salt Lake City. Staff has entered into discussions with the Chamber of Commerce regarding the formulation of a transportation committee. A list of participants has been chosen and the Chamber is currently in the process of contacting individuals to serve on the board. The group's agenda will include the development of media publications such as the design of a new transit map and a comprehensive signage plan for the ski resorts and for bus stops. Meetings with the board are expected to commence this May.

III. Budget

Transportation is funded by (30%) 1/4 Cent Sales Tax, (31%) Resort City Sales Tax, (20.5%) Business License Fees, (17%) Capital Federal Funding, (1%) Donations, and (.5%) Advertisement Fees. The amount of annual income varies by approximately 1.7 million and 1.5 million depending on the amount of federal grant income available. The expenditure to operate the system annually equals approximately $1.3 million. Remaining funds are placed in a transportation depreciation investment fund for equipment replacement purchases. This fund was prudently established several years ago when it was anticipated that most or all federal capital funding for equipment purchases would cease. Further budget details will be presented during the work session presentation.

IV. Employee Workforce

Transit operators play significant roles in the happiness and safety of Park City residents and visitors. In order to increase the level of workforce reliability, the department is currently evaluating the potential impact of reclassification of full- and part-time drivers and is developing a proposal to offer benefits to the part-time workforce. The plan would result in an annual budget impact of $50,000-$65,000 and would include 10% salary increases for full-time drivers, offering benefits such as health insurance to part-time drivers, and a 30% increase in season end bonus payouts. It is anticipated that this plan would reduce the cost of new employee training by $10,000, and the amount of overtime payout by $15,000 annually.

This workforce investment is highly recommended in order to maintain the current workforce. It will become even more important if the Council chooses to expand the system. Resolution of this plan is expected in May, as staff is still in discussions with the personnel department.

V. Expansions and Improvements

Currently no major changes to the present transit system are planned, other than a Main Street Express route which was noted as one of the possible solutions to parking shortages in the Historic District. Members of the public and the Council have inquired about potential "niche market" commuter routes and new ways to mitigate traffic. Possible projects that have been noted are:

Fixed-Route Connections from Salt Lake City to Park City

Fixed-Route Connections from Snyderville Basin to Park City

Demand-Response or Fixed-Route System Connections to Residential Areas not Currently Served by the Existing System

A Satellite Parking System with Increased Transit Usage

All of the above-noted concepts merit consideration. Possible implementation of these projects should be strategically addressed by a professional transit firm in the form of a brief white paper prior to developing the scope of a comprehensive transit study. This process will first evaluate feasibility, merits, and impact of pursuing the established goals of expansion prior to making a costly investment in the development of operational plans. This type of preliminary analysis is recommended for two reasons:

A) Some expansions to the current transit system will require additional funding beyond Park City's current resources. Given the rate of growth in Summit County, expansions may be more effectively managed and financed either jointly by other agencies or through intergovernmental agreements between Summit County and Park City. If solutions require the participation of other stakeholders, the parties should be approached and a strategic draft plan should be established before any lengthy operational studies begin.

B) The long-term cost effectiveness of expansion compared to the potential for improved mobility, air quality, and traffic mitigation should be addressed before a detailed scope of work is established. Staff and Council should then study the results and examine the most effective way to develop an operational plan.

VI. Parking Update

Parking Study

The parking analysis from Wilbur Smith Associates will be received in draft form on March 8 and will be finalized following a series of public hearings which are scheduled to occur during the week of March 18. The final report will focus on several recommended concepts and associated costs of satisfying parking demand. Possible solutions will include paid parking to increase utilization and turnover, a transit express route for Main Street, and garage construction. The proposal will include plans for a fifth-level addition to the China Bridge parking facility along with a method to interconnect the levels of the garage. Additionally, a proposal for a 400-space structure north of Swede Alley will be introduced with architectural concepts and related costs to build the structure, as well as proposed funding mechanisms and construction schedules.

Valet Update

Earlier this year, Wilbur Smith recommended that the City implement a valet parking system to increase utilization of parking spaces along Swede Alley. The presence of so many restaurants on Main Street causes a strain on evening parking availability during peak ski season weekends. Therefore, the City agreed to implement the project in February as an experiment to evaluate the effects of increased traffic, along with the consequences of displacing employees or customers who have occupied the valet spaces in the past.

The valet project has been successful in creating more parking in several ways:

1) It creates higher turnover by allowing more customers who typically park for shorter durations to utilize the spaces.
2) It promotes increased awareness and utilization of less convenient, legal parking spaces which are not commonly used (such as the fourth level of China Bridge).
3) It creates spaces by utilizing areas which otherwise would be illegal spaces.

Currently the City has been able to achieve up to an 88% increase in parking availability as a result of the project. Over the few nights that the experiment has operated, it has resulted in increased utilization and has created the equivalent of approximately 100 extra spaces.

PARK CITY
1884

CITY COUNCIL REPORT

TO: City Council

FROM: Community Development Department

DATE: February 21, 1996

SUBJECT: Main Street Zoning

Introduction

Increasing community dissatisfaction with the scale of development on Main Street has been expressed during the public meeting process on the *Park City General Plan Update.* The concerns are that the current zoning regulations for Main Street properties are resulting in:

* a growing disparity in building height and scale between historic structures and new development;

* increased traffic generation and parking needs in an area experiencing congestion and parking shortages.

Typical platted Main Street lots are 25 feet x 75 feet *(1875 square feet)* in size. Historic development on Main Street generally consists of one to two-story false-front commercial buildings constructed in widths ranging from 12.5 feet to 37 feet yielding ground floor areas of about 1000 square feet to 2800 square feet. Under the existing zoning regulations, the development trend along Main Street has been for the construction of new buildings to a height of three or more stories and with a facade of up to 50 feet in width which are resulting in ground floor areas of up to 3750 square feet.

The Planning Department has recently been approached with several proposals for new

three-story construction on multiple-lot sites, additional floors added to historic structures, and demolitions and redevelopment of historic sites. Until recently, the development of three and four story buildings or the construction of additional floors to existing structures was deterred by the *Land Management Code* provision which requires that parking be provided for all floor area in excess of two levels. With the increase in property values, there has been an increased interest in developing or adding third and fourth floors on Main Street.

The public feedback that Staff has received encourages mechanisms that bring about rehabilitation and new construction on Main Street which is compatible in context with historic structures and at an intensity that does not inordinately worsen the City's traffic and parking infrastructure. The draft *General Plan Update* includes an action plan which recommends amendments to the *Land Management Code* that reduce growth incentives relating to building height and allowed square footages and which assures the compatibility of new structures with historic buildings within the Historic core. The present schedule for Council review of the first phase of the *General Plan Update* is June-July of 1996. Given this time frame, development of, and public hearings on, amendments to the *Land Management Code* could commence by August-September 1996.

Staff is seeking input and direction from the Council as to whether or not interim measures should be taken to address buildings heights and allowed square footages on Main Street pending the adoption of the general plan update and subsequent amendments to the *Land Management Code*. This memorandum provides the Council with:

* a description of the building square footages and heights currently possible under the various Main Street zoning districts

* an analysis of the number of properties subject to development under the aforementioned zoning criteria

* possible alternatives for Council action

Current Main Street Zoning Districts and Development Perimeters

Historic Commercial Business (HCB) Zone *(Generally Main St. South of Heber Ave.)*:

Maximum Building Height:	30 feet at the front and rear elevations then following a 45 degree angle up to a maximum of 45 feet
Maximum Building Square Footage: (No building setbacks in HCB):	F.A.R. is 4.0 *(4 x lot square footage)*; Up to 7500 square feet on a

	standard 25' x 75' lot
Parking Requirements:	Parking exempt for two floors provided the property owner has paid into Main Street Parking Special Improvement District; Additional floors subject to parking requirements in LMC or payment of in-lieu fee

Historic Recreation Commercial (HRC) Zone *(Generally the Town Lift Neighborhood)*:

Maximum Building Height:	40 feet *(35 feet, plus 5 feet for a pitched roof)*
Maximum Building Square Footage:	
East of Park Avenue:	F.A.R. of 1.0 for non-residential uses (1 x lot square footage); Up to 1875 square feet for standard 25' x 75' lot
West of Park Avenue:	F.A.R. of 0.7 for non-residential uses (0.7 x lot square footage); up to 1312 square feet for standard 25' x 75' lot
Parking Requirements:	Parking subject to requirements in LMC *(no in-lieu fee payment provision)*

Historic Transitional Overlay (HTO) Zone *(Generally Park Avenue and Swede Alley)*:

Maximum Building Height:	33 feet for the portion of the site within the HR-1 Zone *(28 feet, 5 feet additional for pitched roof)*; 30 feet at the front and rear elevations then following a 45 degree angle up to a maximum of 45 feet for the portion of the site within the HCB Zone
Maximum Building Square Footage:	F.A.R. is 4.0 *(4 x lot square footage of the site area within the HCB Zone);* Up to 7500 square feet on a standard 25' x 75 lot
Parking Requirements:	Parking subject to requirements in

LMC *(no in-lieu fee payment provision)*

Number of Main Street Sites Subject to Development: The Planning Department has identified approximately eight vacant sites on Main Street. In addition to these undeveloped properties, there is the potential for further development of existing historic and non-historic structures in the form of additional floors and/or building expansions to the rear.

Council Alternatives

1. Maintain current HCB, HRC and HTO zoning regulations until Council's adoption of the *General Plan Update*. Following the adoption of the *General Plan Update*, direct Staff to prepare *Land Management Code* amendments related to Main Street development.

2. Adopt a Temporary Zoning Ordinance, pursuant to the Utah Code, Section 10-9-404: Temporary Zoning Regulations. A Temporary Zoning Ordinance gives Council the authority to enact a building moratorium for six months or enact interim zoning regulations for a period of up to six (6) months while amendments to the *Land Management Code* are processed.

Should Council find *Alternative No. 1* acceptable, Main Street development will continue to permitted up to the current building heights and allowed square footages for approximately the next six months pending Council's review and action of the *General Plan Update* and *Land Management Code* amendments. In the event Council elects to pursue *Alternative No. 2*, adoption of a Temporary Zoning Ordinance will be necessary. A proposed ordinance is attached with this memorandum for Council's review.

Ordinance No. 96-

AN ORDINANCE ADOPTING TEMPORARY ZONING REGULATIONS FOR THE HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT AND THE HISTORIC TRANSITIONAL OVERLAY (HTO) ZONE DISTRICT, TOESTABLISH INTERIM ZONING STANDARDS PENDING THE ADOPTION OF THE UPDATED GENERAL PLAN AND REVISIONS OF THE LAND MANAGEMENT CODE OF PARK CITY, UTAH.

WHEREAS, the City is in the process of updating the Community's General Plan which is proposed to result in amendments to provisions of the Land Management Code to mitigate the mass and scale of new development in the Historic Districts;

WHEREAS, public meetings on the General Plan have telegraphed to the development community that a rezone within the Historic Commercial Districts is likely within the next six months;

WHEREAS, the Council has expressed a desire to preserve the unique scale of retail businesses within the Historic Commercial Districts;.

WHEREAS, to prevent a rush to develop under the present zoning regulations while this matter is under consideration, the state legislature has enabled cities to adopt Temporary Zoning Regulations, without a formal public hearing, for a period not to exceed six (6) months (Utah State Code, Section 10-9-404); and

WHEREAS, it is in the best interest of Park City and for the protection of health, safety and the general welfare of its citizens to preserve the historic integrity and economic viability of the City's Historic Commercial Districts; and

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

SECTION 1. FINDINGS: The Council finds that:

1. The Historic Commercial Districts are presently zoned in a manner that allows development at a scale and intensity that is not presently reflected in the current development pattern on Main Street and its environs;

2. The City has provided notice of specific proposals to rezone the Historic Commercial Districts within public meetings to develop the Growth Management and Community Character elements of the Community's General Plan. This proposed rezoning is intended

to establish a limit on development within the rezone that more closely resembles the historic development pattern;

3. Notice of the proposed rezoning, coupled with the recent and dramatic increase in property values on Main Street, and a new impetus to develop spurred by the International Olympic Committee's award of the 2002 Winter Olympics to Salt Lake City (with Park City venues) has created an unprecedented incentive toward excessive development and redevelopment within the Historic Commercial Districts under the present zoning. Unchecked, this development pressure could forever destroy the ambiance of Main Street.

4. Without the Growth Management and Community Character Elements of the General Plan adopted, it is premature to adopt permanent rezoning within the Historic Commercial Districts;

5. The Growth Management and Community Character elements of the General Plan can be completed, with implementing zoning enacted, within six months;

6. Temporary zoning enacted hereby preserves a reasonable opportunity to develop on an historic scale within the Historic Commercial Districts;

7. The Historic Districts are the crown jewels of the City and are vital to the economic health and general welfare of the community and its guests; and

8. There is a compelling, countervailing public interest in preserving the status quo within the Historic Commercial Districts pending implementation of the General Plan.

SECTION 2. AMENDMENTS TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7 is hereby amended as follows:

Section 7.2 Historic Commercial Business (HCB) District

7.2.7 BUILDING HEIGHT ~~AND BULK PLANE. A maximum building envelope shall be defined by a plane that rises vertically at the front lot line to a height of 30 feet measured above the natural grade and then proceeds at a 45 degree angle toward the rear of the property until it intersects with a point 45 feet above the natural grade. No part of a building shall be erected to a height greater than 45 feet, measured from natural grade at the building site. Similarly, the rear portion of the bulk plane shall be defined by a plane that rises vertically at the rear lot line to a height of 30 feet measured above the average natural grade and then proceeds at a 45 degree angle toward the front of the property until it intersects with a point 45 feet above the natural grade of the building site. This provision shall not be construed to encourage solid roofing to follow the 45 degree set back plane.~~ Structures shall be erected to a height no greater than 27 feet, as defined in Section 8.17.

New Subsection:

7. 2. 13 Maximum Area Per Tenant on Ground Floor. In order to preserve the historic character and to ensure compatibility between commercial uses within the Historic Commercial Business District, the maximum allowable area for any one tenant or use on the ground floor of structures shall be limited to 2800 square feet.

Section 7.4: Historic Transitional Overly (HTO) District

7.4.2 (a) Relationship to Underlying Zone Districts. Those portions of the project located within the HCB District must comply with the provisions of all ordinances for that district. Those portions of the project located in the HR-l District must comply with the provisions of all ordinances for that district, except as modified by this section. Under this ordinance, commercial development within HR-l Zone is permitted, subject to the provisions of this section. Such development must maintain a set back of at least 50 feet from residential streets. The height of such commercial uses shall be coordinated with the site planning and building design of the HR-l parcels in such manner that the impact of the commercial structures is minimized, however, in no case may the height exceed ~~28 feet above natural grade~~ 27 feet, as defined in Section 8.17.

New Subsection:
7.4.7 Maximum Area Per Tenant on Ground Floor. In order to preserve the historic character and to ensure compatibility between commercial uses within the Historic Transitional Overlay District, the maximum allowable area for any one tenant or use on the ground floor of any structure shall be limited to 2800 square feet.

SECTION 3. PERIOD OF LIMITED EFFECT. This temporary zoning ordinance shall be effective for a period of six months.

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

PASSED AND ADOPTED this 22ND day of February, 1996

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Anita Sheldon, City Recorder

Approved as to form:

Jodi Hoffman, City Attorney

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