



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

February 16, 2023

The Council of Park City, Summit County, Utah, met in open meeting on February 16, 2023, at 2:00 p.m. in the City Council Chambers.

Council Member Doilney moved to close the meeting to discuss property at 2:00 p.m. Council Member Gerber seconded the motion.

RESULT: APPROVED

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

CLOSED SESSION

Council Member Toly moved to adjourn from Closed Meeting at 3:00 p.m. Council Member Rubell seconded the motion.

RESULT: APPROVED

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

WORK SESSION

Council Member Rubell was temporarily excused at 3:00 p.m.

Discuss Trails & Open Space 2023/24 Department Plan:

Heinrich Deters, Trails and Open Space Manager, presented this item and indicated this year his team was implementing several projects. The Rail Trail improvements would consist of replacing the bridge, adding information kiosks, wayfinding, and benches. The design contract had been awarded. There was a sewer line installed parallel to the Rail Trail and the trail surface was damaged during construction. The construction company would be resurfacing that area at no cost to the City.

Deters stated the trailheads at Mead Drive and McLeod Creek would be hard surfaced with asphalt. There would also be improvements to drainage, kiosks, wayfinding and trashcans.

Council Member Toly asked if there would be striping on the road, to which Deters affirmed. Mayor Worel asked if the snow had to be gone before improvements began on Rossie Hill, to which Deters affirmed.

Council Member Rubell joined the meeting at 3:10 p.m.

Deters stated the Federal Government and states were putting a lot of money into wildfire mitigation efforts. His team applied for a grant to access those funds. He was also working on a Treasure Hill conservation easement, other trails around the City, and Bonanza Flat.

Deters reviewed that Transit to Trails was successful in the summer and winter. He noted a few days were cancelled due to the weather in December, but 1,672 people used the program.

Winter Operations Mid-Season Update and Annual Transit Performance Statistics and 2022-2023 Winter Parking Program Update

Matt Neeley, Johnny Wasden, Kim Fjeldsted, Andrew Leatham, Andy Stevenson, and Scott Burningham, Transportation Department, and Caroline Rodriguez, High Valley Transit Executive Director via Zoom, were present for this item. Neeley noted the City had several partners that helped make Transit successful this winter.

Fjeldsted reviewed ridership was up 57% over 2021 and she was optimistic that next year the number would exceed the pre-pandemic ridership numbers. She displayed Transit statistics and indicated buses had 86% reliability. Paratransit ridership decreased by 6%, but she thought that was due to the transit separation with Summit County. Accidents were reduced from 2018 and stayed the same as 2021. Fjeldsted noted the feedback from the Silver route was users wanted a direct route to the resorts.

Stevenson explained Transit outreach and events held to promote transit use. There was a "Try Transit" week and it was a great success. Fjeldsted reported transit use increased this winter. She noted that it decreased during Sundance from last year, but that could be because part of Sundance was virtual so fewer people were in town. Neeley stated the Silver route was used by Park City Heights as well as other users. This was a pilot program and he asked Council if they wanted to continue the service year-round to help the workforce and neighborhood. He presented four options for continued service: Option A was 20 minute service, Option B was 40 minute service, Option C was 20 minute service with extended hours and Option D was 40 minute service with extended hours.

Mayor Worel asked if the hours for Options C and D were based on hours needed from the workforce. She heard feedback that those extended hours weren't long enough. Neeley stated those hours could be flexible.

Council Member Toly suggested looking at who was using the transit route to figure out which hours to service. Neeley stated he could get a better handle on who was using it and adjust the times. Council Member Rubell favored continuing the service. He

preferred having a fixed route with consistent hours as the other bus lines. Burningham stated continuing the same service as was currently used would be \$650,000.

Mayor Worel asked if it would be difficult to find the staff to make the route a fixed route. Fjeldsted stated they were short staffed so it was important to know now so they could start recruiting drivers. Many drivers were seasonal and had summer jobs lined up after the ski season ended. Council Member Rubell asked for more information on staffing and ridership hourly distribution. He asked Transit to look at numbers for all the stops to collect data, and noted the route served the Kearns and Bonanza area which contained a lot of affordable housing.

Council Member Gerber favored continuing the route in spring and summer. She didn't know if the route had to run all day because some people would ride bikes. She favored Option C. Council Member Dickey asked if the Silver route ran before the ski season started, to which it was indicated the service started December 11. He wondered if there was data on skiers who used it versus workforce. Based on that information, he thought they should start small and look at the numbers. Neeley stated he would work on that and bring back a recommendation.

Mayor Worel asked if Transit housing was available. Fjeldsted stated there were 40 housing units and only two were available. She noted it was harder to recruit drivers when housing was not available.

Council Member Toly referred to Exhibit E and noted there was high feedback on driver complaints, technology issues, and missed stops, and she asked what was being done to correct that. Fjeldsted stated staff educated users on how to use the technology. They investigated all driver and missed stops complaints and took appropriate action if needed. Council Member Toly stated she received feedback that there were out of service buses going around town. Fjeldsted indicated a bus could be out of service for many reasons, including the end of the shift, mechanical problems, or the bus was full and the driver was only dropping off riders.

Council Member Rubell asked if the paratransit service had been integrated with Summit County. Fjeldsted stated it was not integrated, but users were now understanding that they should call the entity where the ride was starting, even if it ended in another jurisdiction. Council Member Rubell asked Fjeldsted to look at combining that service.

2022-2023 Winter Parking Program Update

Johnny Wasden, Parking Manager, presented this item and reported on the peak day parking plan. Andrew Leatham indicated Sundance traffic was seamless because of the planning. Wasden reviewed the residential parking plan and stated the incidents had declined, and parking citations had significantly increased. He thought the increased regulation helped the parking problem.

Regarding paid parking, Wasden met with stakeholders, visitors and employees. Some concerns were that people would stay all day or that the parking garage would be empty. The data showed parking transactions increased by 50%, but overall parking increased by 5%. This showed that the daytime paid parking had the desired outcome. He also noted the Old Town employee parking permits increased by 219%, which gave a metric on how many employees used China Bridge during the day. He noted free transit was an option for employees who chose not to buy a parking permit.

Wasden reviewed park and ride data. The Richardson Flat Park and Ride increased usage during Sundance which showed skier and event parking was funneled to the appropriate places. He planned to continue the daytime paid parking plan until mid-April and then go back to the shoulder season parking plan.

Council Member Doilney was excused at 4:00 p.m.

Leatham reviewed the peak day traffic plan was successful between departments as well as with the resorts and UDOT. The coordination between the City and Park City Mountain Resort (PCMR) during the summer resulted in a great improvement. The resort paid parking helped with traffic flow and there were positive results with protecting the neighborhoods. The variable message signs (VMS) were more responsive, and it worked in getting people to the right parking lots. Some challenges were Deer Valley Drive and Bonanza Drive for egress in the afternoons. This summer he would be working with Engineering and UDOT to help with this congestion. He thought buses were delayed because of the traffic backup in these locations.

Caroline Rodriguez gave an overview of microtransit and noted there were three zones of service that went 6:00 a.m.-Midnight daily. She felt the limited areas of service were limiting the rides and the City would see the same success as Wasatch and Summit Counties if the area was expanded. People wanted to use the service but they were outside the zones. She understood the City didn't want people to use microtransit over the fixed routes, but she thought microtransit increased ridership at the fixed routes. She recommended expanding the service Citywide and thought there would be 400-600 rides per week with that scenario.

Council Member Dickey thought the data should be considered in relation to Transit objectives. He asked if there was ridership composition data, such as who used microtransit and where they were going. Rodriguez stated they knew every destination. She related the old Royal Street fixed route had 10 transit rides per day, but in January microtransit on that street had 16.1 rides per day and in February it had 27.2 rides per day.

Council Member Gerber asked if people could get a ride to a service area. Rodriguez stated for all origins and destinations, the app would tell them how to get there, whether it was with microtransit or not.

Council Member Toly asked to review the slides, and she wanted to know the costs of expansion. Rodriguez stated it would be the same pricing as now, hourly pricing. Neeley stated they had spent \$300,000 up to this point. Based on forecasting revenue for the season, the cost was estimated at \$700,000.

Council Member Rubell clarified the City should expand the zones but not increase the drivers or hours, to which Rodriguez affirmed. Council Member Rubell asked how quickly the expanded zones could be implemented. Rodriguez stated the changes could be implemented in late March since it took time to reconfigure the zones on the app. Council Member Rubell noted the program ended mid-April. He favored cutting back on hours and vehicles for the rest of the season and then work on it for next season.

Mayor Worel asked that this conversation continue at the retreat. Council Member Rubell asked if Council wanted to reduce the service now. Council Member Toly stated March was the busiest month for the City, so it wasn't good to cut service now. Council Member Rubell thought 90% of the same service could be performed with one vehicle instead of two.

Council Member Dickey asked if there was something that could be done to drive more ridership. He didn't think people knew about microtransit. Stevenson stated they had been mailing out postcards to the zones, putting out ads on KPCW, and ads with The Park Record. A video had also been made. Council Member Dickey requested information be sent to areas where a lot of visitors stayed and to the associated property managers, to which Stevenson affirmed and added the HOAs had been notified too.

Rodriguez stated upper Park Meadows would not use the zones and so they needed to be expanded. Neeley stated this program was being evaluated as a pilot. There was a slow start, but now they were seeing a significant increase. March was a busy month and he wanted to see how it continued. He thought Council could revisit this in March. Good things came out of Transit this winter, including the microtransit pilot. Rodriguez stated she would look to see if vehicles could be reduced as well as if the app could be expanded to Citywide service within a week.

Council Member Rubell summarized Transit would run status quo for the moment while Rodriguez collected data on two options. Option One would be keep the service areas as is and optimize the hours and drivers to meet the current demand. Option Two would be to see how quickly they could get to a Citywide service to implement it this season. Mayor Worel asked for a further discussion at the retreat.

Proposed Water Rate Discussion:

Clint McAfee, Public Utilities Director, Erik Daenitz, Assistant Budget Director, and Brian Baker, Zions Bank Public Finance, were present for this item. It was indicated Baker did a check on the proposed rates to ensure they in line with industry standards.

McAffee stated the purpose of increasing water rates was to promote water conservation. He also wanted to make sure it was fair and equitable across the classifications. The Water Department had significant debt for the next 19 years and there were cash balances that needed to be maintained. He proposed a 10% revenue increase to offset inflation. He proposed maintaining 50% of total revenue from base fees in case of a wet season. Then the system was set so revenue was relative to water consumption.

McAffee summarized the base rate for residential users would not increase. For commercial zones, there would be a 20% base rate increase and a 39% base rate increase for irrigation. The consumption fees for all zones would increase. He noted the tiers were designed based on summer water usage. Another concept being introduced was offering a user the option to change their meter size to lower their base rate. If they could show that the meter was oversized for their unit, their base rate would be reduced to a smaller meter size rate. He gave examples of users and water usage.

McAffee stated commercial zones had the biggest impact from the rate changes because they weren't on a tiered system before and they hadn't been paying their share as a customer class. Multifamily would also feel an impact, but not as much. The residential class would not feel much impact.

Council Member Toly asked McAfee how each commercial class could jump from 21%-71%. McAfee stated the existing consumption fee was currently not tiered. The new fee was tiered. Council Member Gerber asserted the school district would have a significant increase. She understood it was a big water user, but she wanted to make sure they weren't double hit because of irrigating the big fields. McAfee stated it covered irrigation, but he would make sure they didn't have an irrigation account in addition to the water account.

Council Member Rubell asked if the math on the residential accounts excluded the zero usage, to which McAfee affirmed. Council Member Rubell asked if the water meter concept was in the financial model, or if it would cause problems if everyone used it. McAfee stated if everyone used it, it would cause problems. He indicated the biggest con to this program would be the potential to upsetting the fund in the short-term. As customers moved around, he would redistribute the revenue compared to the water usage. If commercial consumed 33% of the water, but paid 28% of the revenue, the rates would be redistributed to ensure each class paid their ratio of usage.

Council Member Dickey liked the meter size resolution and he thought that was fair. He asked if the customers would understand what this would mean and what tools could be given to help customers optimize their usage. McAfee stated 85% were residential so no changes were needed there. Only 15% of the connections were in this category and a lot of the meters were consistently sized. Council Member Dickey suggested contacting only the users that had the biggest increases in fees.

Mayor Worel visited the water treatment plant and she was told there was a supply chain issue with water lines. McAfee stated that was the case, but when his team saw them in supply, they stocked up. Council Member Gerber asked if there was coordination with Business Licensing, Planning, and Building with regard to reducing or enlarging the meter size. She wanted to make sure that each time there was a business change, they would self-select into the correct meter size. McAfee indicated there would be a check every three years.

Baker stated his role was to look at the mechanisms used to evaluate the data. The process was looked at and it was compared to other comparable entities. He provided a memo that stated the Public Utilities Department was excellent and their principles were sound and consistent.

McAfee asked for Council approval for the cost-based water rate structure. Council Members Dickey and Gerber approved. Council Member Toly stated businesses were just notified about this proposal and she asked for more time for them to review them. A lot of businesses on Main Street offered free water and let guests use their restrooms and they needed to review the proposed rates. Mayor Worel noted this was a work session and this would come back for a public hearing.

Council Member Rubell asked for programs so people could fix their consumption problem. The residential user rate was adjusted six or seven years ago and now the other class rates needed to be adjusted as well. Commercial was paying less than their consumption so the increased rate would bring them up to their actual consumption. He thought the meter change idea was complicated but he wasn't opposed to it. He thought the program should be implemented. He wanted the increase to happen before summer.

McAfee asked if the increases for the highest user fees should be capped. Council Member Dickey thought it should be phased in for the highest users. It took time to make investments to lower consumption. McAfee stated phasing would be difficult and complicated. Council Member Dickey didn't think the City should send out a bill that was 80% higher and it should be mitigated.

Council Member Gerber thought education would be helpful, especially for the highest users. The multifamily units might be affordable housing and she wanted water usage reduction education for those users. People didn't like surprises and offering support would help.

Council Member Toly asked if high users could cap and switch meter size. McAfee thought if the meter size was reduced, the increase would not be as significant. Council Member Toly asked to understand an account with a meter size reduction versus a cap. She could not answer the question on capping costs.

Daenitz stated he studied historical behavior to rate increases. When there were slower rate changes, behavior did not change. Behavioral change only occurred with dramatic rate changes.

Council Member Rubell thought the proposal worked. He indicated most users' bills would decrease. Rather than seeing a phased approach, he suggested offering a bill credit to those who had a capital project that would reduce water usage.

Mayor Worel asked Council to give McAfee direction on things to discuss when this item returned for a public hearing. Council Member Gerber asked to see an outreach plan. Council Member Toly stated this could be a health factor to businesses that had to wash a lot. She asked for other rate mitigation efforts.

Council Member Dickey agreed with other mitigation ideas. He liked Council Member Rubell's idea of bill credits for water reducing capital projects. He was concerned about the customers paying for multifamily and irrigation.

Council Member Rubell thought washing hands and flushing toilets would not be significant to rate increases, since most water usage was outdoors. He asked to see impact data that affected the monthly bill.

McAfee asked if customers should be allowed to self-select into the optimal meter rate as recommended. Council Member Rubell didn't prefer it but was fine if that's what McAfee wanted. Council Member Toly asked if this was only related to the fire suppression system, to which McAfee stated they were opening it to what size customers wanted. Council Member Toly wanted to weigh meter size with capping. Council Member Dickey thought it should be simpler. McAfee stated there was a high debt burden, but that would change in the future as reserves were built up. Right now they needed that stability.

McAfee asked if the new rate structure should be delayed until after peak irrigation season, or if there should be a different implementation date. He thought rate changes typically began July 1st. Dias suggested scheduling a public hearing at the next meeting so commercial users could have a chance to speak. Council Member Rubell thought a town hall format might be better so the water staff could interact with people and ease their concerns. Council Member Toly thought McAfee could speak at the Lodging organization meetings to relate the information. Dias stated there could be an open house here with it broadcasted. Council Member Dickey stated July was too early if it wasn't phased. Council Member Gerber thought it should be implemented sooner than later. She thought it could be voted on in June and enacted in September or October so people would have time to react to it. Council Member Rubell did not want to increase rates twice in one year. He thought it was better to increase the rates and then have programs on the back side. McAfee summarized staff would organize a town hall and then hold a public hearing.

REGULAR MEETING

I. ROLL CALL

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

COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Toly noted this was a peak weekend and advised listeners to plan accordingly. She also indicated Leadership 101 would be held tomorrow. Council Member Rubell reported on the most recent Fire District meeting. Mayor Worel stated Parley's Park Elementary invited her to visit and she took a snowplow with her, which the children liked.

Staff Communications Reports:

1. Monthly Budget Monitoring Report and Sales Tax Report:

Council Member Rubell stated this was the first report he saw where the year-over-year revenue was down.

2. Gillig Electric Bus Purchase Update:

3. Land Management Code Amendments Prioritized by the Planning Commission for 2023:

Council Member Rubell asked for a timeline, and noted he didn't see any dates for the items prioritized. Rebecca Ward, Assistant Planning Director, stated the items scheduled through March were in the report. Once the consultant was involved, a schedule would be reviewed. She anticipated completion for those amendments in November.

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

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

Michael Kaplan stated there were inequalities with the J1 and guest workers. He helped many and they worked at Fresh Market. Fresh Market offered them a higher wage and housing and then when they came, Fresh Market didn't pay the offered amount and offered no housing. Kaplan offered housing to them, but he had to pay non-resident taxes on his house. This disincentivized landlords from renting to J1s. One possible solution would be to require employers to provide housing for the workers. He asked who he should talk to for help. He also asked if the City would pay the extra taxes that landlords paid.

Aldy Milliken, Kimball Arts Center (KAC) Executive Director, reviewed the history of the arts and culture district and asked Council to respect the 2017 Letter of Intent (LOI). The KAC had the resources to pay their portion of the property for their building. The pandemic was over and the KAC was thriving. It was almost 50 years old. The building they rented was not meant for kilns and other art features. He wanted to remind everyone of the City's commitment to arts and culture. He asked Council and the community to secure a home for art in the community.

Bob Theobald stated his concern was with public officials and their entitlements. Planning Commissioner Hall was building a pool but he didn't apply for a conditional use permit (CUP) and the Planning Department didn't require one. Four people filed a complaint about this project. At a Planning Commission meeting in 2022 where pickleball courts were being discussed, Commissioner Hall changed the topic and asked to delete pools and spas from the definition. Neither Planning Director Milliken nor Commissioner Hall disclosed to the Commission that Commissioner Hall was actively constructing a pool without a CUP. The second report he wanted to discuss concerned the Planning Director and the Building Official. There were Planning and Building process violations. Theobald noted Council Member Rubell expressed concerns at the December 15th Council meeting regarding Theobald's report. The incidents were documented in case studies. The Planning Department needed to be reviewed. He submitted documents to the City Recorder for the public record.

Heather Peteroy indicated she really liked the arts and culture aspects of the City. She was excited about the arts and culture district, but saw it wasn't progressing. She was now on the KAC Board and she wanted to make sure the community was well rounded.

Shirin Spangenberg eComment: "I own Escape Room Park City. There are a couple of items on this agenda that I would like to comment on. First off, paid parking during the day has hurt my daytime business. We are down by a considerable amount and our customers are commenting on the expense when the parking is not full. I feel like this can be changed by have 3 free hours but after 3 hours it will be \$30 or whatever the rate is after so many hours. After seeing the numbers provided by the parking

department, I do not think there is justification for paid parking during the day. Secondly, I understand that you are voting on a survey of the Bonanza Park area. It's concerning to me that you are only looking at a very small area of establishments for advice as to what will go at Bonanza Park. The top of Main Street is less than 2 miles away and should have some consideration in this study. I think a 3 mile radius is more reasonable so that most of Park City is represented."

Jason Sanders eComment: "Bus Route to/from Park City Heights - Service to/from Transit Center on weekends at a minimum to run until 11:00PM. We use it extensively to visit Main Street restaurants in the evening. Please do not reduce the schedule in the evenings. Ski Season - If you change the stop from High School directly to PCMR, I am fine with removing the High School stop. Transit Center for ski access is not a great option as Town Lift is already overloaded in the mornings and programs for kids require meeting at the base."

Megan McKenna eComment: "I am writing today to express my support for maintaining the current Silver route to Richardson Flat/ Park City Heights. I am a Park City Heights resident and can tell you the bus has been a game changer for our neighborhood. I ride it to and from work every day. I usually get off at the PCHS stop but occasionally ride it to the transit center when I need to go downtown or transfer. I don't have an epic pass but talking to neighbors and folks in town, I do think skier ridership would have been higher if it made a direct stop at PCMR. I understand budgets and staffing concerns but fear that limiting the route to only peak hours will lower ridership and mean more cars to and from our neighborhood. Traffic is not the primary reason I ride the bus. I also ride the bus to reduce my carbon footprint. I hope we can invest more in our climate goals and continue to work on increasing ridership, not decreasing it."

Mayor Worel closed the public input portion of the meeting.

IV. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from January 12 and 24, 2023, and the Joint City Council and County Council Meeting Minutes from January 24, 2023:

Council Member Gerber moved to approve the City Council meeting minutes from January 12 and 24, 2023, and the Joint City Council and County Council meeting minutes from January 24, 2023. Council Member Doilney seconded the motion.

RESULT: APPROVED

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

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Design Professional Services Agreement with Kimley-Horn in a Form Approved by the City Attorney, to Develop a Plan to Support "The Future of Transportation Technologies: Emerging Disruptors," in an Amount Not to Exceed \$130,000:

2. Request to Authorize the City Manager to Execute a Design Professional Services Agreement with Horrocks Engineers Inc, in a Form Approved by the City Attorney, to Provide Complete Engineering Services for Short-Term SR-248 Transit Solutions, in an Amount Not to Exceed \$239,280:

3. Consideration of Approval of Settlement and Acquisition of Façade Preservation Easement for 569 Park Avenue in the Amount of \$250,000, Resolving Prior Appeal of Demolition Denial/Determination of Significance:

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

RESULT: APPROVED

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

NAY: Council Member Rubell

VI. OLD BUSINESS

1. Consideration to Approve a New Letter of Consent for the Interlocal Agreement with Snyderville Basin Recreation District that Outlines the Operation and Funding of the Park City Ice Arena:

Amanda Angevine, Ice Arena Manager, reviewed the ice arena was built jointly by Park City and Snyderville Basin. Park City operated the facility and the Basin donated \$50,000 annually. The document outlined the parties would review the agreement every three years. The most recent Letter of Consent (LOC) was signed in 2018, and both entities had been working to update that since 2021. The City estimated there was a funding gap of \$550,000 for future repairs and large capital replacements that would be divided equally between the two entities. It was also proposed each entity would increase its annual donation from \$50,000 to \$66,000 annually. Initially, the Basin resisted, but in December they provided the letter included in the packet that supported the annual amount but not the lump sum amount.

Council Member Rubell stated this item was not noticed for action. Angevine stated there would be no impact to delaying the vote. Council Member Rubell asked when the asset study would be available. Angevine stated an agreement was being worked out with the vendor, but it would be finished in the next six months.

Council Member Dickey asked about the language to renegotiate the contract at any time. Angevine stated that language was added to the 2018 LOC to notify people that it

was possible to revisit items off of the three-year schedule. Because the study results would be coming back, they might want to revisit the discussion then. Council Member Dickey asked if the members of the district would retain the right to use the facility with the annual contribution. Angevine stated the district could use the facility based on the 2004 interlocal agreement and joint use agreement.

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

Council Member Rubell asked if this would be discussed after the cost study results came back. Angevine stated they wanted to make sure everything was considered and the study would assess that. They would have a more accurate funding level at that point. Council Member Rubell asked if accepting this letter would put the City in a box regarding negotiations. He suggested user fees could be assessed. Angevine indicated the interlocal agreement and joint use agreement were the foundation of the agreement and it laid out that there would be no price differentiation between the City users and the Basin users. The LOC would only affirm that the City would take the additional annual funding from the Basin while it was being offered. Council Member Rubell asked if signing the LOC now would preclude the City from asking for the \$275,000 in six months, to which Angevine indicated it would not.

Council Member Gerber asked if the funding was retroactive for 2022, to which Angevine stated it was not retroactive. Council Member Dickey asked what would drive our obligations regarding fees and each party's right to use the facility. He didn't want to do anything that would limit what actions could be taken. He suggested continuing the item in order to get public input. Mayor Worel asked if approving the LOC could wait until the study came back, to which Angevine affirmed. Council Member Gerber reviewed a cost study was done in 2017 and the Basin was asked at that time to contribute \$275,000. It hadn't paid the one-time money since 2017, and now the City was doing another cost study. Angevine stated the study was needed whether the Basin contributed or not.

Council Member Doilney didn't think the Basin would contribute no matter what the cost was. He thought it would be beneficial to continue the conversation over a longer course of time. He requested this be discussed in the budget process, and to also have a holistic conversation regarding recreation with our regional partners.

Margaret Plane, City Attorney, stated no action was necessary but this could be on the Consent Agenda on March 2nd. Council Member Rubell wanted to defer action until Council could see the study results.

2. Consideration to Authorize the City Manager to Enter into a Contract with MKSK, in a Form Approved by the City Attorney, for Consultant Services for a Feasibility Study for the Community Property at Bonanza and Kearns and for a

Small Area Plan for the Bonanza/Snow Creek Neighborhood, in an Amount Not to Exceed \$389,100:

Jen McGrath, Deputy City Manager, presented this item and reviewed two RFPs were issued for the Bonanza area and the arts and culture district within the area. The selection committee chose MKSK Consultants for both projects. She indicated within the scope of work, there were phases to the study and tasks for the small area plan. She stressed that the plan's goal was to compliment Main Street and not compete with it. They would also be looking at the substation as part of the process. McGrath stated they were ready to advertise for volunteers to serve on the advisory committee for this plan. They hoped these volunteers would have expertise in fields related to the study.

Council Member Rubell asked if the partners were paying for any of the feasibility study, to which McGrath stated it would be funded by the City. Council Member Rubell asked which staff was on the selection committee and McGrath provided a count of the staff involved. Council Member Rubell stated at the last retreat, Council discussed the need to see if the community wanted an arts and culture district. He looked at the timeline for public outreach and noted the decision would not be made for 10 months. McGrath indicated they would engage with the community early on and then take the information through the planning process. Council Member Rubell asked how we could proceed with the small area plan before the decision was made to have the district or not. McGrath stated understanding what the community wanted would be assessed early.

Luis Cabo, MKSK project manager, echoed McGrath's comments. He stated the project consisted of three phases and each phase would have a community engagement process. Then they would come to Council to share the results and confirm the path forward. He stated the first three months would establish the process. The feasibility stage wouldn't come until the ninth month. Council Member Rubell asked in what month of the process we would know if the community wanted an arts and culture district, to which Cabo stated in the third month. They would come to Council in the fourth month to share the feedback. Council Member Rubell asked if the rest of the contract would be used to plan a function for the district if the community didn't want an arts and culture district. Andy Knight, MKSK, stated if the feedback was not for an arts and culture district, they would assess what the community wanted and how it could fit in the area.

Council Member Rubell asked Knight to talk about his resort experience. Knight stated his team had a good portfolio of working with resort areas. One study was for Hilton Head, South Carolina. He also worked on quite a few entertainment districts such as Tulsa, Oklahoma, Chattanooga, Tennessee, and Columbus, Ohio. Council Member Rubell asked what the outlook for other projects was in the area plan area. McGrath stated projects like the Snow Creek Tunnel had already gone through extensive research and staff felt comfortable moving forward with it during this area plan study. The same was true for the Homestake housing development. Council Member Rubell asked if there were concerns about Planning applications coming in during this process, to which McGrath stated she didn't have concerns and noted work went on.

Council Member Doilney asked if the partner parcels would be on hold until the area plan/feasibility study was concluded. He also asked what could be done to maintain positive relationships. McGrath stated this was why the public engagement process was at the beginning of Phase One. What they heard from the community would direct the process, and she wanted to remain authentic to the process. Council Member Dickey commented the idea of the feasibility study was driven by the partners.

Council Member Toly was glad to see this study happening. She asked if the advisory group would work with other stakeholder groups. McGrath stated they wanted to work with as many in the community as possible. She reviewed members on the selection committee were from many perspectives of the community and they would continue with that through the entire process. Council Member Toly asked how extensive the study would be and if they would look to the surrounding areas as part of the strategy. Cabo stated their partner would do a market analysis in the region to find gaps in retail and other areas. He also noted the stakeholder engagement process would be themed based on interest. Council Member Toly asked if other areas could be looked at that might accommodate Sundance and the Kimball Art Center (KAC). McGrath stated that was not part of the scope. Knight stated as the small area was studied, there would be information that would be beneficial to other areas, but the feasibility study focused only on the specific site.

Council Member Gerber noted it wouldn't be fair to ask the partners to help pay for the feasibility study if they concluded the arts and culture district was not wanted. She was excited to see what came from the study.

Mayor Worel asked if there were Spanish speakers on the project. Cabo indicated he was from Columbia, South America, and could speak Spanish. Mayor Worel asked if meetings could be held in Spanish, to which Cabo affirmed they could do that if it was requested.

Mayor Worel opened the public input.

Jocelyn Scudder, Park City and Summit County Arts Council, via Zoom was excited to see what came from the study. In 2017, the Council prioritized Transient Room Tax (TRT) revenue for arts and culture and she felt that was a big win for the arts. She asserted there was a need for space for artists.

Mayor Worel closed the public input.

Council Member Rubell disagreed with not having the partners contribute to the cost of the study and he thought it was important that the partners were invested in the process. He had concern with the subcontractors involved because they worked with both resorts in town and they were coming to the City with applications. He thought that

took away from having an independent view. He also struggled with not having a moratorium on Planning applications during the study.

Matt Dias stated this would go on the March 2nd Consent Agenda. In the meantime, he asked that the advisory committee selection process begin. Council agreed staff could solicit applications to serve on the advisory committee.

VII. NEW BUSINESS

1. Consideration to Continue an Ordinance Approving Water Wise Landscaping Land Management Code Amendments to March 9, 2023:

Spencer Cawley, Planner II, stated the amendments went to Planning Commission and they made a positive recommendation.

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

Council Member Gerber moved to continue an ordinance approving water wise landscaping Land Management Code amendments to March 9, 2023. Council Member Toly seconded the motion.

RESULT: CONTINUED TO MARCH 9, 2023

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

2. Consideration to Approve Ordinance No. 2023-05, an Ordinance Approving the Ridgeview Townhouse Condominiums First Amendment - Amending Unit 3-B, Located at 3045 Ridgeview Drive, Park City, Utah:

Jaron Ehlers, Planning Technician, with applicant Andy Wyatt, presented this item. Ehlers stated the plat for this condo was approved in 1982. This unit was not built as specified on the plat and had expansions into the common area. The applicant requested a building permit, and it was decided the plat needed to be amended. This amendment would correct some non-conformities. The amendment would convert common space to private space. The public utilities were fine with the change to the utility easement.

Wyatt stated he bought the property a year ago and submitted the plans. The work he was doing was not outside the current building footprint. The HOA and other owners supported his project.

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

Council Member Rubell moved to approve Ordinance No. 2023-05, an ordinance approving the Ridgeview Townhouse Condominiums First Amendment - amending Unit

3-B, located at 3045 Ridgeview Drive, Park City, Utah. Council Member Gerber seconded the motion.

RESULT: APPROVED

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

3. Consideration to Approve Ordinance 2023-06, an Ordinance Amending the Land Management Code Section 15-2.13-2 to Prohibit Nightly Rentals and Fractional Use in the Chatham Crossing Subdivision, the West Ridge Subdivision, and the West Ridge Subdivision Phase 2, and Prohibit Fractional Use in the Solamere Subdivisions No. 1 and No. 2A:

Spencer Cawley, Planner II, presented this item and stated the proposal to prohibit nightly rentals and fractional use in Chatham Crossing and West Ridge and Fractional Ownership in Solamere were allowed per the Land Management Code (LMC). He noted the other subdivisions that had prohibited nightly rentals since 2014. Cawley stated there was a recital in the ordinance that would correct a typo.

Mayor Worel opened the public hearing.

Carol Dalton stated the CCRs were just modified to address fractional ownership and there was good support from the community. She had lived in Chatham Hills since 2003.

Mayor Worel closed the public hearing.

Council Member Gerber asked what the benefit was of having nightly rentals and fractional ownership prohibited in the code versus in the CCRs. Cawley stated the City didn't enforce CCRs but the LMC was reviewed as the Business Licensing Department reviewed applications for nightly rentals or fractional ownerships.

Council Member Rubell asked when the zoning study would be done in relation to fractional ownership. Rebecca Ward, Assistant Planning Director, stated the Planning Commission had a work session in January and it would come for Planning Commission recommendation this Wednesday. It would then come to Council for consideration on March 23rd. Council Member Rubell asked how a Planning Commission decision to carve out an area would affect this item. Ward stated some HOAs requested nightly rentals be prohibited and that was not within the scope of what Council directed Planning to study.

Council Member Dickey asked if West Ridge and Solamere CCRs already prohibited fractional ownership. Cawley indicated Solamere CCRs had 92% owner approval and they amended their CCRs. West Ridge updated their CCRs to restrict fractional use.

Council Member Toly asked if West Ridge and Solamere had existing nightly rentals. Cawley stated if they were existing nightly rentals and maintained their business licenses, they would be retained, but Solamere didn't restrict nightly rentals because their definition of nightly rentals was less restrictive than the City's definition.

Mayor Worel opened the public hearing.

Maverick Bolger via Zoom stated it was not in the municipality's best interest to prohibit these because it only benefitted the business licensing component. He suggested the Business Licensing Department have a contract that the HOA had to sign off on the business license.

Joe Tesch, Attorney representing Solamere 1 and 2A, stated Solamere amended their CCRs to prohibit fractional ownership. They also didn't have nightly rentals, but only allowed rentals one night a month.

Megan McKenna via Zoom, Housing Resource Center, offered support to the LMC Amendment.

Mayor Worel closed the public hearing.

Council Member Toly stated HOAs had the ability to prohibit nightly rentals and fractional ownerships. She felt a ripple effect was that these rentals and fractional ownerships would move to the areas of town that didn't have HOAs

Council Member Dickey supported the application to amend the LMC, but he didn't favor the practice generally. He viewed the authority to plan zones and these restrictions were for micro areas within zones. He thought it shifted private enforcement to the City. He thought there were enforcement avenues with CCRs. He didn't want to encourage HOAs to bring amendments to Council. Council Member Doilney agreed with Council Member Dickey's comment.

Council Member Gerber stated Council had encouraged neighborhoods to request LMC amendments and she supported it. She would encourage discussion on zoning. The hard part was precedence had been set, so the door could not be closed. But hopefully, other avenues could be considered in dealing with prohibiting these uses.

Council Member Rubell needed more information on this but referred to the pending study. He asked to wait four to five weeks to see the recommendation of the Planning Commission. He thought it should be more universal, uniform, and at the City level. Cawley indicated the HOAs went through the application process and they were at this point. Council Member Rubell reviewed Council would get the results of the Planning Commission study in a few weeks. Council Member Dickey thought it was logical to wait to see the study of the RD zone. Council Member Doilney was conflicted. He agreed

Council encouraged subdivisions to bring LMC amendments, but he favored waiting to see the study results. He felt this was legislative overreach to a certain extent. Cawley suggested continuing the item until April 27th and noted the HOAs were covered with the pending ordinance.

Council Member Doilney moved to continue Ordinance 2023-06, an ordinance amending the Land Management Code Section 15-2.13-2 to prohibit nightly rentals and fractional use in the Chatham Crossing Subdivision, the West Ridge Subdivision, and the West Ridge Subdivision Phase 2, and prohibit fractional use in the Solamere Subdivisions No. 1 and No. 2A to April 27, 2023. Council Member Toly seconded the motion.

RESULT: CONTINUED TO APRIL 27, 2023

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

4. Consideration to Approve Ordinance 2023-07, an Ordinance Approving the Vacation of a Portion of the Platted 13th Street Right-of-Way and the 1301 Park Avenue Subdivision, Located at 1301 Park Avenue, Park City, Utah:

Spencer Cawley, Planner II, presented with the applicant. He stated this was currently a meets and bounds structure. The request would have two lots of record and vacate part of the 13th Street right-of-way. There was a noncomplying unit consisting of two dwelling units and was technically a duplex. In 1961, a duplex was a complying use. He reviewed some of the Planning Commission thought there were other ways to get the required square footage to make the duplex conforming. The majority of the Planning Commission approved the application.

Council Member Toly asked why the duplex couldn't be smaller instead of vacating the road. Cawley stated that could be done but it would have to go to the Board of Adjustments for a variance to the LMC.

Council Member Gerber asked if accepting the dedication was tied to future improvements. Cawley indicated there weren't future improvements but there could be, and Condition of Approval 11 covered that. Council Member Gerber asked if the owner would pay for the improvements, to which Cawley indicated it referred to City improvements such as a sidewalk or bike lane. John Robertson, City Engineer, stated the City currently did not have plans for improvements in the area, but the City requested a dedication so it would have an easement to build a sidewalk in the future if it became feasible.

Council Member Dickey asked why some of the Planning Commissioners were against the approval. Cawley stated they wanted the applicant to adjust the lot line so the right-of-way would not be needed. He noted adjusting the lot line might affect setbacks.

Mayor Worel opened the public hearing.

Gary Knudson reviewed the history of the project. He moved to Park City in 1961 and mined. In another land transaction with the City, he had a handshake agreement with the City Manager that he could acquire this piece of right-of-way. He hoped the City would honor that agreement.

Amy Knudson stated her dad did a lot for the City. He was the high school football coach and sold land to the City for affordable housing. She hoped the Council would honor what was shared with him.

Mayor Worel closed the public hearing.

Council Member Doilney was glad the majority of the Planning Commission approved this vacation and plat amendment. He acknowledged not everything was done on paper historically, and he wanted to honor that commitment. Council Member Rubell asked if a new duplex would be created. Cawley stated the duplex already existed and this would make it a conforming unit.

Council Member Dickey moved to approve Ordinance 2023-07, an ordinance approving the vacation of a portion of the platted 13th Street right-of-way and the 1301 Park Avenue Subdivision, located at 1301 Park Avenue, Park City, Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED

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

5. Consideration to Approve Ordinance No. 2023-08, an Ordinance Approving The Bald Eagle Club at Deer Valley, Amending Unit 9 Plat Amendment, Located at 7979 Roamer Court, Park City, Utah:

Spencer Cawley, Planner II, presented this item and stated the property owner requested the plat amendment to add another garage and an office above the garage. The amendment would adjust the building pad and revise it for a future addition. The application complied with the zoning requirements. The Planning Commission requested the applicant submit all the information for the sensitive land overlay to the Planning Department to review. He reviewed some Conditions of Approval to correct encroachments.

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

Council Member Gerber moved to approve Ordinance No. 2023-08, an ordinance approving The Bald Eagle Club at Deer Valley, Amending Unit 9 Plat Amendment, located at 7979 Roamer Court, Park City, Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED

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

6. Consideration to Authorize the City Manager to Enter into a Contract with Stereotomic, PLLC, in a Form Approved by the City Attorney, for Land Surveying and Consultant Services, in an Amount Not to Exceed \$88,450:

Browne Sebright, Affordable Housing Program Manager, stated the Clark Ranch property was owned by the City. The western portion, which consisted of 10-15 acres next to Park City Heights, was the parcel being studied. The majority of the land was in a conservation easement. He displayed the 2016 map outlining the recommended area for housing. Sebright noted the land was annexed into the City recently, but it was zoned Recreation Open Space with the Sensitive Lands Overlay. The City completed a Conservation Resources Inventory to evaluate the geological and ecological characteristics of the site. This consultant contract would help inform how the City should manage that entire property and help Council determine if affordable housing or other City services should be placed on that site. Because of the sensitive land overlay, staff wanted a firm that would analyze view corridors, ridgelines, soils, steep slopes, mining hazards and environmental conditions. Sebright stated Stereotomic was a local company who understood Park City's unique features. They would come back in June with the findings.

Mayor Worel asked if the site analysis would help the City determine the best location for housing or if the location had to be within the triangle on the map. Sebright stated they were told 10 acres, the map was 11 acres, and staff expanded the proposed area to 15 acres to study for suitability.

Council Member Gerber remembered the former Council wanted an analysis done to determine the best location for housing and that the area should not be confined strictly to a certain boundary.

Council Member Toly asked who the stakeholders were. Glidden stated the City was a stakeholder, as well as the neighboring community of Park City Heights. Sebright added the firm would also analyze what density would be appropriate for the area.

Mayor Worel opened the public hearing.

Megan McKenna, Housing Resource Center, supported this study for affordable housing.

Mayor Worel closed the public hearing.

Council Member Gerber moved to authorize the City Manager to enter into a contract with Stereotomic, PLLC, in a form approved by the City Attorney, for land surveying and

consultant services, in an amount not to exceed \$88,450. Council Member Toly seconded the motion.

RESULT: APPROVED

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

7. Consideration to Approve Ordinance 2023-09, an Ordinance Amending Section 13-1-28, Drinking Water Source Protection, of the Municipal Code of Park City:

Michelle DeHaan, Water Program Manager, presented this item and stated the Utah Division of Drinking Water required ordinances to control or prohibit potential contamination sources from contaminating groundwater drinking water sources. The original ordinance was adopted in 2006 and amended in 2008. The ordinance listed known contaminants. This proposed ordinance would add to the list and include borings, wells, or excavations more than 10 feet deep; open-loop ground source heat pumps and Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS). She noted ski wax contained this contaminant and it could get into the water system. This ordinance would prohibit all skiers from using this ski wax. There would be education out there for residents and guests, and they would go to the ski shops and educate them as well. They talked to Jans and White Pines ski shops and the employees found some wax in their inventory. DeHaan indicated her team discussed offering a buyback program for the wax and she didn't think it would be a costly program.

DeHaan and Caroline Wawra with Recycle Utah set up a program for ski shops to drop off the wax at Recycle Utah. Wawra stated Recycle Utah had three bins of the wax so far and it was great getting the message out to get the wax out of people's hand.

Mayor Worel noted if the ordinance passed, the wax would be illegal in ski shops. DeHaan stated it would be illegal, but the City wanted to be a good neighbor. She felt the cost of buying the wax was less than having to treat the water.

Council Member Toly asked if DeHaan was working with Utah Olympic Park and Soldier Hollow. DeHaan stated when they discovered the wax was in the water system, they included many entities in the disclosure and Mountain Regional was very receptive. They were also in dialog with the State of Utah. They engaged with Summit County Health and thought skiing areas should be targeted. Council Member Toly suggested finding out how much wax was on the ski shop shelves before offering the shops money. Council Member Gerber asked how often the wells were checked for PFAS levels. DeHaan stated four sample sets were taken, usually one per season. In the last 18 months, the levels hadn't changed.

Council Member Rubell inquired if the shops were selling the wax. DeHaan stated she reached out to two shops and they were surprised they still had that wax in their inventory. They were willing to participate with the City. Council Member Rubell hoped the shops would do the right thing for the community instead of waiting for the check.

Council Member Doilney asked when producing wax with PFAS was prohibited. DeHaan didn't know the actual date of the ban for companies, but the ban for skiers was 2020-21. Council Member Doilney stated there were environmental concerns around ski wax for a decade. He hoped ski shops would pull the wax off their shelves. Council Member Dickey stated PFAS was in cookware and flooring and there were a lot of people looking at the issue.

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

Council Member Doilney moved to approve Ordinance 2023-09, an ordinance amending Section 13-1-28, Drinking Water Source Protection, of the Municipal Code of Park City. Council Member Toly seconded the motion.

RESULT: APPROVED

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

8. 2023 Legislative Session Update:

Matt Dias stated there were two weeks left to the Legislative Session. He was following the short-term rental bill, but the City maintained neutrality. There was a bill for cities with sand and gravel pits who wanted to keep the revenue local to deal with the associated impacts. This bill would amend the 50%-50% sales tax formula. Fifty percent of the revenue was currently based on population and 50% was based on point of sale. The City was against this because it could mean a reduction in sales tax revenue. Dias discussed the Summit County spot zoning bill and indicated the Utah League of Cities and Towns (ULCT) opposed the bill. A fractional ownership bill was proposed that would eliminate cities from zoning or prohibiting fractional ownership in residential zoning areas. Another bill consuming staff's time was getting ahead of language regarding a city's ability to have CUPs in residential areas and eliminating subterranean square footage from overall housing square footage so bigger homes could be built. Dias indicated he would have more details at the next meeting.

He briefly noted other bills, such as a MIDA bill, landscaping funds, business license, and solar panel tax credits.

Council Member Doilney asked for more information on the sales tax revenue bill and stated the City was a point of sale and an impact point area. Dias explained cities that didn't have a gravel pit would lose the amount that was normally redistributed because the revenue would stay in the sand and gravel pit cities.

Council Member Rubell wanted to know about bills that were positive to the community. Dias stated he would look for those and report on them next time.

VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

APPROVED 03-09-2023

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Description	Key Dates	
Budget/Finance							
Taxes	HB76	Tourism Fund Amendments	Rep. Jimenez, Tim	Sen. Thatcher, Daniel	Allows 3rd class counties to use a portion of TRT project dollars for tourism and recreation impacts. Tooele Co requested this bill to address medical service needs in remote areas for recreationalists.	1/17/23- House 1st Reading	
Food Taxes	HB101	Food Sales Tax Amendments	Rep. Robner, Judy	Sen. Johnson, John	Eliminated taxes on food and food ingredients (not including alcohol, tobacco, or prepared food). This would be 3-4% of PCMC's sales tax revenue.	1/17/23- House 1st Reading	
Transparency Budget	HB294	Governmental Entity Budget Transparency	Rep. Abbott, Nelson	Sen. Grover, Keith	Requires disclosure of local government budgets including total FY budget, proposed budget, % difference, and census population. Utah League of Cities and Towns opposes this bill. First, this is an oversimplification of the budgeting process. Local governments, like the state, have a general fund as well as specific-purpose funds. Some of these specific purpose funds pay for ongoing services. Others may finance capital facilities projects. Year-over-year percentage changes are more appropriate for some funds than others. Impact fee funds, for example, may vary with development patterns and needs. Secondly, the budget-to-population percentage reporting requirement misleads the public. HB 259 requires local governments to publish year to year budget changes as a percentage of population change. Population is a problematic metric to reference because it only represent the long-term resident and population growth ends to be liner but the cost of providing services is not necessarily linear. ULCT Strongly opposes this bill.	2/2/23- House to Committee; 2/9/23- Senate 1st Reading; 2/15/23- Senate to Committee	
Taxes	HB301	Transportation Tax Amendments	Rep. Schultz, Mike	Sen. Harper, Wayne	Increases vehicle registration fees \$5, reduces tax on motor fuel and imposes a 8% tax on the sale of electricity at charging stations.	1/20/23- LFA/Fiscal Note Publicly Available; 2/15/23- Senate 1st Reading	
Taxes Budget	SB75	Sand and Gravel Sales Tax Amendments	Sen. Sandall, Scott	Rep. Bolinder, Bridger	The "50/50" sales tax distribution system distributes half of the sales tax collected within a given jurisdiction remains in that jurisdiction. The other 50% is redistributed between all municipalities based on population. SB 75 contemplates removing the Sand and Gravel products from that distribution system. This would be the only taxable product with this exception. SB 75 opens the door to other industries that can demonstrate acute impacts on certain community roads (e.g., heavy petroleum or construction trucks) and de-emphasizes the population component of the 50/50 distribution formula. It also shrinks the pool of sales tax dollars for all local governments in the state without an active gravel pit and reallocates them to certain communities. ULCT strongly opposes this bill.	2/15/23- House 2nd Reading	
Taxes	SB153	Governor's Office of Economic Opportunity Amendments	Sen. Winterton, Ronald	Rep. Stenquist, Jeffrey	This bill modifies the Motion Picture Initiative to allow 2nd class counties adjacent to National Parks to qualify (i.e. Washington County)	2/14/23- Senate to House	
Food Taxes	SB164	Food Tax Amendments	Sen. Escamilla, Luz		Exempts food purchases made under the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).	2/3/23- Senate received Fiscal Note	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Equity Health							
Education	HB16	Bock Grant Funding for Prevention Programs in Public Education	Rep. Pulsipher, Susan	Sen. Millner, Ann	Established block grant funding for prevention programs in local education. As a result of negotiations with the Utah Behavioral Health Commission, this bill is likely to be amended to require schools to work with local authorities to provide these programs.	1/30/23- House 2nd Reading; 2/2/23- Senate 1st Reading	
Medicaid	HB84	Postpartum Medicaid Coverage Amendments	Rep. Lesser, Rosemary	Sen. Harper, Wayne	This bill extends Medicaid to postpartum care. Supported by Utah Behavioral Health Commission. Also see HB287 & SB133.	1/17/23- House 1st Reading; 2/6/23- House to Committee	
Medicaid	HB85	Pregnancy Medicaid Coverage Amendments	Rep. Lesser, Rosemary		This bill extends Medicaid to pregnant women with household income less than or equal to 100% of the federal poverty level. Supported by Utah Behavioral Health Commission.	1/17/23- House 1st Reading; 2/6/23- House to Committee	
	HB131	Vaccine Passport Prohibition	Rep. Brooks, Walt	Sen. Kennedy, Michael	Makes it unlawful to require vaccine cards at a public location or by government entities. Employers can not require vaccines or proof of vaccination.	1/30/23- House to Senate; 1/31/23- Senate to Committee; 2/15/23- Senate 3rd Reading Calendar	
Equity	HB132	Prohibiting Sex Transitioning Procedures on Minors	Rep. Shipp, Rex	Sen. Harper, Wayne	Requires physicians to obtain professional licensing for hormonal transgender treatments. Prohibits a health care provider from providing a hormonal transgender treatment to patients who have not previously received a hormonal transgender treatment (i.e. no new patients). Prohibits performing gender reassignment surgery on a minor. Exposes health care professionals to malpractice litigation for providing treatment in violation of this bill. Minors may continue treatment if it began and has been continuous prior to May 3, 2021, but treatment must end by November 3, 2023. See SB16	1/25/23- LFA/Fiscal Note Publicly Available	Oppose
	HB177	State Hospital Amendments	Rep. Hawkins, Jon	Sen. Bramble, Curtis	This bill creates an Advisory State Hospital Relocation Commission to discuss current levels of service, effectiveness, security, and alternative locations of the State Hospital. The Utah Behavioral Health Commission strongly opposes this bill due to concerns about a predetermined relocation agenda and the amount of time needed for a full relocation while no upgrades or expansion would be considered in the current facility.	1/26/23- LFA/Fiscal Note Publicly Available; 2/9/23- House to Comm- Held; 2/15/23- LFA/Fiscal Note Publicly Available	
Equity	HB228	Unprofessional Conduct Amendments	Rep. Petersen, Michael	Sen. Bramble, Curtis	This bill continues to maintain the conversion therapy ban for minors. The originally proposed exemption for verbal or written communication by itself has been removed in the substitute language. The new language allows therapy for minors that is neutral on sexual orientation and gender identity, including providing acceptance, support, and understanding; discussing moral, philosophical, or religious beliefs; stages and timing of identity development.	1/27/23- House to Committee; 2/15/23- Senate Circled	Oppose
	HB250	Social Worker Licensing Amendments	Rep. Judkins, Marsha	Sen. Bramble, Curtis	This bill allows the Department of Professional Licensing to create a path for social worker licensure for non-native English speakers who have met all of the eligibility criteria except passing the exam. There is a 30% pass rate for non-native English speakers. Supported by the Utah Behavioral Health Commission.	2/1/23- House Committee-Favorable Recommendation; 2/16/23- Senate 2nd Reading Calendar	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Equity	SB16	Transgender Medical Treatments and Procedures	Sen. Kennedy, Michael	Rep. Hall, Katy	Restricts medical treatment (including surgery and hormone therapy) for gender reassignment. Creates a new certification requirement for healthcare providers. This bill criminalizes providing prohibited medical care and exposes healthcare professionals to malpractice litigation. Minors who were diagnosed with gender dysphoria before Jan 28, 2023 may continue treatment. See HB132	1/27/23- Senate to Governor; 2/1/23- Lieutenant Gov's office for filing	Oppose
Equity	SB93	Vital Records Modifications	Sen. McCay, Daniel	Rep. Brammer, Brady	Bans amending the gender on birth certificates for minors.	1/23/23- House 1st Reading	Oppose
Equity	SB100	School District Gender Identity Policies	Sen. Weiler, Todd	Rep. Gricius, Stephanie	Requires schools to provide parents access to their children's records and other information regarding a student's gender identify that does not conform with the student's gender.	1/24/23- House Committee- Not Considered; 2/1/23- House to Senate; 2/9/23- Senate to Governor	Oppose
Housing, Building, Land Use, and Licensing							
Alcohol Finance, Economic Dev.	HB117	Occupational Restriction Amendments	Rep. Thurston, Norman	Sen. Bramble, Curtis	Allows restaurant employees who are 18 yrs. old and older to inform patrons and take orders for alcoholic products.	1/17/23- House 1st Reading	
Eminent Domain	HB196	Eminent Domain Revisions	Rep. Petersen, Michael		Removes the ability to exercise eminent domain for the purpose of creating a public park. This is unlikely to impact PCMC due to the lack of known history of using this authority, but this does eliminate the possibility of creating parks for broader public use. Opposed by Utah League of Cities and Towns.	1/17/23- House 1st Reading; 2/9/23- House to committee	
Housing & Transit Transportation Planning	HB233	County Land Use Amendments	Rep. Burkeland, Kera		This bill repeals the Summit County specific provisions in HB 462 from the 2022 session which required the County to include a Housing and Transit Reinvestment Zone as a strategy in their Moderate Income Housing Plan and then provide a plan for creating an HTRZ to the Governor's Office of Economic Opportunity. This bill may not have a high likelihood of success, but is important to watch for local impacts. Supported BY Summit County. Opposed by the Utah Homebuilders Association.	1/23/23- House Received Fiscal Note	
Wildland Fire	HB261	Fire Related Amendments	Rep. Snider, Casey	Sen. Vickers, Evan	Addresses prescribed burns, pile burns, and suppression events on private land; addresses when burning is allowed and when permits are required, notice requirements, criminal penalties for violations, and liabilities.	1/31/23- House 2nd Reding; 2/16/23- Senate Committee- Favorable	
Land Use	HB265	Sentinel Landscape Amendments	Rep. Peterson, Val	Sen. Bramble, Curtis	The first draft of this bill restricted municipalities from annexing land within 5,000 feet of a military boundary, including MIDA project areas. The bill has been significantly amended to now require municipalities to adopt compatible land use plans within a certain distance of defined military areas.	2/10/23- Senate 1st Reading; 2/15/23- Seante 2nd Reading Calendar	
Water Landscaping	HB272	Water Efficient Landscaping Amendments	Rep. Owens, Doug		Modifies an incentive program for waterwise efficient landscaping including eligibility criteria, requires implementation of water use efficiency standards.	1/27/23- House Received Fiscal Note	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Short Term Rentals	HB291		Rep. Musselman, Calvin		Includes a Utah sales tax identification number requirement - but only for STRs that do not exclusively use a Marketplace Facilitator (i.e., Airbnb, VRBO, etc.); Modifying language restricting local governments from using online listings as a form of discovery to notify non-compliant STRs; --Creates a Short-term Rentals Municipal Pilot Program + Amnesty: Allows municipalities to participate in a pilot program that would, in turn, allow them to unwind the Knotwell language (language restricting enforcement from solely using an online advertisement/listing as evidence) and collect up to 1.5% municipal TRT. --In order to receive these options, the municipality would need to: • Allow STRs in at least 80% of areas zoned for residential use. • Require all owners of STRs to maintain a municipal business license, a state sales and use tax license, and a federal tax identification number • Pass an ordinance that allows an STR who has complied with the above requirements to continue to operate, regardless of zoning, until sale.	1/27/23- LFA/Fiscal Note Sent to Sponsor; 1/31/23- House to Committee; 2/16/23- House 2nd Reading	
Housing	HB364	Housing Affordability Amendments	Rep. Whyte, Stephen	Sen. Fillmore, Lincoln	Modifies moderate income housing reporting requirements for cities and counties; established a board to hear city or county appeals to the Housing and Community Development Division's determination of non compliance on reports; increases the amount of low-income tax credits	2/7/23- LFA/Fiscal Note publicly available; 2/8/23- House to Committee; 2/15/23- LFA/Fiscal Note Publicly Available	
Land Use	HB406	Land Use, Development, and Management Act Modifications	Rep. Whyte, Stephen	Sen. Fillmore, Lincoln	This bill is difficult since it inserts new language with other jointly negotiated language. This bill addresses annexations; the TZO is mutually negotiated and prevents stacking of TZO with a pending ordinance. The broad prohibition for municipalities to require development agreements is aimed at a couple of local jurisdictions that required a DA for everything, including permitted uses. The Land Use Task Force suggested tailoring the language to prohibit DAs for allowed/permitted uses or specify only allowed for performance/flexible zoning/subdivisions, MPDs and annexations. Unfortunately, that suggestion is not reflected in the bill.	2/13/23- House 2nd Reading; 2/14/23- House Circled	
Licensing	HB408	Mobile Business Licensing Amendments	Rep. Spendlove, Robert		This bill expands the scope of food truck regulations to include all 'Mobile Businesses' including goods and services. It would extend reciprocal licenses across jurisdictions. Generally, inspection requirements would not change. However, expanding the regulations to a much broader set of businesses than food trucks is potentially a big change. PCMC doesn't have regulations for the vast majority of mobile businesses other than food trucks and this gives them more authority to come in and operate. If approved, several PCMC code amendments would be required or amended.	2/7/23- House 1st Reading; 2/14/23- House Circled	
Building & Fire Codes	HB409	State Construction and Fire Codes Amendments	Rep. Peterson, Thomas	Sen. Bramble, Curtis	Update adopted International Fire Code and National Fire Protection Association standards to updated versions.	2/7/23- House 1st Reading; 2/15/23- Senate 1st Reading	
Land Use	HB446	Housing and Transit Reinvestment Zone Modifications	Rep. Snider, Casey		Spot Zoning Bill' This bill provides development rights within 1/3 mile of public transit hub in a county if the county fails to submit an application for a housing and transit reinvestment zone before Dec 31, 2022. Development rights include- mixed-uses and 39-50 dwelling units per acre on average with 10% affordable deed restricted.	2/13/23- House 1st Reading; 2/16/23- House Received Fiscal Note	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Land Use	SB20	Military Installation Development Authority Amendments	Sen. Stevenson, Jerry	Rep. Peterson, Val	This bill is limited to MIDA/Mayflower, where there is a VCUP action and a UPDES (Clean Water Act) discharge permit for draining the Mayflower Mine. The mine draining will require a water treatment plant, which will be expensive. This bill looks like their attempt to stem disputes about ongoing liability for mine water treatment.	1/25/23- House 2nd Reading; 2/1/23- Signed by Senate President; sent for enrolling; 2/9/23- Senate to Governor	
	SB28	Radon Related Amendments	Sen. Sandall, Scott	Rep. Stratton, Keven	The bill establishes data collection, an online, public map, encourages testing for state-owned public buildings, and public schools.	1/19/23- Senate Committee- Held	
	SB166	Education Entity Amendments	Sen. Fillmore, Lincoln	Rep. Maloy, Cory	Required counties to consider micro-education and home-based education entities as a permitted use in all zoning districts within a county; restricts occupancy requirements beyond a primary dwelling; exempts food preparation and immunization standards.	2/13/23- Senate Circled	
Alcohol Finance, Economic Dev.	SB173	Alcohol Beverage Control Act Amendments	Sen. Stevenson, Jerry	Rep. Burton, Jefferson	This bill is likely to have multiple substitutions – allow patrons to take their own drink from the waiting area to the table. A restaurant can receive a banquet catering license for areas >1,000 sq ft for 50 or more guests. Increase the number of airport lounge licenses and allows for domestic airport lounge (extending service until 1:00 a.m. at St. George Airport). Since very few bar licenses are available, this bill would exempt fraternal, and equity bar licenses from the overall bar quota (opening up 40 more licenses).	2/3/23- Senate 1st Reading; 2/9/23- Senate Received Fiscal Note	
Land Use	SB174	Local Land Use and Development Revisions	Sen. Fillmore, Lincoln	Rep. Whyte, Stephen	Requires municipalities to submit moderate income housing report; amends allowed parking requirements; restricts municipalities from prohibiting accessory dwelling units on plat; amends the subdivision process- it puts all the teeth in the preliminary subdivision approval and limits it to one public hearing; but then limited to "shall" administratively approve final unless changes after prelim approval. This bill was strongly negotiated with the Utah League of Cities and Towns to counter more negatively impactful legislation regarding streamlining housing approvals consistent with local zoning. This bill is likely to pass and will require significant changes to the LMC and PCMC's process.	2/6/23- Senate to Committee; 2/13/23- Senate 2nd Reading; 2/16/23- House 1st Reading	
Building Permits Building Dept.		Building Plan Review Amendments			Draft language provided by ULCT. Requires screening of permit submittals within 1 business day. Limits when a city can require the applicant to redraft plans. Thacker requested additional clarity regarding the language ('significant' life safety standards) and expressed concerns about being able to require geotechnical reports.		
Land Use & Building Permits CD Depts.		Landscape Bonds			Pending- Modifying landscape bonds required by municipalities.		
Fractional Ownership		Fractional Ownership			There may be state legislation proposed regarding local regulation of fractional ownership, likely at the request of industry stakeholders. We do not have a filed bill number or any specifics yet. However, a bill may impact PCMC's recent fractional ownership ordinance.		
Water Management & Environmental Sustainability							
Golf & Public Utilities	HB188	Golf Related Water Modifications	Rep. Welton, Douglas	Rep. Moss, Jefferson	Requires golf courses and driving ranges to report water use on websites. While this is not a particular concern for PCMC. There is a small administrative impact. However, consistent reporting criteria for all golf courses would be ideal.	1/25/23- House Committee- Held; 2/1/23- Senate Committee- Held; 2/15/23- House 1st Reading	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Air Quality	HB220	Emissions Reduction Amendments	Rep. Stoddard, Andrew		This bill seeks to reduce air pollutants from a variety of sources including vehicles, buildings, and industry	1/23/23- House Received Fiscal Note	
Trails	HB224	Outdoor Recreation Initiative	Rep. Stenquist, Jeffrey	Sen. Anderegg, Jacob	Creates the Recreation Coordination Investment Initiative which supports agreements between the State Division of Recreation, BLM, Forest Service, County, SITLA, etc. to co-manage, co-fund, and have shared stewardship over recreation assets by pooling funds and managing them as a single asset utilizing the Outdoor Recreation Infrastructure Account (generates approx. \$36M annually). Funding would consider costs for capital, operation, and maintenance.	2/1/23- Senate to Committee; 2/12/23- Senate to House; 2/14/23- Enrolling	
Water	HB276	Water Supply Amendments	Rep. Lyman, Phil		Describes how a municipality provides water to a customer; addresses providing water to subdivisions; requires the State Engineer to post maps. Limits flexibility for municipalities that are supplying contract water. No direct impacts to PCMC. Opposed by Utah League of Cities and Towns and the Rural Water Association of Utah.	1/27/23- House to Standing Committee; 2/2/23- House to Committee- Held	
Trails	HB384	Outdoor Recreation Infrastructure Amendments	Rep. Stenquist, Jeffrey	Sen. Anderegg, Jacob	This bill outlines the use of dollars in the Outdoor Adventure Infrastructure Restricted Account (\$36M annual funding). Defines outdoor infrastructure to include: unpaved trail, trailhead, signage, crossing signs, etc.	2/12/23- House to Committee; 2/15/23- House 2nd Reading	
Renewable Energy	HB407	Incentives Amendments	Rep. Christofferson, Kay	Sen. Fillmore, Lincoln	This bill seeks to eliminate tax credits for solar and wind projects. It wouldn't affect PCMCs current solar project, but it could reduce the potential investment by the joint Utah 100-communities in Utah-based renewable electricity (contract for more Wyoming wind resources instead of Utah solar). This would also make Utah less competitive with other states incentive programs. Utah Clean Energy is strongly opposed.	2/10/23- House to Committee; 2/16/23- LFA/Fiscal Note Sent to Sponsor	
Water General Plans	SB76	Water Amendments	Sen. Sandall, Scott	Rep. Snider, Casey	Requires municipalities and counties to consult with the Division of Water Resources in developing general plans; notify public water systems.	2/1/23- House 1st Reading; 2/8/23- House to Rules due to Fiscal Impact	
Water Landscaping	SB118	Water Efficient Landscaping Incentives	Sen. Sandall, Scott	Rep. Owens, Doug	Authorizes water conservancy districts to receive grants to provide water efficient landscaping incentives; provides conditions for receiving incentives; provides for liens for removal of water efficient landscaping	1/25/23- LFA/Fiscal Note Publicly Available; 2/14/23- House Return to Rules	
Electricity Powered Transportation	SB125	Transportation Infrastructure Amendments	Sen. Wilson, Chris	Rep. Moss, Jefferson	Designates the U of U in charge of drafting an action plan for the electrification of transportation infrastructure, establishes a steering committee and industry advisory board who will consider charging stations, electricity providers, and vehicle manufacturers	1/26/23- Senate Received Fiscal Note; 2/1/23- Senate Committee- Held; 2/14/23- House 1st Reading	
Water Development	SB158	Water Use Exactions	Sen. McKell, Michael		Substitution language is anticipated. Currently- this bill modifies the basis for determining exaction for water use based on consumption. Unfortunately, delivery demand is greater than consumption and it would therefore artificially create a lower requirement for development.	1/31/23- Senate to Committee; 2/1/23- LFA/Fiscal Note Publicly Available; 2/16/23- Senate Committee-	
Trails	SB185	Transportation Amendments	Sen. Harper, Wayne	Rep. Christofferson, Kay	Creates the Active Transportation Investment Fund for infrastructure to maintain the Utah Trail Network.	2/12/23- LFA/Fiscal Note Sent to Sponsor; 2/15/23- LFA/Fiscal Note Publicly Available	
	SB211	Net Metering Energy Amendments	Sen. Harper, Wayne		This bill required utility providers to provide credit to customers for customer-generated electricity. This provides community benefit and incentive for solar on every home, business, etc. However, utility providers are likely to fight this bill and likely to request PCMC support.	2/15/23- Senate Received Fiscal Note	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Public Records, Open Meetings & Elections							
OPMA	HB21	Open and Public Meetings Act Amendments	Rep. Briscoe, Joe		Requires public bodies to allow public comment during public meetings. This bill is very broad and should be amended and limited to not apply to quasi-judicial bodies (Boundary Commissions) or bodies that are hearing complaints (Police Complaint Review Committee) or be required for every single meeting. This increases impacts and time commitments from (voluntary) board members.	1/17/23- House 1st Reading	
Elections	HB176	Municipal Voting Methods Amendments	Rep. Stenquist, Jeffrey		This bills gives participating municipalities the option to select different election methods as part of a pilot project.	1/25/23- House to Committee	
Bid Notice	HB280	Local Government Construction Project Bid	Rep. Owens, Doug	Sen. Weiler, Todd	Simplified public noticing for bids; Eliminates the requirement for local governments to post notices of bids in 5 public places and requires the notice to be posted on the state procurement website	1/27/23- House to Committee; 2/9/23- House 2nd Reading; 2/16/23- Senate 1st Reading	
Public Notice	SB43	Public Notice Requirements	Sen. Pitcher, Stephanie	Rep. Thurston, Norman	This bill creates classifications for the types of public notices for public meetings and specific requirements for those classifications including where notice should be posted (Utah Public Notice Website, Official Website, city hall + other options) This allows alternative options for posting the notice in 10 locations including social media, newspaper, utility bill, etc.	1/27/23- House 2nd Reading; 2/16/23- Senate Circled	
Public Safety							
Mental Health	HB29	Mental Health Support and Law Enforcement Co-response	Rep. Stoddard, Andrew	Sen. Pitcher, Stephanie	Establishes a grant program, administered by the Division of Integrated Healthcare, to fund responses to an individual experiencing a mental health crisis through new or expanded crisis intervention or mobile crisis outreach teams. Supported by Utah Chiefs of Police Association.	1/26/23- Senate 1st Reading; 2/1/23- Senate Committee- Not considered; 2/10/23- Senate 3rd Reading Calendar	
Domestic Violence	HB43	Domestic Violence Modifications	Rep. Pierucci, Candice	Sen. Escamilla, Luz	Creates the Domestic Violence Data Task Force; requires the Department of Public Safety to: develop and distribute a form to collect data on lethality assessments used in domestic violence cases from law enforcement agencies; and staff the task force; removes provisions requiring the DPS and CCJJ to collect certain domestic violence data; directs the Administrative Office of the Courts to consider certain domestic violence training for judges, commissioners, and court staff. Supported by Utah Chiefs of Police Association.	1/20/23- Senate to Committee; 2/1/23- Senate Committee- Favorable Recommendation; 2/8/23- Senate 3rd Reading Calendar	
Traffic Enforcement Police	HB55	Off-Highway Vehicle Registration Requirements	Rep. Albrecht, Carl	Sen. Bramble, Curtis	Exempts snowmobiles from license plate requirements and requires safety training courses for minors and renters of off-highway vehicles on public lands.	1/25/23- Senate Second Reading Calendar; 2/1/23- Senate 2nd Reading; 2/10/23- House Enrolled	
Investigations	HB57	Law Enforcement Investigation Amendments	Rep. Wilcox, Ryan	Sen. Weiler, Todd	This bill concerns procedures and requirements related to law enforcement investigations. This bill establishes law enforcement reporting requirements for (geolocation) reverse-location warrants which broadly search which mobile phone users were in a specific area at a specific time (not specific to an individual suspect), established reporting requirements, places restrictions on and establishes procedures for law enforcement access to reverse-location information; requires, with a sunset provision, a specified notice for certain warrant applications. This bill has been amended in response to concerns and is therefore supported by the Utah Chiefs of Police Association.	1/27/23- House to Senate; 2/1/23- Senate Committee- Favorable Recommendation; 2/8/23- Senate Circled; 2/15/23- Senate 3rd Reading Calendar	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Mental Health	HB59	First Responder Mental Health Amendments	Rep. Wilcox, Ryan	Sen. Ipson, Don	Adds spouses of retired first responders to the list of those who qualify for mental health services; and provides that mental health services shall be provided on a regular and continuing basis.	House 3rd Reading Calendar; 2/1/23- Senate to Committee; 2/9/23- Senate 2nd Reading Calendar; 2/15/23- Senate Circled	
School Safety	HB61	School Safety Requirements	Rep. Wilcox, Ryan	Sen. Ipson, Don	Creates a school security task force; required the state board of education to provide disciplinary reports; requires schools to conduct a threat assessment; modifies school resource officer contracts and requires SRO policies.	1/27/23- House to Committee; 2/7/23- LFA/Fiscal Note Publicly Available; 2/13/23- Senate to Committee	
Retirement	HB104	Modifications to Public Safety Retirement	Rep. Gwynn, Matthew	Sen. Bramble, Curtis	1- Reduces the separation period for post-retirement reemployment of a public safety or firefighter retiree from 1 year to 183 days. 2- Reduces the years of service from 25 to 22 years. 3- Increases the multiplier to 2.27% in the New Public Safety and Firefighter Tier II hybrid retirement system starting July 2024. Supported by the Utah Chiefs of Police Association. However, the fiscal note has raised some concerns at the Legislature. Estimated cost is \$23 M + 4% of salaries. The Utah League of Cities and Towns supports item #1.	1/17/23- House 1st Reading	
Traffic Enforcement Police	HB168	License Plate Reader Systems Amendments	Rep. Burton, Jefferson	Sen. Weiler, Todd	Allows a law enforcement agency to use license plate reading technology gathered by a private entity in certain circumstances; allows the DOT to issue a permit for the use of license plate reading technology on a state highway in certain circumstances; requires a law enforcement agency participating in a license plate reading technology program to publicly post policies related to license plate reading technology and special use permits the law enforcement agency has received; defines parameters for the collection and retention of information for investigative searches and for audit purposes gathered through license plate reading technology by a law enforcement agency. Supported by the Utah Chiefs of Police Association.	1/17/23- House 1st Reading	
Firearms	HB199	Voluntary Firearm Safekeeping Amendments	Rep. Cutler, Paul	Sen. Weiler, Todd	Prohibits a law enforcement agency that receives a firearm from the owner or the owner's cohabitant for safekeeping from returning the firearm to the owner if the owner: is a restricted person; or is alleged to have committed a domestic violence offense and is subject to a jail release agreement or a jail release court order. Supported by the Utah Chiefs of Police Association.	1/25/23- House to Committee; 1/30/23- House Committee- Held; 2/15- House- Circled	
Drug and Alcohol	HB223	Drug and Alcohol Enforcement Amendments	Rep. Burton, Jefferson	Sen. Stevenson, Jerry	Requires the Department of Public Safety to use the Alcoholic Beverage Control Act Enforcement Fund to maintain a certain number of drug enforcement officers; increases the deposits made into the Alcoholic Beverage Control Act Enforcement Fund and the Alcoholic Beverage Enforcement and Treatment Restricted Account	1/26/23- House 2nd Reading; 2/1/23- Senate to Committee; 2/15/23- Senate- Circled	
Traffic Enforcement Police	HB255	Vehicle Accident Reports Amendments	Rep. Stoddard, Andrew	Sen. Weiler, Todd	This bill requires the Department of Public Safety or the investigating peace officer's law enforcement agency to provide an unredacted accident report to certain persons and provides that the unredacted accident report shall contain, among other items, the name, phone number, and address of each driver and person involved in the accident.	1/24/23- House to Committee; 1/31/23- House 2nd Reading; 2/10/23- Senate to House; 2/14/23- Enrolling	
	HB266	Amber Alert Amendments	Rep. Wilcox, Ryan	Sen. Bramble, Curtis	Specifies criteria to issue an Amber Alert and gives the Department of Public Safety the authority to activate an alert.	1/25/23- House to Committee; 1/31/23- House 2nd Reading; 2/15/23- Senate 2nd Reading	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Investigations	SB49	Juvenile Custodial Interrogation Amendments	Sen. Riebe, Kathleen	Rep. Judkins, Marsha	Provides an exception to the two-hour requirement for the custodial interrogation of a child; addresses disclosures made to a child before the custodial interrogation of the child.	1/20/23- Senate 2nd Reading Calendar; 2/1/23- Senate to House; 2/15/23- Enrolling	
Criminal Law	SB87 (SJR 6)	Criminal Prosecution Modifications	Sen. Weiler, Todd		Provides a defendant with a right to depose a witness in a criminal prosecution if the defendant is charged by information with a class A misdemeanor or a felony; grants a defendant with a right to subpoena a witness to testify at a hearing in certain circumstances. The Summit County Attorney has expressed concerns regarding constitutional implications and increased costs. The Utah Chiefs of Police Association strongly opposes this bill largely due to the negative impacts to victims.	1/20/23- Senate 2nd Reading Calendar; 1/31/23- Senate- Circled	
Training Equity	SB101	Peace Officer Training Modifications	Sen. Kwan, Karen	Rep. Clancy, Tyler	This bill requires a portion of a peace officer's basic training to include certain subjects involving victim targeting. This bill requires under certain conditions a peace officer's basic training to include training on identifying, responding to, and reporting a criminal offense that is motivated by certain personal attributes; and makes technical and conforming changes. Supported by the Utah Chiefs of Police Association.	1/27/23- Senate Committee; 1/30/23- Senate 2nd Reading; 2/9/23- Signed by Senate President; Enrolling	
Traffic Enforcement Police	SB105	Traffic Enforcement Amendments	Sen. Stevenson, Jerry		This bill amends restrictions on the use of photo radar for traffic enforcement. It also amends the definition for "photo radar". Allows the use of photo radar without a peace officer present for speed limit or traffic light enforcement; and prohibits the use of photo radar to photograph the front of a vehicle or the faces of a vehicle's occupants. Supported by the Utah Chiefs of Police Association.	1/23/23- Senate Received Fiscal Note; 2/16/23- LFA/Fiscal Note Sent to Sponsor	
Domestic Violence	SB117	Domestic Violence Amendments	Sen. Weiler, Todd	Rep. Wilcox, Ryan	Requires law enforcement officers to conduct lethality assessment in domestic disputes and include findings within incident reports, maintain a reporting mechanism to submit and maintain lethality assessments in a State managed database. Strongly supported by the Utah Chiefs of Police Association.	1/25/23- Senate Special Orders Calendar; 1/31/23- House 1st Reading; 2/8/23- House Returned to Rules due to fiscal impact	
Misconduct	SB124	Law Enforcement Officer Amendments	Sen. Escamilla, Luz	Rep. Wilcox, Ryan	This bill authorizes the Peace Officer Standards and Training Division to discipline a chief executive who fails to report misconduct; requires a law enforcement agency to use an early intervention system to determine law enforcement officer performance under certain circumstances and creates the Early Intervention System Grant Program.	1/26/23- LFA/Fiscal Note Sent to Sponsor; 2/1/23- Senate Committee- Favorable Recommendation; 2/15/23- House to Committee	
Criminal Law	SB219	Criminal Trespass and Privacy Amendments	Sen. Winterton, Ronald		Prohibits using technology to capture info about a private property where there is an expectation of privacy.	2/13/23- Senate 1st Reading; 2/16/23- Senate Committee	
Investigations	SJR6	Joint Resolution Amending Rules of Procedure and Evidence Regarding Criminal Prosecutions	Sen. Weiler, Todd		Amends Rule 7B of the Utah Rules of Criminal Procedure to address the use of reliable hearsay and the admission of evidence in preliminary hearings; amends Rule 14 of the Utah Rules of Criminal Procedure to address a defendant's right to a discovery deposition in a criminal prosecution; amends Rule 16 of the Utah Rules of Criminal Procedure to allow for depositions for the purpose of discovery in a criminal prosecution; amends Rule 22 of the Utah Rules of Juvenile Procedure to address the use of reliable hearsay in preliminary hearings; amends Rule 1102 of the Utah Rules of Evidence to address the admission of reliable hearsay statements in preliminary hearings. The Utah Chiefs of Police Association strongly opposes this bill.	1/20/23- Senate 2nd Reading Calendar; 1/31/23- Senate- Circled	

2023 LEGISLATIVE BILL TRACKER							
Category & Impacted PCMC Dept	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
	SCR3	Concurrent Resolution Encouraging Support for the Listen and Explain, Cooperate and Communicate Campaign	Sen. Harper, Wayne	Rep. Ivory, Ken	This resolution highlights the importance of a relationship of trust between law enforcement and the community members they serve; details what elements must be in place to strengthen the relationship between law enforcement and community members; and supports the creation of the Listen and Explain, Cooperate and Communicate Campaign. Supported by the Utah Chiefs of Police Association.	1/23/23- Senate 2nd Reading Calendar; 2/15/23- House 2nd Reading	
Other							
Transportation	HB136	Safe School Route Evaluations	Rep. Ballard, Melissa	Sen. Weiler, Todd	Requires a school traffic safety committee to make bus route recommendations and submit child access route plans including infrastructure improvement recommendations to DOT, municipal and county highway authorities. The highway authority must provide time and cost estimates and identify the project priority.	2/1/23- LFA/Fiscal Note Publicly Available; 2/8/23- Senate to Rules; 2/13/23- Senate to Committee	
	HB173	Government Attorney Fees Amendments	Rep. Birkeland, Kera		Requires a court to award reasonable attorney and expert fees to a private party who prevails in certain civil actions vs. a government entity.	1/24/23- House to Committee	
Education	HB215	Funding for Teacher Salaries and Optional Education Opportunities	Rep. Pierucci, Candice	Sen. Cullimore, Kirk	Increases teacher pay and establishes a \$42M school voucher program for private and home schools.	1/27/23- House to Governor; 1/28/23- Governor Signed	
Olympics	HB430	State Olympics Coordination Amendments	Rep. Hawkins, Jon	Sen. McKell, Michael	Creates a new legislative committee to oversee the Olympic Games and to review agreements prior to being signed by the Governor.	2/14/23- House 2nd Reading	
Olympics	HCR8	Concurrent Resolution Addressing the Olympic and Paralympic Winter Games	Rep. Hawkins, Jon	Sen. McKell, Michael	This describes previous legislation supporting Utah's hosting of a future Olympics and the success of the 2002 Olympics.	2/16/23- LFA/Fiscal Note Sent to Sponsor	
State Flag	SB31	State Flag Amendments	Sen. McCay, Daniel	Rep. Schultz, Mike	Adopts a new state flag and allows for the current state flag to continue to be used as a ceremonial state flag.	1/30/23- House received from Senate; 1/31/23- LFA/Fiscal Note Sent to Sponsor	
Social Media	SB152	Social Media Regulation Amendments	Sen. McKell, Michael	Rep. Teuscher, Jordan	Requires social media companies to obtain parental consent for minors to open or maintain accounts; prohibits direct messaging with certain accounts; may not show a minor's account in search results; may not advertise or suggest accounts or content; shall limit hours of access subject to parental discretion; allow the parent access to content/interactions	1/31/23- Senate Business & Labor Committee- Favorable Recommendation; 2/1/23- Placed on Senate 2nd Reading Calendar; 2/15/23- House 1st Reading	
Roadways			Rep. Christofferson		This will to fund a study to evaluate the characteristics of what types of roadways UDOT should own. There is a push by Utah County, to eliminate UDOT owned roads or swap some local roads with UDOT roads/UDOT to local. Funding operational costs are still unclear		
Meals on Wheels Funding Request					The Statewide Area Agencies on Aging (AAAs) has a funding request for \$2,178,500 at the State Legislature for the Home Delivered Meals on Wheels Program. The request is sponsored by Senator Jacob Anderegg to cover ongoing funding to address inflationary operational costs and extensive program growth statewide.		

MID-SEASON UPDATE WINTER TRANSPORTATION OPERATIONS

2022-2023



ANNUAL TRANSIT PERFORMANCE STATISTICS 2022





RIDERSHIP

Overall, ridership continues to trend toward a return to pre-pandemic levels.

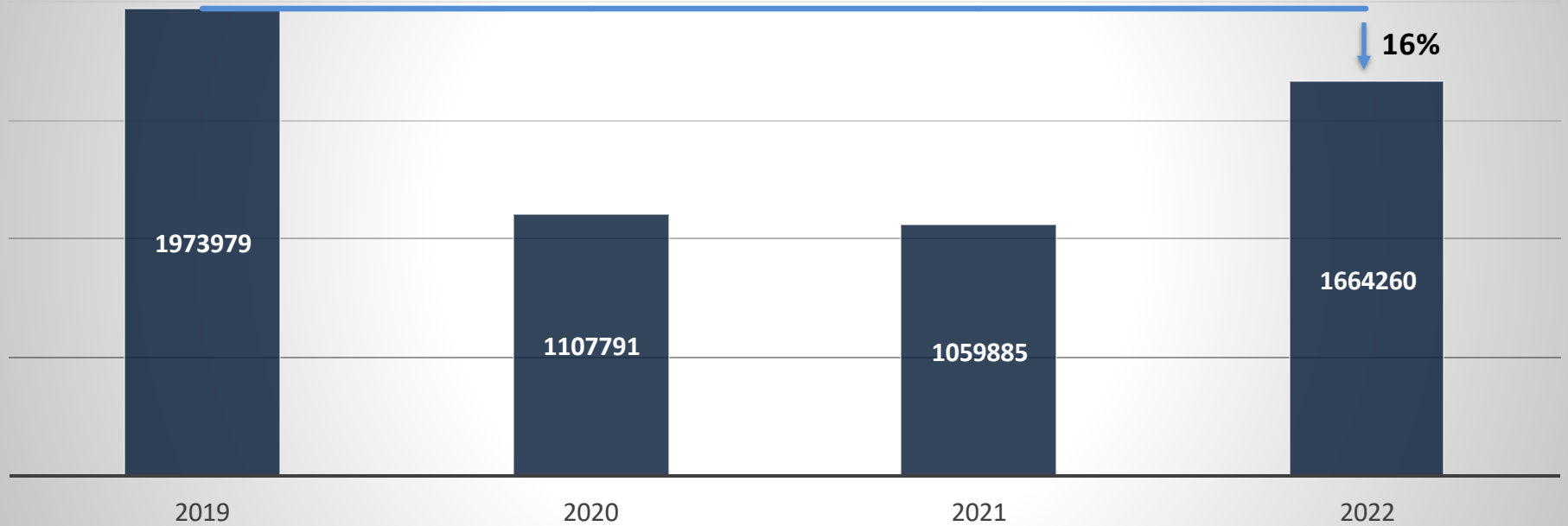
Ridership in 2022:

- Up 57% from 2021
- Down 16% below 2019

We anticipate 2023 ridership numbers will match and possibly exceed 2019 ridership.

RIDERSHIP

Annual Ridership Totals



■ Year-End Total

— 2019

RELIABILITY

In 2022, PC Transit continued to seek a goal of 90% for on-time performance. This goal was nearly obtained, reaching an average of 86% on-time reliability across all routes. The biggest challenge to on-time reliability is traffic and insufficient bus only priority traffic lanes.





PARATRANSIT & ON-DEMAND

While overall annual paratransit and on-demand ridership decreased by 6% in 2022, total monthly ridership from July to December¹ increased 16% from 2021 to 2022.

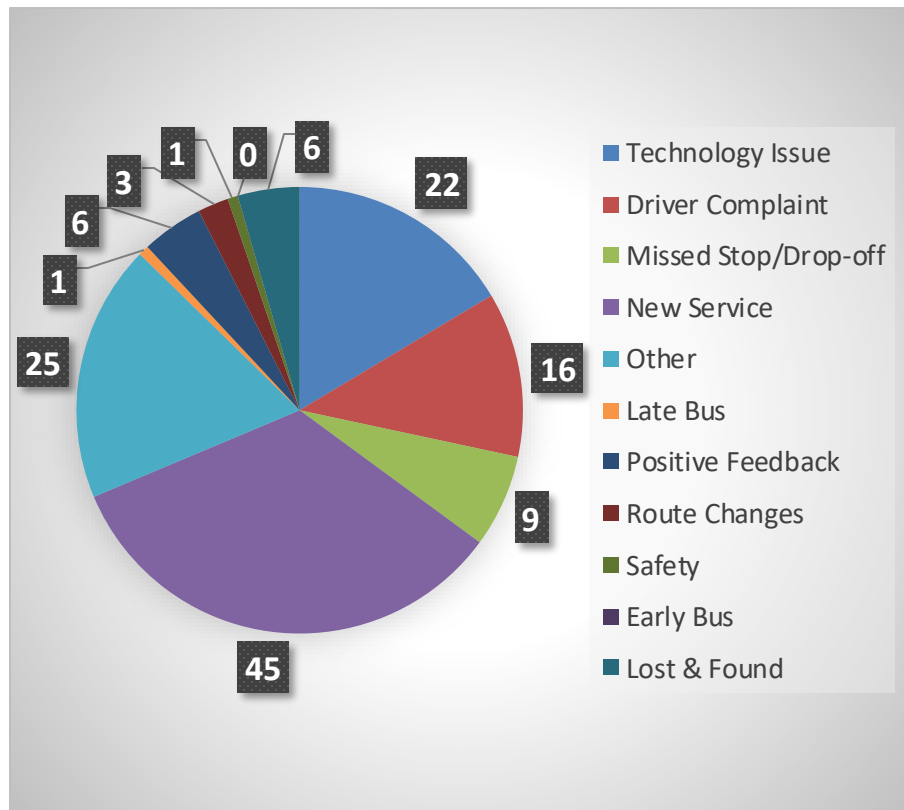
¹County separation occurred in July 2021.

ACCIDENTS

Avoidable accidents per hour of service were reduced by 78% in 2019 and 47% in 2020, compared to 2018 and 2019. The total number of avoidable accidents per hour of service did not significantly increase from 2021 to 2022.



CUSTOMER FEEDBACK



Customer feedback regarding 2022/23 Winter service focused heavily around the 6 Silver route:

- How to use the service
- Transferring to the resorts
- Turning the service into direct routing to each resort

COMMUNITY OUTREACH

Over “Try Transit Week”, PC Transit partnered with HVT, the Park City Chamber, the Christian Center of Park City, Canyons Village Management Association, Deer Valley Resort, and the Mayor to reward existing riders for taking transit and provide education to encourage new riders.





— WINTER SERVICE —

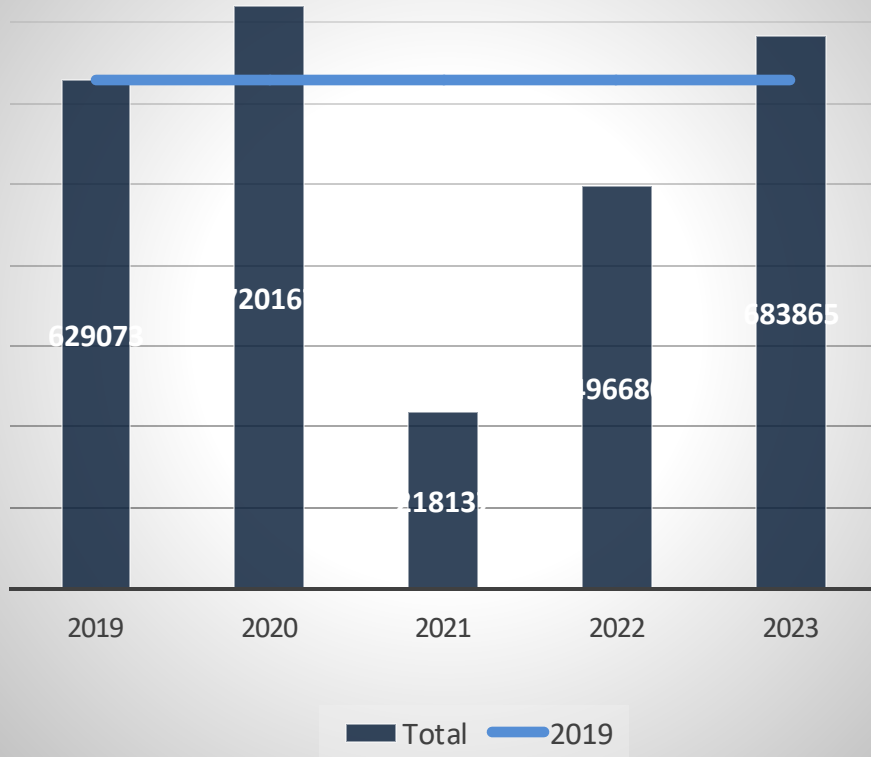
Thus far, 2022/23 transit ridership has increased 38% from Winter 2021/22.

- 2022/23 Winter¹ ridership exceeding 2018/19 by 9% (pre-pandemic ridership).
- 2023 Sundance Film Festival² was 10% above the 2019 festival and 23% below the 2020 festival.

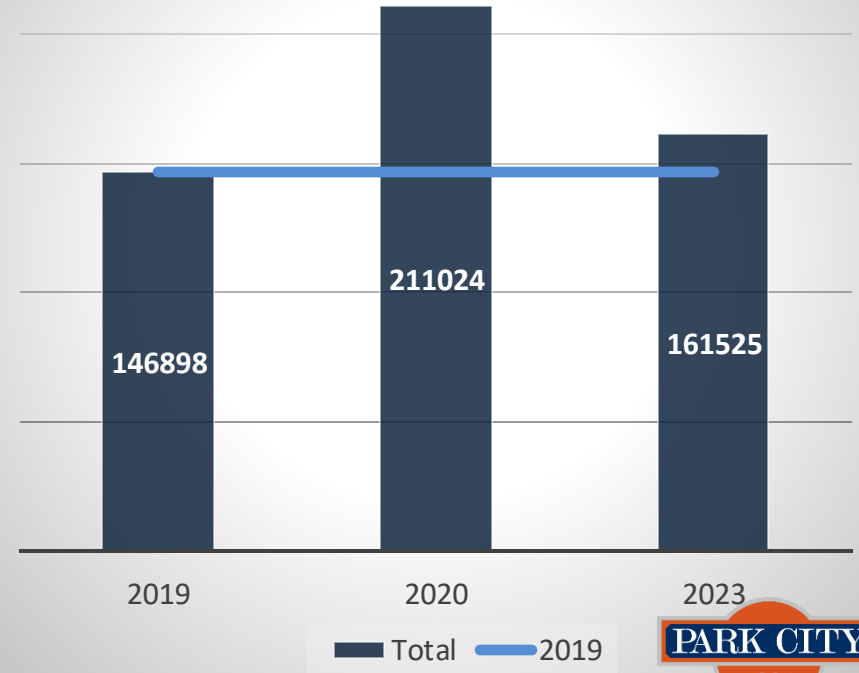
¹Data derived from Winter change day plus 60 days of full winter service. ²Preliminary calculations.

WINTER RIDERSHIP

Winter Ridership Totals



Sundance Ridership Totals



6 SILVER

Ridership at Richardson Flat peaked on January 21st:

- 335 parked vehicles
- 882 passengers

PC Heights ridership peaked on the same day:

- 37 passengers.

During Sundance (Jan 19 – Jan 29):

- 171 cars
- 464 passengers per day,

PC Heights averaged 21 passengers per day.



6 SILVER PROPOSAL

Frequency	Hours of Service	Total Cost	Estimated FY23 Cost (Apr 16-June 30)	Estimated FY24 Cost (July 1 – Nov 11)
(Option A) 20 min	6:45-8:45 am - Inbound 3:05-5:05 pm - Outbound	\$163K	\$60K	\$103K
(Option B) 40 min	6:45-8:45 am - Inbound 3:05-5:05 pm - Outbound	\$95K	\$35K	\$60K
(Option C) 20 min	6:45-10:45 am - Inbound 3:05-6:25 pm - Outbound	\$283K	\$102K	\$181K
(Option D) 40 min	6:45-10:45 am - Inbound 3:05-6:25 pm - Outbound	\$155K	\$56K	\$99K

— MARKETING —

Communication and Marketing Tactics:

- Social Media
- Door Hangers
- Bus Stop Posters
- Flyers
- Digital Ads
- Engage Park City
- Wayfinding Signage
- Events and Incentives
- Collaboration with Slate Communications





STAFFING

The City is currently understaffed for winter service.

Staffing count needed to include Richardson Flat service, on 40 min frequency through Fall 2023:

- 6 additional Full-Time Regular staff



WINTER PARKING PLAN UPDATE

2022-2023

PEAK DAYS

Summary of Peak Days

Max Peak = 61 Days

Peak Days = 32

Peak Day Calendar 2022-23

November						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

*Conservative Approach = 93
(Team Recommendation)

- Max Peak Days = 61
- Peak Days = 32
- Park City Resort Opens/Closes
- Deer Valley Resort Opens/Closes

- We saw excellent results from the peak day plan implementation, which translated to various benefits during peak traffic times. From Deer Valley ski overflow parking enforcement to quickly adapting to Sundance Film Festival ops plan adjustments, and World Cup traffic management, we felt prepared and confident.
- Major Events and peak days require heavy collaboration with Peak Day Management, Park City Police, Special Events, Trails, Streets, etc.
- Various events benefitted from improved traffic flow from Peak Day tools (signs, staffing, infrastructure)

WINTER PEAK DAY OPERATIONS

- SUCCESSFUL CHANGE
 - PC Mountain Village Circulation & Paid Reserved Parking
 - Residential Protection Efforts
 - Coordination and Relationships
 - Dynamic VMS Messaging
 - Optimization of City staffing and resources



WINTER PEAK DAY OPERATIONS

CHALLENGES:

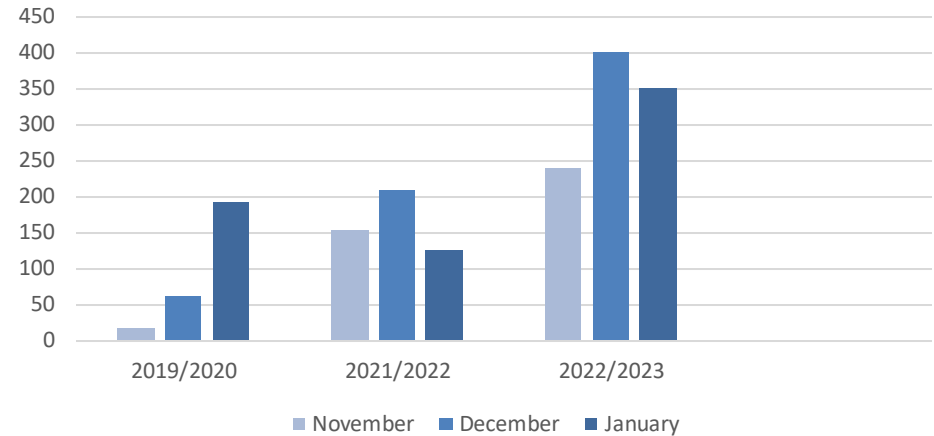
- Egress Congestion
 - ✓ Deer Valley Drive @ Bonanza
 - ✓ Deer Valley Drive @ Park Ave
 - ✓ Transit Delays

RESIDENT PARKING
2022-2023



RESIDENTIAL PARKING ENFORCEMENT

Tickets Issued in Residential Parking Areas



Park City Parking Services have issued significantly more parking citations this season. Important points:

- Additional patrol area, designation
- Additional staff and vehicle
- Direct request from residents through website and provided communication tools.



PAID PARKING 2022-2023

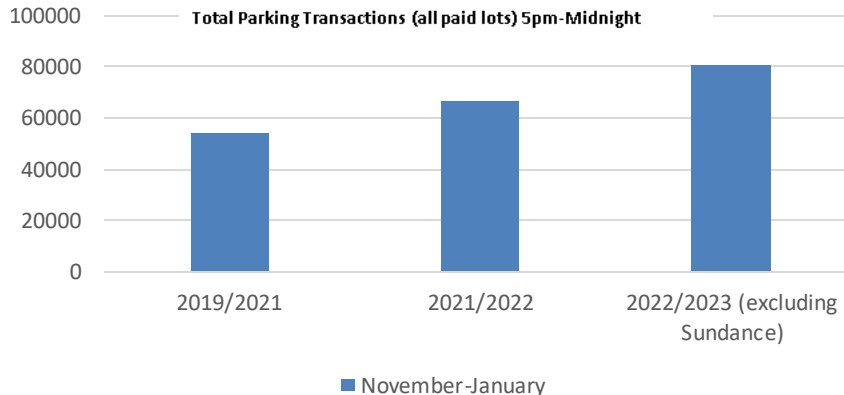
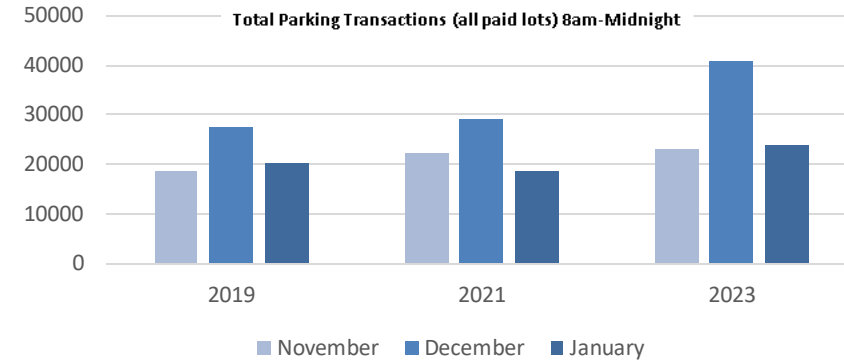
DAYTIME PAID PARKING

Since November 17, 2022, daytime paid parking has been in place.

- Park City Historic Park City Alliance provided a stance letter to activate the program post-Sundance.
- City Council voted to activate the program at the start of the ski season.
- Committed to return to these groups with the effects of daytime paid parking.
- Current plan to remain in effect until mid-April 2023.



PARKING TRANSACTIONS



Total Comparative transactions in all paid parking lots

Key Points:

- Daytime paid parking has been in place since November 15, 2022
- Parking transactions have increased by nearly 50%
- Parking occupancy has only increased by 5%

PARKING DURATION

Unique Parking Session Duration by Location

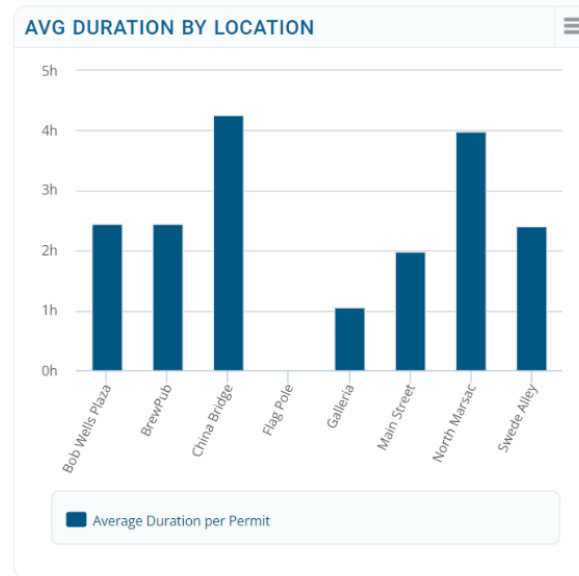
2022/2023 Winter Season Average Parking Session Duration

- China Bridge – 4.5 Hours
- North Marsac – 3.4 Hours
- Brew Pub – 2.4
- Swede Alley – 2.3
- Bob Wells – 2.3 Hours
- Main Street – 1.9 Hours
- Galleria – 1 Hour
- Flagpole – Employee Parking

2022 Average – 2.5 Hours

2021 Average – 2.4 Hours

2019 Average – 2.2 Hours (limited data - does not include China Bridge)



CHINA BRIDGE OCCUPANCY AVERAGE COMPARISON BY YEAR

2019	Nov	Dec	Jan 20	2021	Nov	Dec	Jan 22	2022	Nov	Dec	Jan
0	70	99	136	0	66	112	150	0	74	120	152
1	63	83	112	1	52	96	120	1	55	95	137
2	63	72	97	2	40	79	95	2	44	71	124
3	62	70	92	3	38	69	93	3	39	64	117
4	60	70	92	4	41	68	90	4	38	65	108
5	60	69	87	5	53	67	88	5	38	62	90
6	62	75	98	6	53	71	80	6	41	62	89
7	76	93	113	7	64	83	81	7	55	79	88
8	113	135	156	8	81	119	105	8	76	110	102
9	155	179	198	9	123	163	152	9	120	152	156
10	189	222	237	10	214	224	219	10	181	210	215
11	220	259	277	11	257	268	263	11	214	260	276
12	245	300	308	12	290	311	306	12	254	302	303
13	260	332	334	13	306	355	352	13	282	340	354
14	255	336	336	14	310	375	373	14	298	358	377
15	247	334	343	15	321	372	394	15	318	371	382
16	231	316	340	16	301	374	405	16	298	376	389
17	191	288	317	17	289	371	406	17	264	385	401
18	166	287	312	18	244	368	392	18	246	396	404
19	154	289	317	19	230	350	375	19	221	397	396
20	139	274	296	20	216	330	334	20	198	378	354
21	123	219	264	21	189	275	284	21	181	348	312
22	88	174	209	22	152	225	238	22	142	257	256
23	79	130	163	23	139	161	187	23	110	187	204

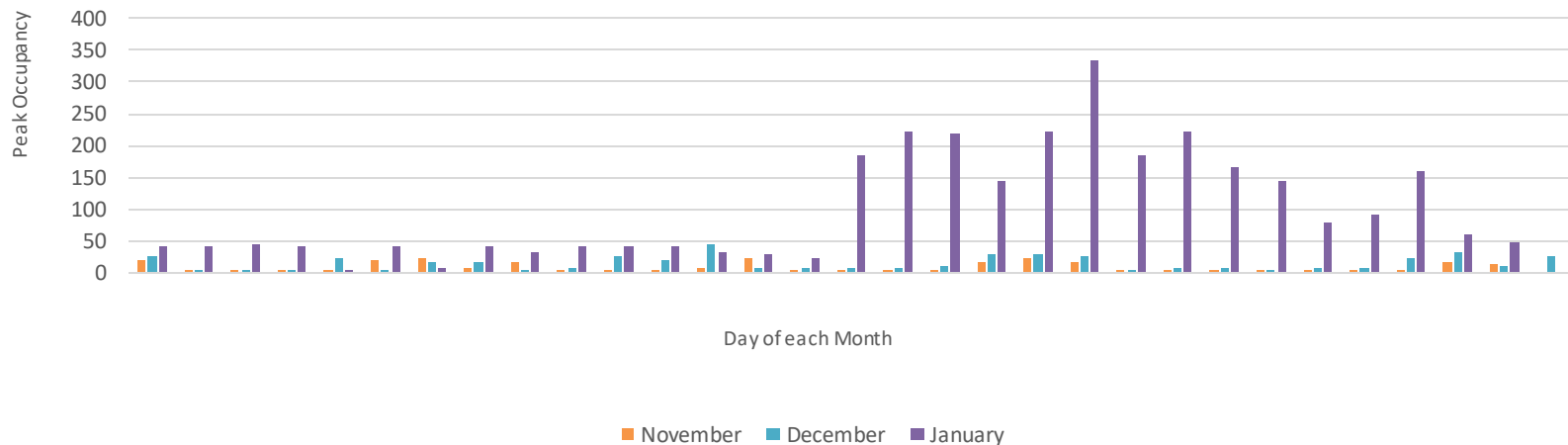
Key Points:

Average Parking Occupancy

- Parking averages were trending higher from 2019 to 2021 where overflow from resorts were being reported
- Averages for 2022/2023 winter season are stabilized with the implementation of paid to deter overflow from the resorts
- Parking occupancies are indicating later visitation- a sign that parkers are staying slightly longer into the evening to maximize their parking session.

PARK AND RIDE OCCUPANCY

Richardson Flat Occupancy 650 Total stalls



COUNCIL FEEDBACK

- Maintain current paid parking configuration for remainder of the season
- Flagpole lot to remain employee-only

PAID PARKING RATES BY LOCATION AND TIMES

Location	Rules/Times	June 1 - September 30 November 18 - April 14	October 1 - November 17 April 15 - May 31
		Peak Season	Off-Peak Season
Main Street	Time Limit	3 hours max	3 hours max
	11am-5pm	\$3 per hour	\$1 per hour
	5pm-12am	\$5 per hour	\$2 per hour
Brew Pub	Time Limit	3 hours max	3 hours max
	11am-5pm	\$3 per hour	\$1 per hour
	5pm-12am	\$5 per hour	\$2 per hour
China Bridge	Time Limit	24 hours max	No max
	8am-6pm	\$1 per hour/5th hour \$30	FREE
	6pm-12am	\$4 per hour	\$1 per hour
Swede Alley	Time Limit	4 hours max	4 hours max
	11am-5pm	\$1 per hour	FREE
	5pm-12am	\$4 per hour	\$3 per hour
Bob Wells Plaza	Time Limit	4 hours max	4 hours max
	11am-5pm	\$1 per hour	FREE
	5pm-12am	\$4 per hour	\$1 per hour
Flag Pole	Permit Required OTE, OTB, CARPOOL		
Galleria	Time Limit	1 hour max	1 hour max
	11am-5pm	\$1 per hour	FREE
	5pm-12am	\$4 per hour	\$1 per hour
North Marsac	Time Limit	24 hours max	24 hours max
	8am-5pm	\$1 per hour/5th hour \$30	FREE
	5pm-12am	\$4 per hour	FREE
Upper & Lower Sandridge	Time Limit	24 hours max	24 hours max
	12am-5pm	FREE	FREE
	5pm-12am	FREE	FREE

6 SILVER PROPOSAL

Frequency	Hours of Service	Total Cost	Estimated FY23 Cost (Apr 16-June 30)	Estimated FY24 Cost (July 1 – Nov 11)
(Option A) 20 min	6:45-8:45 am - Inbound 3:05-5:05 pm - Outbound	\$163K	\$60K	\$103K
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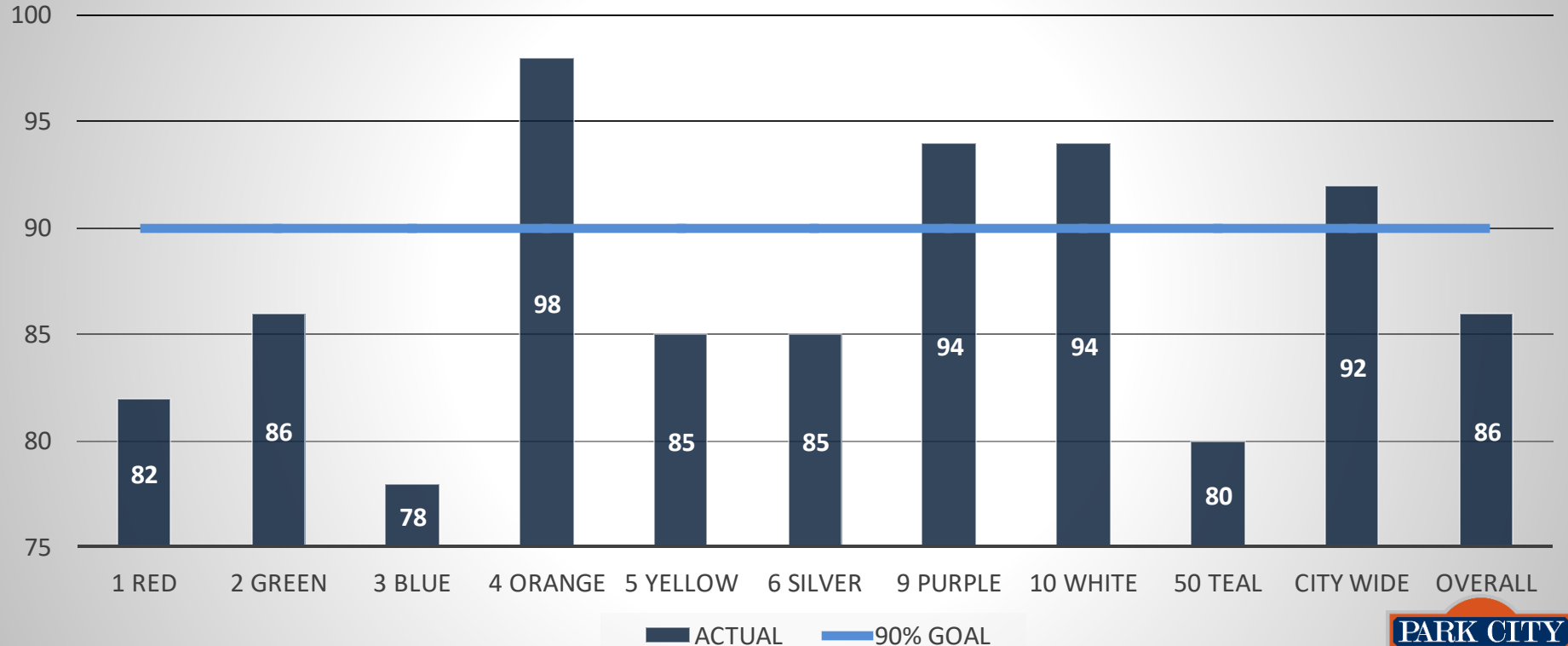
— MICROTRANSIT —



Photo from High Valley Transit

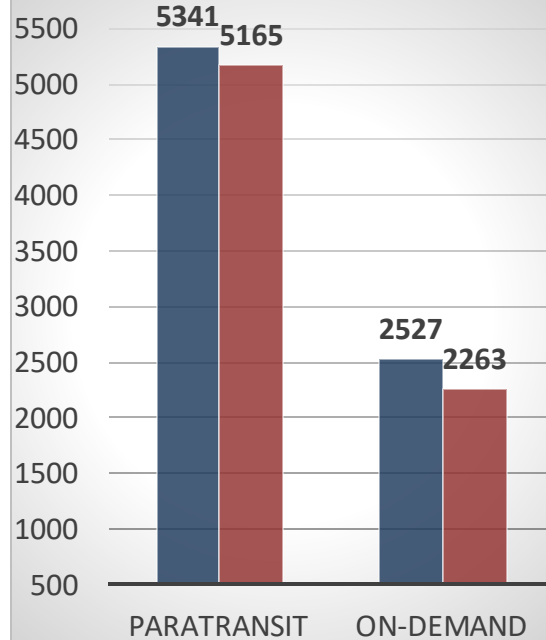
RELIABILITY

Percentage of On-Time Reliability



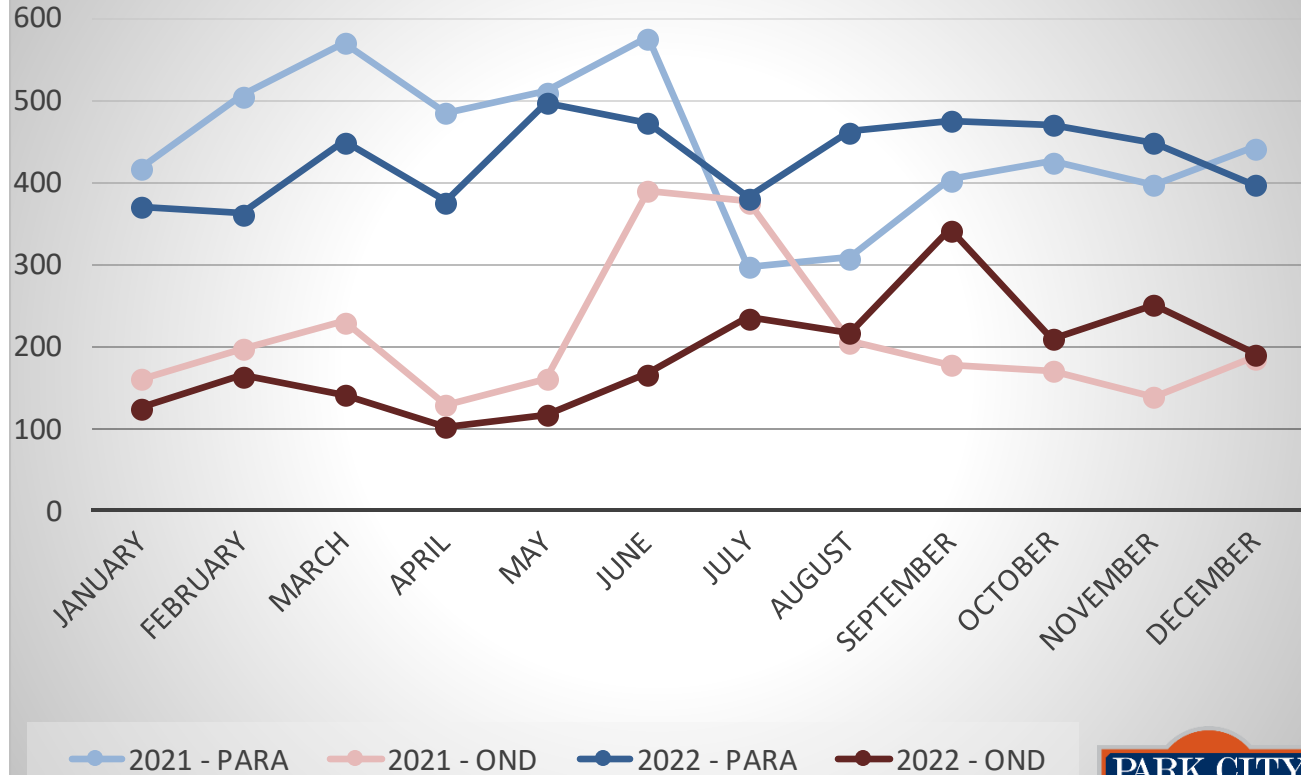
PARATRANSIT & ON-DEMAND

Annual Ridership



Series1
Series2

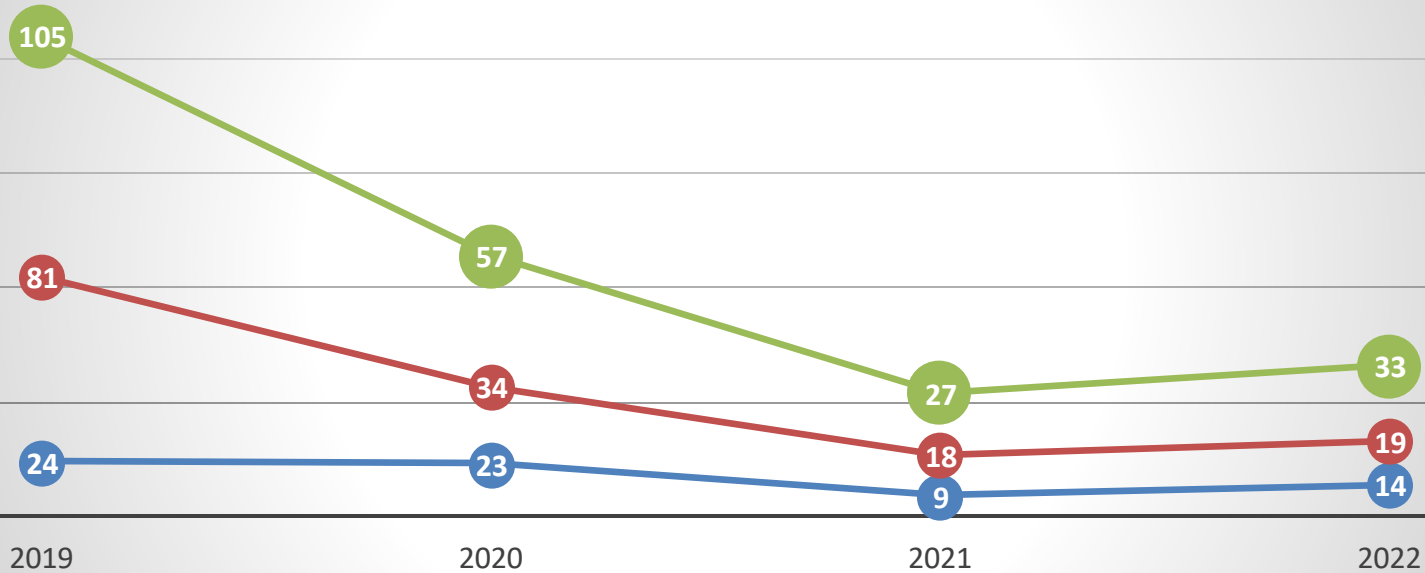
Total Monthly Ridership



2021 - PARA 2021 - OND 2022 - PARA 2022 - OND

ACCIDENTS

Accidents Per Calendar Year



—●— Unavoidable

—●— Avoidable

—●— Total

PARK CITY

1884



High Valley
TRANSIT



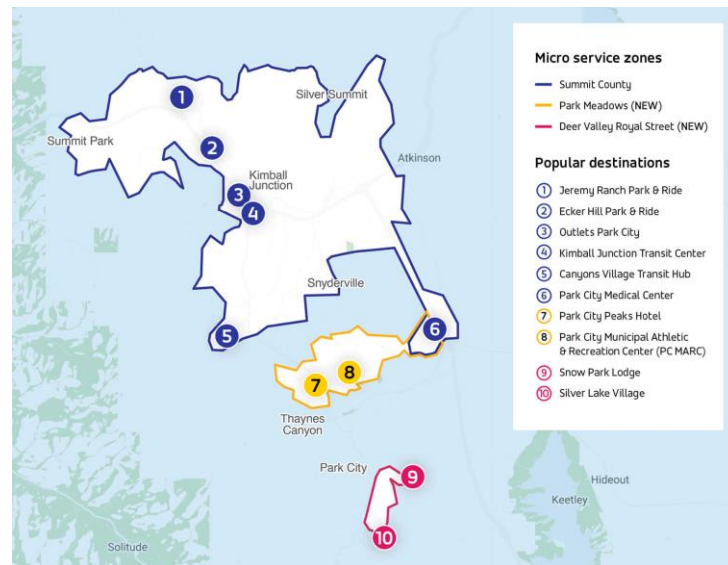
Park City Microtransit Update

February 16, 2023

Park City Microtransit Overview

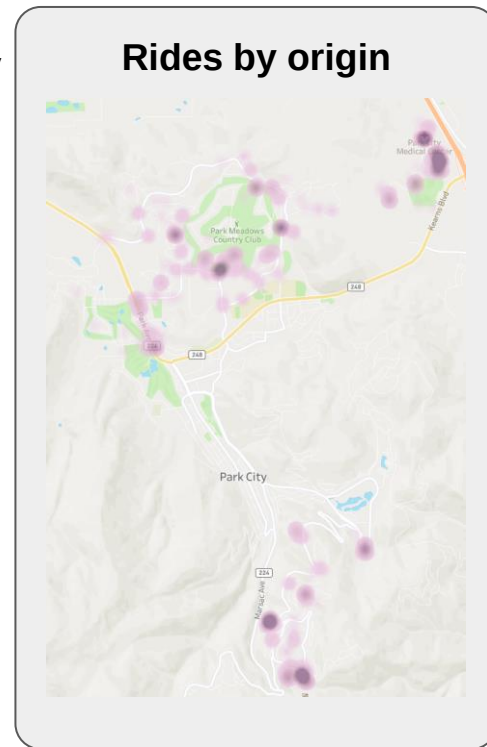
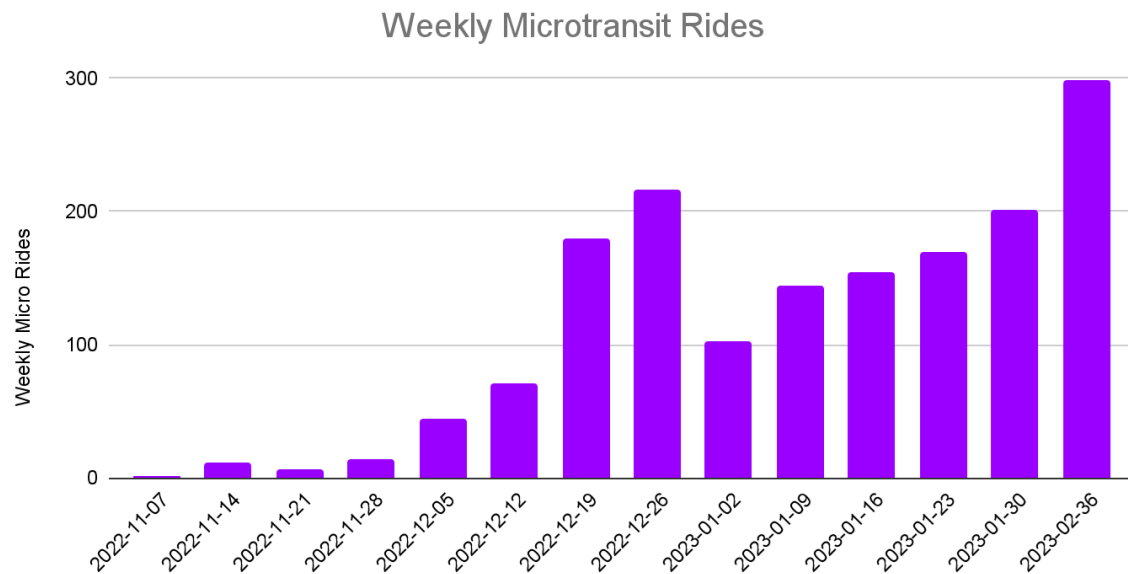
HVT launched a microtransit service in Park City in November:

- **Service Location:** Three microtransit zones: Upper Park Meadows, Thaynes Canyon and Royal St. (Deer Valley)
- **Microtransit Overview:** Microtransit provides a shared van service, in which the HVT app groups riders heading in the same direction to provide a more efficient service; riders can take microtransit to connect to the existing fixed route network
- **Hours:** 6:30am-12am, every day



Park City Microtransit Overview

Ridership has grown over time, reaching nearly 300 weekly rides recently



While ridership is growing, HVT and Via believe we could serve more rides without cannibalizing fixed route by expanding the zone

Park City Zone Comparison

The Park City zones are far smaller than the Wasatch and Summit zones, limiting potential demand

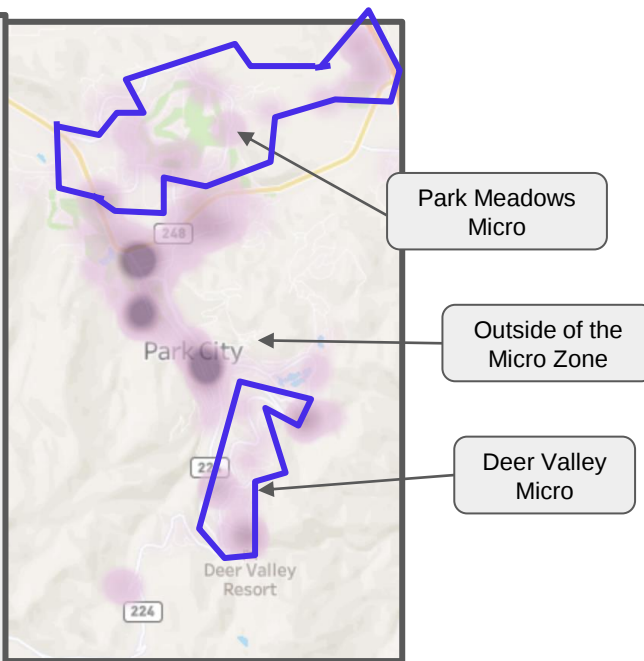
Zone	Area	Rides (2/6-2/12)*	Rides / Sq Mile
Summit County	26.0 sq miles	6,988	268.8
Wasatch	34.6 sq miles	2,262	65.4
PC Meadows	3.1 sq miles	298	78.4
Deer Valley	0.7 sq miles		
Overall PT Zone	120 sq miles	N/A	N/A

Requests in Park City

Most ride requests through the HVT app in the Park City area have come from outside of the micro zones

HVT Ride Requests

- Dots represent where ride requests in the HVT app originated
- The darker the color, the more requests that have come in from that area
- The areas where most requests have been received lie outside of the existing Park City micro zones
- Some of these requests are along fixed route lines, but their destinations may be in areas farther from fixed route, and others require longer walks to the fixed route line, which could be served by micro

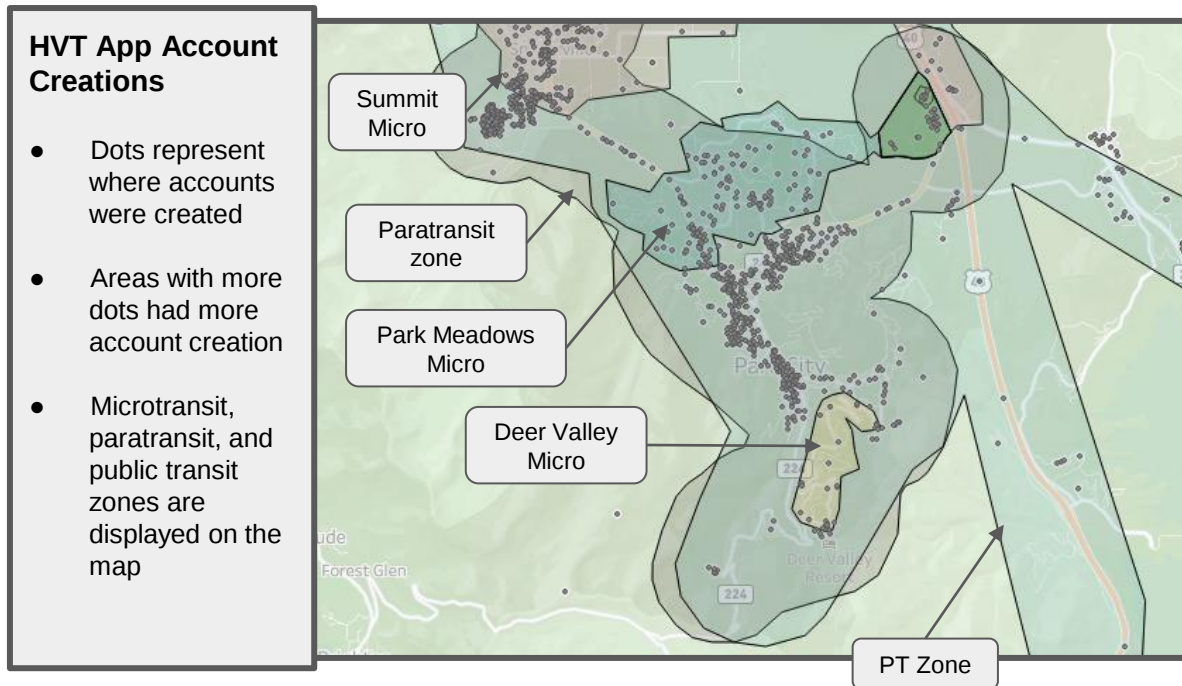


Implications & Considerations

- There is likely **greater interest** for the micro service **outside of the current zones**
- Riders may be confused about which area the microtransit zone covers, and may be trying to book micro rides from outside of the zone
- If the zone were expanded, it could be structured to avoid fixed route cannibalization, while drawing more riders to the transit systems

HVT Account Creation in Park City

The majority of HVT accounts created in Park City were created outside of the existing microtransit zones

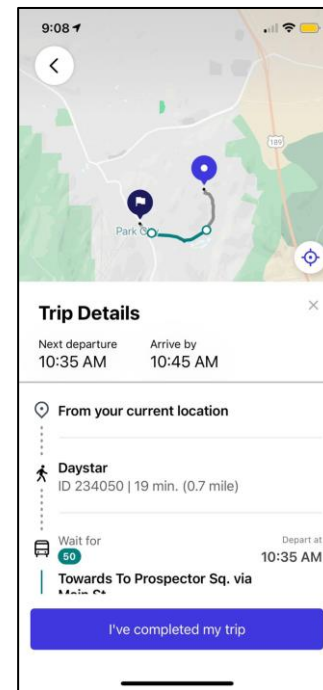
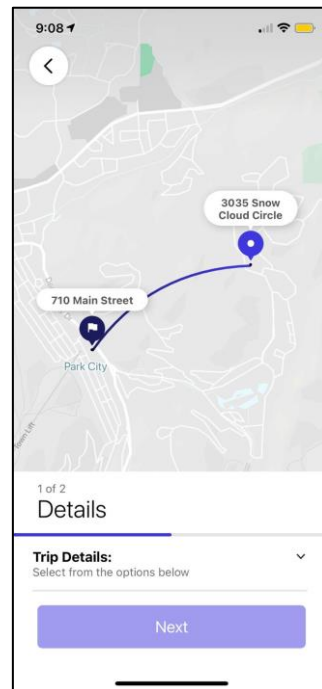


Implications & Considerations

- There is likely **greater interest** for the micro service **outside of the current zones**
- Riders may be confused about which area the microtransit zone covers, and may be trying to book micro rides from outside of the zone
- If the zone were expanded, it could be structured to avoid fixed route cannibalization, while drawing more riders to the transit systems

Example Use Case for Expanded Zone

- **Pickup**: 3035 Snow Cloud Circle (rental property)
- **Dropoff**: 710 Main Street (Thai restaurant)
- **Recommendation Today**: Passenger would need to walk 0.7 miles to the Teal Express fixed route
- **Recommendation with Expanded Zone**:
Passenger could take a micro ride to the 50 line



Recommendations

HVT recommends expanding the zone to drive ridership and create a more impactful service

Key Points

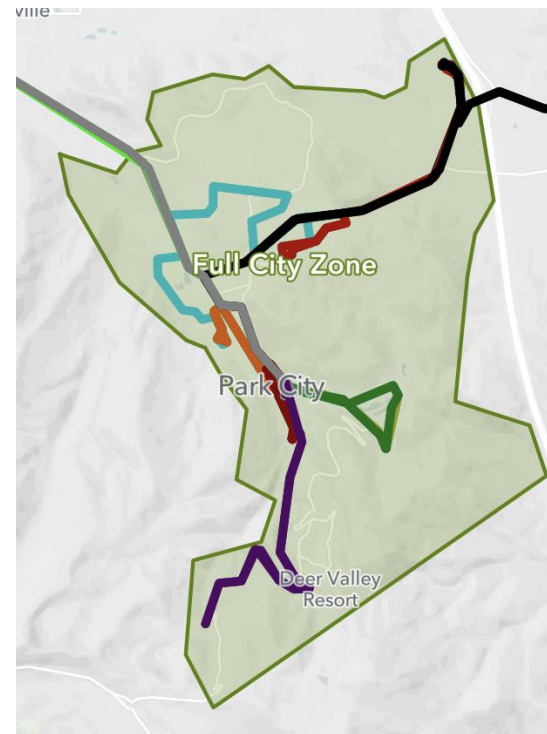
- The existing **service zones cover small areas** relative to other HVT micro zones, limiting potential ridership
- There is likely greater interest for the micro service outside of the current zones
- With other Via deployments, they've seen **fixed route ridership increase upon the addition of a micro zone** to serve first-mile / last-mile

Implementation Suggestions

- If the micro zone were expanded, the app would be structured such that micro proposals would only be given if there were not a reasonable fixed route option; a zone expansion should therefore **not cannibalize fixed route**
- The expanded zone could be **treated as a pilot** during the shoulder season; we could analyze the demand data over the summer and adjust the zone if needed heading into winter 2023-24

Expanded Zone: City-wide

- Expanding the zone to cover Park City would fill in any fixed route gaps throughout the city
- This approach would more closely resemble the micro zone in Summit County, where the zone overlaps with and feeds into fixed route
 - Micro proposals would only be given if there were not a reasonable fixed route option, which should therefore **not cannibalize fixed route**
- We anticipate ~400-650 weekly micro rides during peak season with a city-wide zone**

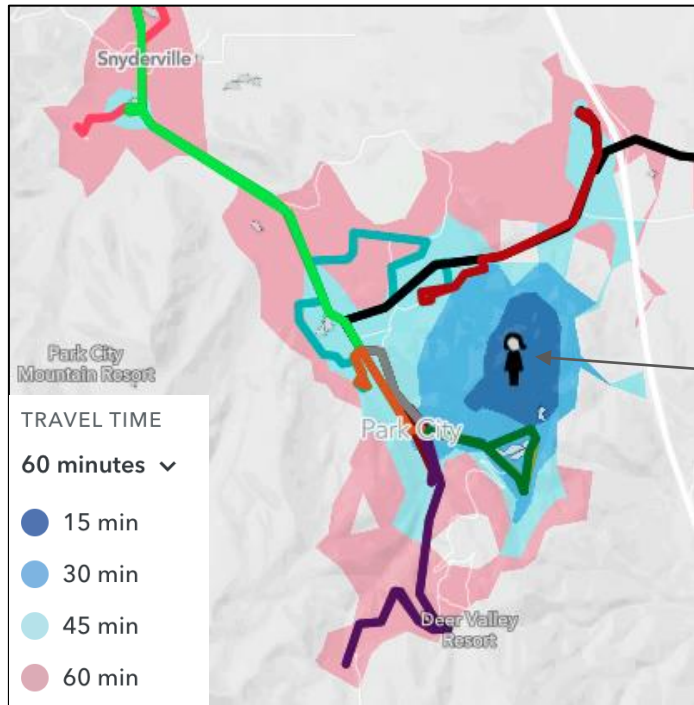


**Note: the zone above represents an initial draft and could be fine tuned in conversations with Park City*

***Ridership estimates were calculated by multiplying the rides / population in the current zone and applying this ratio to the expanded zone; this may underestimate the ridership, as we often see that extended transit networks increase the transit coverage ratio*

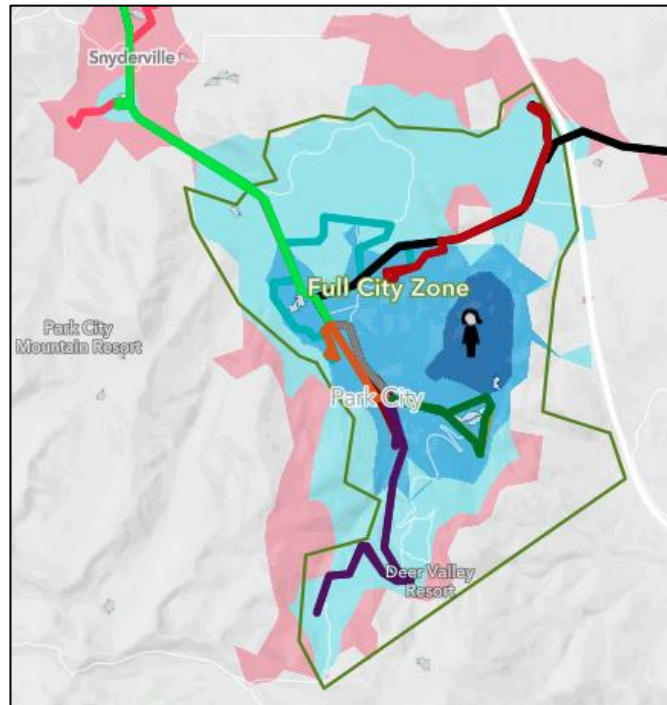
A city-wide zone would connect all of Park City through transit

Today: Transit Travel Time



This chart demonstrates how long it would take to reach different part of the city through transit, starting in Solamere

Expanded Zone: Transit Travel Time





High Valley
TRANSIT

Questions?

2023 Water Rate Update

Purpose of Update

1. Water Conservation
2. Reduce water consumption with a focus on outdoor irrigation
3. Stay within our available water supply
4. Ensure equity across customer classes



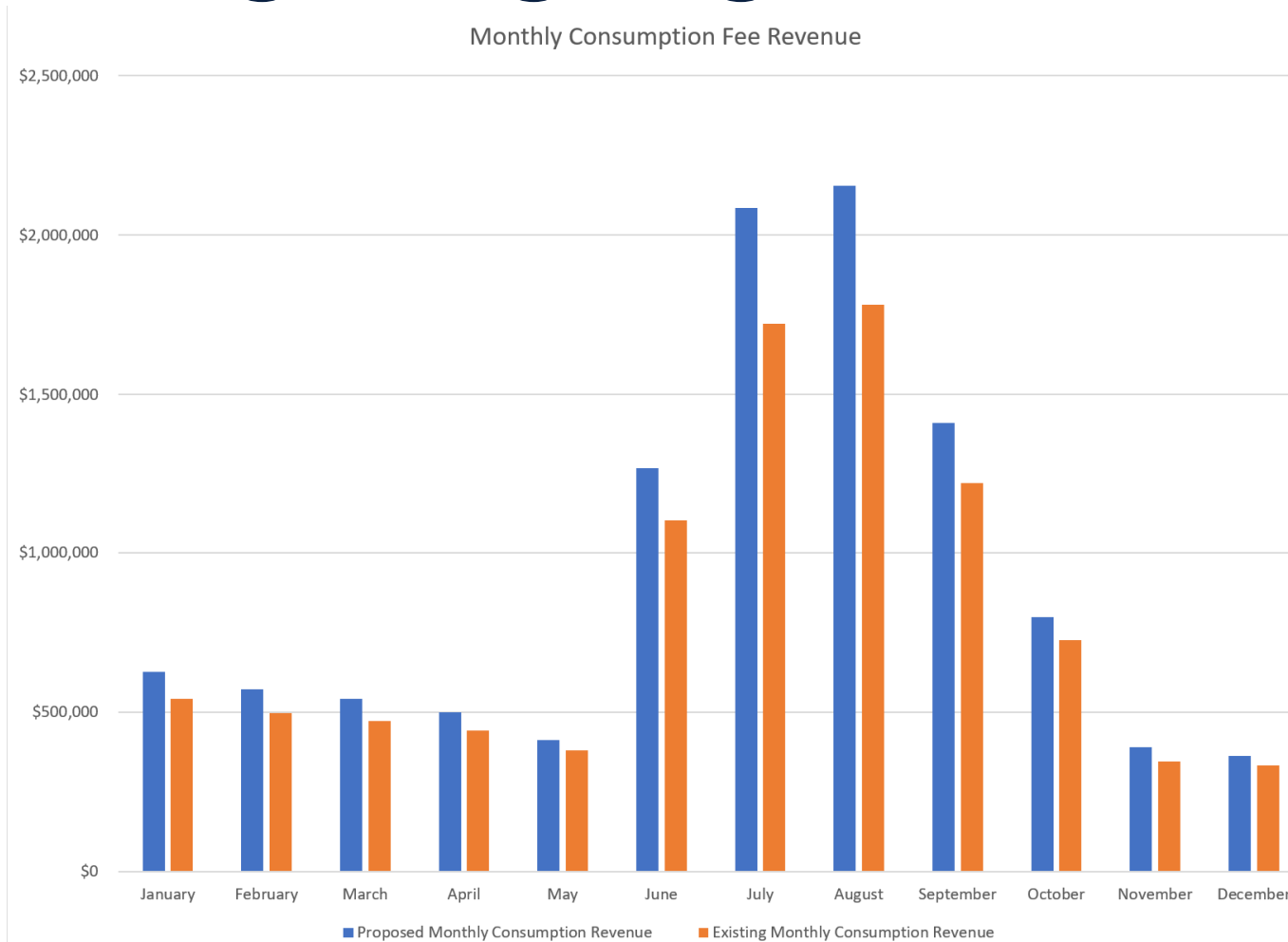
2023 Water Rate Update

Recommended Goals and Parameters

- a. Continue to generate minimum thresholds of required revenue
 - i. 150 days min cash
 - ii. 120% of annual debt service (\$9.4 M annual debt obligation through 2042)
 - iii. Inclusion of an adequate repair and replacement budget for the water system.
 - iv. 10% revenue increase to offset the impacts of high inflation during 2020, 2021, 2022
- b. Maintain approximately 50% of total revenue from base fees
- c. Cost based fee structure - Revenue from each customer class to be proportional to their total water consumption
- d. Higher cost burden on high water users

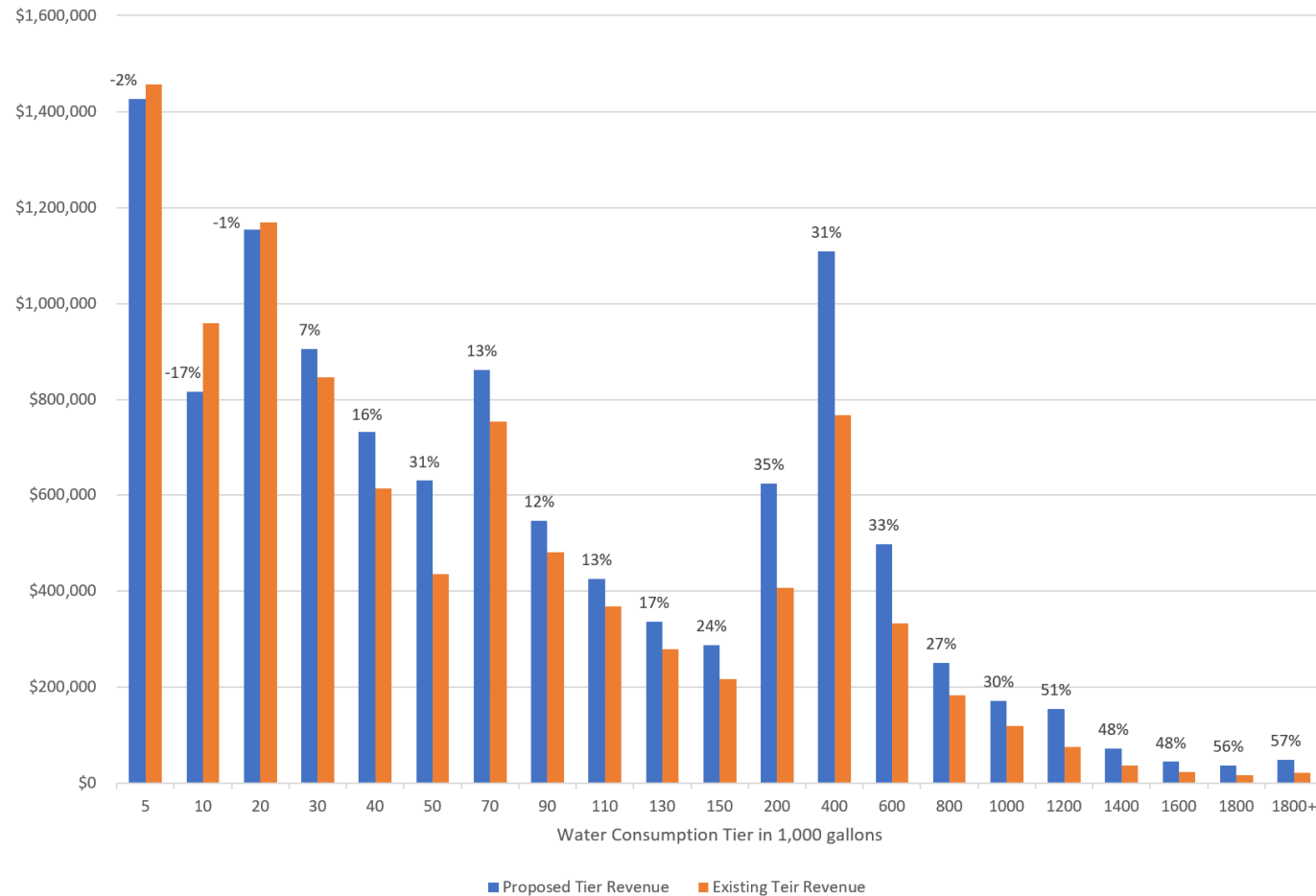


Targeting High Water Use



Targeting High Water Use

Consumption Tier Revenue and Percent Change from Existing



Base Fee Summary

Residential – no change in base rate

Customer Class and Meter Size	Number of Connections	Proposed Base Rate	Percent Revenue Increase	Percent Revenue Existing Rates	Percent Revenue Proposed Rates	Percent Total Water Consumption
Multi-Family	317		0%	19%	18%	18%
0.75 inch	66	\$71.60	0%	1%	1%	1%
1 inch	69	\$121.51	0%	1%	1%	1%
1.5 inch	76	\$259.56	0%	3%	3%	4%
2 inch	75	\$541.29	0%	6%	5%	5%
3 inch	19	\$1,408.58	0%	4%	4%	4%
4 inch	11	\$2,557.37	0%	4%	4%	2%
6 inch	1	\$4,820.72	0%	1%	1%	1%
Residential	4,628		0%	46%	43%	41%
0.75 inch	2,232	\$55.24	0%	18%	16%	16%
1 inch	1,175	\$74.57	0%	13%	12%	12%
1.5 inch	1,199	\$88.44	0%	15%	14%	14%
2 inch	22	\$88.44	0%	0.3%	0.3%	0.4%



Base Fee Summary

Irrigation and Commercial

Customer Class and Meter Size	Number of Connections	Proposed Base Rate	Percent Revenue Increase	Percent Revenue Existing Rates	Percent Revenue Proposed Rates	Percent Total Water Consumption
Commercial	374		20%	29%	32%	33%
0.75 inch	87	\$85.92	20%	1%	1%	1%
1 inch	93	\$145.81	20%	2%	2%	1%
1.5 inch	79	\$311.47	20%	3%	3%	4%
2 inch	64	\$649.55	20%	5%	6%	5%
3 inch	13	\$1,690.30	20%	3%	3%	2%
4 inch	33	\$3,068.84	20%	12%	14%	10%
6 inch	5	\$5,784.86	20%	3%	4%	9%
Irrigation	178		39%	6%	8%	8%
0.75 inch	24	\$158.87	30%	0%	0%	0%
1 inch	44	\$351.56	70%	1%	1%	1%
1.5 inch	65	\$883.54	100%	2%	4%	4%
2 inch	44	\$883.54	-4%	3%	3%	3%
3 inch	1	\$883.54	-63%	0%	0%	0%



Proposed Consumption Fee

			August 95th percentile user				Bold = annual average consumption																
			1,000 gallons per Month																				
Number of Accounts	Meter Rate	Base Fee	0 - 5	6 - 10	11 - 20	21 - 30	31 - 40	41 - 50	51 - 70	71 - 90	91 - 110	111- 130	131 -150	151 - 200	201 - 400	401 - 600	601 - 800	801 - 1,000	1,001 - 1,200	1,201 - 1,400	1,401 - 1,600	1,601 - 1,800	above 1,801
2,232	res0.75	\$55	\$6.88	\$9.08	\$11.73	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
1,175	res1	\$75	\$6.88	\$9.08	\$11.73	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
1,199	res1.5	\$88	\$6.88	\$9.08	\$11.73	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
22	res2	\$88	\$6.88	\$9.08	\$11.73	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
87	comm0.75	\$86	\$9.08	\$9.08	\$11.73	\$16.54	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
93	comm1	\$146	\$9.08	\$9.08	\$9.08	\$11.73	\$16.54	\$16.54	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
79	comm1.5	\$311	\$9.08	\$9.08	\$9.08	\$9.08	\$11.73	\$11.73	\$16.54	\$16.54	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
64	comm2	\$650	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$11.73	\$11.73	\$16.54	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
13	comm3	\$1,690	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$11.73	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
33	comm4	\$3,069	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$11.73	\$11.73	\$16.54	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
5	comm6	\$5,785	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$9.08	\$11.73	\$11.73	\$11.73	\$11.73	\$16.54	\$16.54	\$16.54	\$23.10	\$34.65
66	multi0.75	\$72	\$6.88	\$9.08	\$11.73	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
69	multi1	\$122	\$6.88	\$6.88	\$9.08	\$11.73	\$16.54	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
76	multi1.5	\$260	\$6.88	\$6.88	\$6.88	\$9.08	\$11.73	\$11.73	\$16.54	\$16.54	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
75	multi2	\$541	\$6.88	\$6.88	\$6.88	\$9.08	\$9.08	\$9.08	\$11.73	\$11.73	\$16.54	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
19	multi3	\$1,409	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$9.08	\$9.08	\$9.08	\$9.08	\$11.73	\$11.73	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
11	multi4	\$2,557	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$9.08	\$9.08	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
1	multi6	\$4,821	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$6.88	\$9.08	\$11.73	\$16.54	\$16.54	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
24	irrig0.75	\$159	\$11.73	\$11.73	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
44	irrig1	\$352	\$11.73	\$11.73	\$11.73	\$11.73	\$15.93	\$15.93	\$15.93	\$16.54	\$23.10	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
65	irrig1.5	\$884	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
44	irrig2	\$884	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65
1	irrig3	\$884	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$11.73	\$16.54	\$16.54	\$23.10	\$23.10	\$23.10	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65	\$34.65

Existing Consumption Fee

			August 95th percentile user				Bold = annual average consumption				1,000 gallons per Month																				
Number of Accounts	Meter Rate	Base Fee	0 - 5	6 - 10	11 - 20	21 - 30	31 - 40	41 - 50	51 - 70	71 - 90	91 - 110	111- 130	131' -150	151 - 200	201 - 400	401 - 600	601 - 800	801 - 1,000	1,001 - 1,200	1,201 - 1,400	1,401 - 1,600	1,601 - 1,800	above 1,801								
2,232	res0.75	\$55	\$6.88	\$11.03	\$11.61	\$15.04	\$17.93	\$17.93	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34								
1,175	res1	\$75	\$6.88	\$11.03	\$11.61	\$15.04	\$17.93	\$17.93	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34								
1,199	res1.5	\$88	\$6.88	\$11.03	\$11.61	\$15.04	\$17.93	\$17.93	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34								
22	res2	\$88	\$6.88	\$11.03	\$11.61	\$15.04	\$17.93	\$17.93	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34	\$31.34								
87	comm0.75	\$72	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98								
93	comm1	\$122	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98								
79	comm1.5	\$260	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98								
64	comm2	\$541	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98	\$14.98								
13	comm3	\$1,409	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$14.98	\$14.98	\$14.98	\$14.98								
33	comm4	\$2,557	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$14.98								
5	comm6	\$4,821	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$9.67	\$14.98								
66	multi0.75	\$72	\$8.15	\$8.15	\$11.03	\$11.03	\$11.03	\$17.93	\$17.93	\$17.93	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61								
69	multi1	\$122	\$8.15	\$8.15	\$8.15	\$11.03	\$11.03	\$11.03	\$17.93	\$17.93	\$17.93	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61								
76	multi1.5	\$260	\$8.15	\$8.15	\$8.15	\$8.15	\$11.03	\$11.03	\$11.03	\$11.03	\$17.93	\$17.93	\$17.93	\$17.93	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61								
75	multi2	\$541	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$11.03	\$11.03	\$11.03	\$11.03	\$11.03	\$17.93	\$17.93	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61								
19	multi3	\$1,409	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$11.03	\$11.03	\$11.03	\$11.03	\$11.03	\$17.93	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61								
11	multi4	\$2,557	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$11.03	\$11.03	\$11.03	\$17.93	\$17.93	\$27.61	\$27.61	\$27.61	\$27.61	\$27.61								
1	multi6	\$4,821	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$8.15	\$11.03	\$11.03	\$17.93	\$17.93	\$17.93	\$27.61	\$27.61	\$27.61	\$27.61								
24	irrig0.75	\$122	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15								
44	irrig1	\$207	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15								
65	irrig1.5	\$442	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15								
44	irrig2	\$921	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15								
1	irrig3	\$2,397	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$11.78	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15	\$19.15								

Change in Consumption Fee

						Bold = annual average consumption																		
			1,000 gallons per Month																					
Number of Accounts	Meter Rate	Base Fee	0 - 5	6 - 10	11 - 20	21 - 30	31 - 40	41 - 50	51 - 70	71 - 90	91 - 110	111- 130	131' -150	151 - 200	201 - 400	401 - 600	601 - 800	801 - 1,000	1,001 - 1,200	1,201 - 1,400	1,401 - 1,600	1,601 - 1,800	above 1,801	
2,232	res0.75	0%	0%	-18%	1%	10%	29%	93%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	
1,175	res1	0%	0%	-18%	1%	10%	29%	93%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	
1,199	res1.5	0%	0%	-18%	1%	10%	29%	93%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	
22	res2	0%	0%	-18%	1%	10%	29%	93%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	11%	
87	comm0.75	20%	-6%	-6%	21%	71%	71%	71%	139%	139%	139%	258%	258%	131%	131%	131%	131%	131%	131%	131%	131%	131%	131%	
93	comm1	20%	-6%	-6%	-6%	21%	71%	71%	71%	71%	139%	139%	139%	258%	258%	131%	131%	131%	131%	131%	131%	131%	131%	
79	comm1.5	20%	-6%	-6%	-6%	-6%	21%	21%	71%	71%	71%	71%	139%	139%	139%	258%	131%	131%	131%	131%	131%	131%	131%	
64	comm2	20%	-6%	-6%	-6%	-6%	-6%	-6%	21%	21%	71%	71%	71%	139%	139%	139%	258%	131%	131%	131%	131%	131%	131%	
13	comm3	20%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	21%	71%	71%	139%	139%	139%	258%	131%	131%	131%	131%	
33	comm4	20%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	21%	21%	71%	71%	139%	258%	258%	258%	258%	131%	
5	comm6	20%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	-6%	21%	21%	21%	21%	71%	71%	71%	139%	131%	
66	multi0.75	0%	-16%	11%	6%	50%	109%	93%	93%	93%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	
69	multi1	0%	-16%	-16%	11%	6%	50%	109%	29%	93%	93%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	
76	multi1.5	0%	-16%	-16%	-16%	11%	6%	6%	50%	50%	29%	29%	93%	93%	25%	25%	25%	25%	25%	25%	25%	25%	25%	
75	multi2	0%	-16%	-16%	-16%	11%	11%	11%	6%	6%	50%	50%	109%	93%	93%	25%	25%	25%	25%	25%	25%	25%	25%	
19	multi3	0%	-16%	-16%	-16%	-16%	-16%	11%	11%	11%	-18%	6%	6%	50%	109%	93%	25%	25%	25%	25%	25%	25%	25%	
11	multi4	0%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	11%	-18%	50%	109%	93%	93%	25%	25%	25%	25%	25%	
1	multi6	0%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	-16%	11%	6%	50%	-8%	29%	93%	25%	25%	25%	25%	
24	irrig0.75	30%	0%	0%	40%	40%	96%	96%	21%	21%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	81%	
44	irrig1	70%	0%	0%	0%	0%	35%	35%	35%	40%	21%	21%	21%	21%	81%	81%	81%	81%	81%	81%	81%	81%	81%	
65	irrig1.5	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	40%	40%	96%	21%	21%	81%	81%	81%	81%	81%	81%	81%	
44	irrig2	-4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	40%	40%	96%	96%	21%	81%	81%	81%	81%	81%	81%	81%	
1	irrig3	-63%	0%	0%	0%	0%	0%	0%	0%	0%	0%	40%	40%	96%	96%	96%	81%	81%	81%	81%	81%	81%	81%	



Change in Monthly Consumption Fee

		August 95th percentile user				Bold = annual average consumption																	
		1,000 gallons per Month																					
Number of Accounts	Meter Rate	0 - 5	6 - 10	11 - 20	21 - 30	31 - 40	41 - 50	51 - 70	71 - 90	91 - 110	111- 130	131' -150	151 - 200	201 - 400	401 - 600	601 - 800	801 - 1,000	1,001 - 1,200	1,201 - 1,400	1,401 - 1,600	1,601 - 1,800	above 1,801	
2,232	res0.75	\$0	(\$10)	(\$9)	\$6	\$58	\$225	\$292	\$358	\$424	\$490	\$556	\$722	\$1,384	\$2,046	\$2,708	\$3,370	\$4,032	\$4,694	\$5,356	\$6,018		
1,175	res1	\$0	(\$10)	(\$9)	\$6	\$58	\$225	\$292	\$358	\$424	\$490	\$556	\$722	\$1,384	\$2,046	\$2,708	\$3,370	\$4,032	\$4,694	\$5,356	\$6,018		
1,199	res1.5	\$0	(\$10)	(\$9)	\$6	\$58	\$225	\$292	\$358	\$424	\$490	\$556	\$722	\$1,384	\$2,046	\$2,708	\$3,370	\$4,032	\$4,694	\$5,356	\$6,018		
22	res2	\$0	(\$10)	(\$9)	\$6	\$58	\$225	\$292	\$358	\$424	\$490	\$556	\$722	\$1,384	\$2,046	\$2,708	\$3,370	\$4,032	\$4,694	\$5,356	\$6,018		
87	comm0.75	(\$3)	(\$6)	\$15	\$83	\$152	\$221	\$489	\$758	\$1,027	\$1,526	\$2,026	\$3,009	\$6,943	\$10,877	\$14,811	\$18,745	\$22,679	\$26,613	\$30,547	\$34,481		
93	comm1	(\$3)	(\$6)	(\$12)	\$9	\$78	\$146	\$284	\$421	\$689	\$958	\$1,227	\$2,476	\$7,472	\$11,406	\$15,340	\$19,274	\$23,208	\$27,142	\$31,076	\$35,010		
79	comm1.5	(\$3)	(\$6)	(\$12)	(\$18)	\$3	\$24	\$161	\$298	\$436	\$573	\$842	\$1,513	\$4,199	\$9,195	\$13,129	\$17,063	\$20,997	\$24,931	\$28,865	\$32,799		
64	comm2	(\$3)	(\$6)	(\$12)	(\$18)	(\$23)	(\$29)	\$12	\$53	\$190	\$328	\$465	\$1,137	\$3,823	\$6,509	\$11,505	\$15,439	\$19,373	\$23,307	\$27,241	\$31,175		
13	comm3	(\$3)	(\$6)	(\$12)	(\$18)	(\$23)	(\$29)	(\$41)	(\$53)	(\$65)	(\$76)	(\$35)	\$308	\$1,682	\$4,368	\$7,054	\$9,740	\$14,736	\$18,670	\$22,604	\$26,538		
33	comm4	(\$3)	(\$6)	(\$12)	(\$18)	(\$23)	(\$29)	(\$41)	(\$53)	(\$65)	(\$76)	(\$88)	\$15	\$427	\$1,800	\$3,174	\$5,860	\$10,856	\$15,852	\$20,848	\$25,844		
5	comm6	(\$3)	(\$6)	(\$12)	(\$18)	(\$23)	(\$29)	(\$41)	(\$53)	(\$65)	(\$76)	(\$88)	(\$118)	\$294	\$706	\$1,118	\$1,529	\$2,903	\$4,276	\$5,650	\$8,336		
66	multi0.75	(\$6)	(\$2)	\$5	\$60	\$181	\$348	\$683	\$1,017	\$1,158	\$1,299	\$1,439	\$1,791	\$3,199	\$4,607	\$6,015	\$7,423	\$8,831	\$10,239	\$11,647	\$13,055		
69	multi1	(\$6)	(\$13)	(\$3)	\$4	\$59	\$179	\$283	\$617	\$952	\$1,092	\$1,233	\$1,585	\$2,993	\$4,401	\$5,809	\$7,217	\$8,625	\$10,033	\$11,441	\$12,849		
76	multi1.5	(\$6)	(\$13)	(\$25)	(\$16)	(\$9)	(\$2)	\$108	\$218	\$322	\$425	\$759	\$1,595	\$3,003	\$4,411	\$5,819	\$7,227	\$8,635	\$10,043	\$11,451	\$12,859		
75	multi2	(\$6)	(\$13)	(\$25)	(\$16)	(\$7)	\$3	\$17	\$31	\$141	\$251	\$492	\$1,328	\$4,672	\$6,080	\$7,488	\$8,896	\$10,304	\$11,712	\$13,120	\$14,528		
19	multi3	(\$6)	(\$13)	(\$25)	(\$38)	(\$51)	(\$41)	(\$23)	(\$4)	(\$43)	(\$29)	(\$15)	\$260	\$2,674	\$6,018	\$7,426	\$8,834	\$10,242	\$11,650	\$13,058	\$14,466		
11	multi4	(\$6)	(\$13)	(\$25)	(\$38)	(\$51)	(\$64)	(\$89)	(\$114)	(\$140)	(\$165)	(\$146)	(\$244)	\$858	\$3,272	\$6,616	\$9,960	\$11,368	\$12,776	\$14,184	\$15,592		
1	multi6	(\$6)	(\$13)	(\$25)	(\$38)	(\$51)	(\$64)	(\$89)	(\$114)	(\$140)	(\$165)	(\$191)	(\$144)	(\$4)	\$1,098	\$820	\$1,854	\$5,198	\$6,606	\$8,014	\$9,422		
24	irrig0.75	(\$0)	(\$1)	\$47	\$95	\$208	\$321	\$400	\$479	\$789	\$1,099	\$1,409	\$2,184	\$5,284	\$8,384	\$11,484	\$14,584	\$17,684	\$20,784	\$23,884	\$26,984		
44	irrig1	(\$0)	(\$1)	(\$1)	(\$2)	\$40	\$81	\$164	\$260	\$339	\$418	\$497	\$694	\$3,794	\$6,894	\$9,994	\$13,094	\$16,194	\$19,294	\$22,394	\$25,494		
65	irrig1.5	(\$0)	(\$1)	(\$1)	(\$2)	(\$2)	(\$3)	(\$4)	(\$5)	(\$6)	\$89	\$185	\$751	\$1,541	\$2,331	\$5,431	\$8,531	\$11,631	\$14,731	\$17,831	\$20,931		
44	irrig2	(\$0)	(\$1)	(\$1)	(\$2)	(\$2)	(\$3)	(\$4)	(\$5)	(\$6)	\$89	\$185	\$751	\$3,015	\$3,805	\$6,905	\$10,005	\$13,105	\$16,205	\$19,305	\$22,405		
1	irrig3	(\$0)	(\$1)	(\$1)	(\$2)	(\$2)	(\$3)	(\$4)	(\$5)	(\$6)	\$89	\$185	\$751	\$3,015	\$5,279	\$8,379	\$11,479	\$14,579	\$17,679	\$20,779	\$23,879		



Proposed Monthly Water Bill

		August 95th percentile user				Bold = annual average consumption																	
Number of Accounts	Meter Rate	1,000 gallons per Month																					
		0 - 5	6 - 10	11 - 20	21 - 30	31 - 40	41 - 50	51 - 70	71 -90	91 - 110	111- 130	131' -150	151 - 200	201 - 400	401 - 600	601 - 800	801 - 1,000	1,001 - 1,200	1,201 - 1,400	1,401 - 1,600	1,601 - 1,800	above 1,801	
2,232	res0.75	\$90	\$135	\$252	\$418	\$649	\$995	\$1,688	\$2,381	\$3,074	\$3,767	\$4,460	\$6,193	\$13,123	\$20,053	\$26,983	\$33,913	\$40,843	\$47,773	\$54,703	\$61,633		
1,175	res1	\$109	\$154	\$272	\$437	\$668	\$1,015	\$1,708	\$2,401	\$3,094	\$3,787	\$4,480	\$6,212	\$13,142	\$20,072	\$27,002	\$33,932	\$40,862	\$47,792	\$54,722	\$61,652		
1,199	res1.5	\$123	\$168	\$286	\$451	\$682	\$1,028	\$1,721	\$2,414	\$3,107	\$3,800	\$4,493	\$6,226	\$13,156	\$20,086	\$27,016	\$33,946	\$40,876	\$47,806	\$54,736	\$61,666		
22	res2	\$123	\$168	\$286	\$451	\$682	\$1,028	\$1,721	\$2,414	\$3,107	\$3,800	\$4,493	\$6,226	\$13,156	\$20,086	\$27,016	\$33,946	\$40,876	\$47,806	\$54,736	\$61,666		
87	comm0.75	\$131	\$177	\$294	\$459	\$625	\$790	\$1,252	\$1,714	\$2,176	\$2,869	\$3,562	\$5,295	\$12,225	\$19,155	\$26,085	\$33,015	\$39,945	\$46,875	\$53,805	\$60,735		
93	comm1	\$191	\$237	\$327	\$445	\$610	\$775	\$1,106	\$1,437	\$1,899	\$2,361	\$2,823	\$4,555	\$11,485	\$18,415	\$25,345	\$32,275	\$39,205	\$46,135	\$53,065	\$59,995		
79	comm1.5	\$357	\$402	\$493	\$584	\$701	\$819	\$1,149	\$1,480	\$1,811	\$2,142	\$2,604	\$3,759	\$8,379	\$15,309	\$22,239	\$29,169	\$36,099	\$43,029	\$49,959	\$56,889		
64	comm2	\$695	\$740	\$831	\$922	\$1,013	\$1,104	\$1,338	\$1,573	\$1,904	\$2,234	\$2,565	\$3,720	\$8,340	\$12,960	\$19,890	\$26,820	\$33,750	\$40,680	\$47,610	\$54,540		
13	comm3	\$1,736	\$1,781	\$1,872	\$1,963	\$2,054	\$2,144	\$2,326	\$2,508	\$2,689	\$2,871	\$3,106	\$3,932	\$7,240	\$11,860	\$16,480	\$21,100	\$28,030	\$34,960	\$41,890	\$48,820		
33	comm4	\$3,114	\$3,160	\$3,250	\$3,341	\$3,432	\$3,523	\$3,705	\$3,886	\$4,068	\$4,250	\$4,431	\$5,018	\$7,363	\$10,671	\$13,978	\$18,598	\$25,528	\$32,458	\$39,388	\$46,318		
5	comm6	\$5,830	\$5,876	\$5,967	\$6,057	\$6,148	\$6,239	\$6,421	\$6,602	\$6,784	\$6,966	\$7,147	\$7,601	\$9,947	\$12,293	\$14,638	\$16,984	\$20,292	\$23,599	\$26,907	\$31,527		
66	multi0.75	\$106	\$151	\$269	\$434	\$665	\$1,012	\$1,705	\$2,398	\$3,091	\$3,784	\$4,477	\$6,209	\$13,139	\$20,069	\$26,999	\$33,929	\$40,859	\$47,789	\$54,719	\$61,649		
69	multi1	\$156	\$190	\$281	\$398	\$564	\$795	\$1,257	\$1,950	\$2,643	\$3,336	\$4,029	\$5,761	\$12,691	\$19,621	\$26,551	\$33,481	\$40,411	\$47,341	\$54,271	\$61,201		
76	multi1.5	\$294	\$328	\$397	\$488	\$605	\$723	\$1,053	\$1,384	\$1,846	\$2,308	\$3,001	\$4,734	\$11,664	\$18,594	\$25,524	\$32,454	\$39,384	\$46,314	\$53,244	\$60,174		
75	multi2	\$576	\$610	\$679	\$770	\$861	\$951	\$1,186	\$1,421	\$1,751	\$2,082	\$2,544	\$4,277	\$11,207	\$18,137	\$25,067	\$31,997	\$38,927	\$45,857	\$52,787	\$59,717		
19	multi3	\$1,443	\$1,477	\$1,546	\$1,615	\$1,684	\$1,775	\$1,956	\$2,138	\$2,320	\$2,554	\$2,789	\$3,616	\$8,236	\$15,166	\$22,096	\$29,026	\$35,956	\$42,886	\$49,816	\$56,746		
11	multi4	\$2,592	\$2,626	\$2,695	\$2,764	\$2,833	\$2,901	\$3,039	\$3,177	\$3,314	\$3,452	\$3,633	\$4,088	\$7,396	\$12,016	\$18,946	\$25,876	\$32,806	\$39,736	\$46,666	\$53,596		
1	multi6	\$4,855	\$4,890	\$4,958	\$5,027	\$5,096	\$5,165	\$5,302	\$5,440	\$5,578	\$5,715	\$5,853	\$6,307	\$8,653	\$11,961	\$15,269	\$19,889	\$26,819	\$33,749	\$40,679	\$47,609		
24	irrig0.75	\$218	\$276	\$442	\$607	\$838	\$1,069	\$1,531	\$1,993	\$2,686	\$3,379	\$4,072	\$5,804	\$12,734	\$19,664	\$26,594	\$33,524	\$40,454	\$47,384	\$54,314	\$61,244		
44	irrig1	\$410	\$469	\$586	\$703	\$863	\$1,022	\$1,341	\$1,671	\$2,133	\$2,595	\$3,057	\$4,212	\$11,142	\$18,072	\$25,002	\$31,932	\$38,862	\$45,792	\$52,722	\$59,652		
65	irrig1.5	\$942	\$1,001	\$1,118	\$1,235	\$1,353	\$1,470	\$1,705	\$1,939	\$2,174	\$2,504	\$2,835	\$3,990	\$8,610	\$13,230	\$20,160	\$27,090	\$34,020	\$40,950	\$47,880	\$54,810		
44	irrig2	\$942	\$1,001	\$1,118	\$1,235	\$1,353	\$1,470	\$1,705	\$1,939	\$2,174	\$2,504	\$2,835	\$3,990	\$8,610	\$13,230	\$20,160	\$27,090	\$34,020	\$40,950	\$47,880	\$54,810		
1	irrig3	\$942	\$1,001	\$1,118	\$1,235	\$1,353	\$1,470	\$1,705	\$1,939	\$2,174	\$2,504	\$2,835	\$3,990	\$8,610	\$13,230	\$20,160	\$27,090	\$34,020	\$40,950	\$47,880	\$54,810		



Total Water Cost per 1,000 Gallons

				Bold = annual average consumption																			
		1,000 gallons per Month																					
Number of Accounts	Meter Rate	0 - 5	6 - 10	11 - 20	21 - 30	31 - 40	41 - 50	51 - 70	71 -90	91 - 110	111- 130	131' -150	151 - 200	201 - 400	401 - 600	601 - 800	801 - 1,000	1,001 - 1,200	1,201 - 1,400	1,401 - 1,600	1,601 - 1,800	above 1,801	
2,232	res0.75	\$18	\$14	\$13	\$14	\$16	\$20	\$24	\$26	\$28	\$29	\$30	\$31	\$33	\$33	\$34	\$34	\$34	\$34	\$34	\$34		
1,175	res1	\$22	\$15	\$14	\$15	\$17	\$20	\$24	\$27	\$28	\$29	\$30	\$31	\$33	\$33	\$34	\$34	\$34	\$34	\$34	\$34		
1,199	res1.5	\$25	\$17	\$14	\$15	\$17	\$21	\$25	\$27	\$28	\$29	\$30	\$31	\$33	\$33	\$34	\$34	\$34	\$34	\$34	\$34		
22	res2	\$25	\$17	\$14	\$15	\$17	\$21	\$25	\$27	\$28	\$29	\$30	\$31	\$33	\$33	\$34	\$34	\$34	\$34	\$34	\$34		
87	comm0.75	\$26	\$18	\$15	\$15	\$16	\$16	\$18	\$19	\$20	\$22	\$24	\$26	\$31	\$32	\$33	\$33	\$33	\$33	\$34	\$34		
93	comm1	\$38	\$24	\$16	\$15	\$15	\$16	\$16	\$16	\$17	\$18	\$19	\$23	\$29	\$31	\$32	\$32	\$33	\$33	\$33	\$33		
79	comm1.5	\$71	\$40	\$25	\$19	\$18	\$16	\$16	\$16	\$16	\$16	\$17	\$19	\$21	\$26	\$28	\$29	\$30	\$31	\$31	\$32		
64	comm2	\$139	\$74	\$42	\$31	\$25	\$22	\$19	\$17	\$17	\$17	\$17	\$19	\$21	\$22	\$25	\$27	\$28	\$29	\$30	\$30		
13	comm3	\$347	\$178	\$94	\$65	\$51	\$43	\$33	\$28	\$24	\$22	\$21	\$20	\$18	\$20	\$21	\$21	\$23	\$25	\$26	\$27		
33	comm4	\$623	\$316	\$163	\$111	\$86	\$70	\$53	\$43	\$37	\$33	\$30	\$25	\$18	\$18	\$17	\$19	\$21	\$23	\$25	\$26		
5	comm6	\$1,166	\$588	\$298	\$202	\$154	\$125	\$92	\$73	\$62	\$54	\$48	\$38	\$25	\$20	\$18	\$17	\$17	\$17	\$17	\$18		
66	multi0.75	\$21	\$15	\$13	\$14	\$17	\$20	\$24	\$27	\$28	\$29	\$30	\$31	\$33	\$33	\$34	\$34	\$34	\$34	\$34	\$34		
69	multi1	\$31	\$19	\$14	\$13	\$14	\$16	\$18	\$22	\$24	\$26	\$27	\$29	\$32	\$33	\$33	\$33	\$34	\$34	\$34	\$34		
76	multi1.5	\$59	\$33	\$20	\$16	\$15	\$14	\$15	\$15	\$17	\$18	\$20	\$24	\$29	\$31	\$32	\$32	\$33	\$33	\$33	\$33		
75	multi2	\$115	\$61	\$34	\$26	\$22	\$19	\$17	\$16	\$16	\$16	\$17	\$21	\$28	\$30	\$31	\$32	\$32	\$33	\$33	\$33		
19	multi3	\$289	\$148	\$77	\$54	\$42	\$35	\$28	\$24	\$21	\$20	\$19	\$18	\$21	\$25	\$28	\$29	\$30	\$31	\$31	\$32		
11	multi4	\$518	\$263	\$135	\$92	\$71	\$58	\$43	\$35	\$30	\$27	\$24	\$20	\$18	\$20	\$24	\$26	\$27	\$28	\$29	\$30		
1	multi6	\$971	\$489	\$248	\$168	\$127	\$103	\$76	\$60	\$51	\$44	\$39	\$32	\$22	\$20	\$19	\$20	\$22	\$24	\$25	\$26		
24	irrig0.75	\$44	\$28	\$22	\$20	\$21	\$21	\$22	\$22	\$24	\$26	\$27	\$29	\$32	\$33	\$33	\$34	\$34	\$34	\$34	\$34		
44	irrig1	\$82	\$47	\$29	\$23	\$22	\$20	\$19	\$19	\$19	\$20	\$20	\$21	\$28	\$30	\$31	\$32	\$32	\$33	\$33	\$33		
65	irrig1.5	\$188	\$100	\$56	\$41	\$34	\$29	\$24	\$22	\$20	\$19	\$19	\$20	\$22	\$22	\$25	\$27	\$28	\$29	\$30	\$30		
44	irrig2	\$188	\$100	\$56	\$41	\$34	\$29	\$24	\$22	\$20	\$19	\$19	\$20	\$22	\$22	\$25	\$27	\$28	\$29	\$30	\$30		
1	irrig3	\$188	\$100	\$56	\$41	\$34	\$29	\$24	\$22	\$20	\$19	\$19	\$20	\$22	\$22	\$25	\$27	\$28	\$29	\$30	\$30		

Consumption Fee Summary

Residential

Customer Class and Meter Size	Number of Connections	Percent Revenue Increase	Percent Revenue Existing Rates	Percent Revenue Proposed Rates	Percent Total Water Consumption
Multi-Family	317	18%	16%	17%	18%
0.75 inch	66	-1%	0.5%	0.4%	0.6%
1 inch	69	5%	1%	1%	1%
1.5 inch	76	18%	4%	4%	4%
2 inch	75	20%	5%	5%	5%
3 inch	19	30%	3%	4%	4%
4 inch	11	7%	2%	2%	2%
6 inch	1	12%	1%	1%	1%
Residential	4,628	7%	45%	41%	41%
0.75 inch	2,232	3%	15%	13%	16%
1 inch	1,175	7%	13%	12%	12%
1.5 inch	1,199	9%	17%	16%	14%
2 inch	22	13%	1%	1%	0.4%



Consumption Fee Summary

Irrigation and Commercial

Customer Class and Meter Size	Number of Connections	Percent Revenue Increase	Percent Revenue Existing Rates	Percent Revenue Proposed Rates	Percent Total Water Consumption
Commercial	374	28%	29%	32%	33%
0.75 inch	87	30%	1%	1%	1%
1 inch	93	19%	1%	1%	1%
1.5 inch	79	40%	4%	4%	4%
2 inch	64	28%	4%	4%	5%
3 inch	13	24%	3%	3%	2%
4 inch	33	26%	9%	10%	10%
6 inch	5	28%	7%	8%	9%
Irrigation	178	24%	10%	10%	8%
0.75 inch	24	31%	0.2%	0.3%	0.2%
1 inch	44	19%	1%	1%	1%
1.5 inch	65	19%	5%	5%	4%
2 inch	44	32%	4%	4%	3%
3 inch	1	13%	0%	0%	0%



Total Fee Summary

Customer Class and Meter Size	Number of Connections	Percent Revenue Increase	Percent Revenue Existing Rates	Percent Revenue Proposed Rates	Percent Total Water Consumption
Commercial	374	24%	29%	32%	33%
Irrigation	178	29%	8%	9%	8%
Multi-Family	317	9%	18%	17%	18%
Residential	4,628	3%	45%	42%	41%
Total	5,497	12.5%			



Exhibit J Example Customer Impacts - Annual Water Usage and Bill Amount									
Customer Class	Meter Rate	User Rank	Description	Gallons of Water	Existing Water Bill	Proposed Water Bill	Optimized Bill	Percent Change	Percent Change if Meter Rate Optimized
Highest Water User (customer has 2 meters)	2	1	Hotel	16,085,000	\$ 189,977	\$ 455,591	\$ 294,691	140%	55%
	4	1	Hotel	15,524,000	\$ 180,806	\$ 345,783	\$ 263,424	91%	46%
			Total	31,609,000	\$ 370,783	\$ 801,374	\$ 558,115	116%	51%
Commercial	0.75	1	Main St Restaurant	1,387,000	\$ 14,388	\$ 30,063	\$ 23,531	109%	64%
	0.75	5	Main St Restaurant	518,000	\$ 5,868	\$ 8,352	\$ 8,013	42%	37%
	0.75	50th Percentile	Retail	54,000	\$ 1,381	\$ 1,521	\$ 1,521	10%	10%
	0.75	25th Percentile	Retail	4,000	\$ 898	\$ 1,067	\$ 1,067	19%	19%
Commercial	1	1	Main St Restaurant	1,921,000	\$ 20,077	\$ 38,461	\$ 33,799	92%	68%
	1	5	Prospector Restaurant	623,000	\$ 7,483	\$ 9,752	\$ 9,752	30%	30%
	1	50th Percentile	Office	83,000	\$ 2,261	\$ 2,535	\$ 1,927	12%	-15%
	1	25th Percentile	Office	24,000	\$ 1,690	\$ 1,968	\$ 1,249	16%	-26%
Commercial	1.5	1	Carwash	2,740,000	\$ 29,661	\$ 52,956	\$ 52,495	79%	77%
	1.5	5	Large Retail	1,383,000	\$ 16,448	\$ 23,342	\$ 23,342	42%	42%
	1.5	50th Percentile	Retail/Restaruant	271,000	\$ 5,735	\$ 6,218	\$ 4,108	8%	-28%
	1.5	25th Percentile	Retail	83,000	\$ 3,917	\$ 4,492	\$ 1,785	15%	-54%
Commercial	2	1	School	3,005,000	\$ 36,403	\$ 65,878	\$ 65,878	81%	81%
	2	5	Large Retail	1,690,000	\$ 22,838	\$ 39,209	\$ 39,209	72%	72%
	2	50th Percentile	Main St Restaurant	405,000	\$ 10,412	\$ 11,603	\$ 6,705	11%	-36%
	2	25th Percentile	Office/Healthcare	236,000	\$ 8,778	\$ 10,051	\$ 4,485	15%	-49%
Commercial	3	1	Hotel	10,335,000	\$ 120,756	\$ 223,250	\$ 187,826	85%	56%
	3	5	Hotel	2,748,000	\$ 43,476	\$ 53,854	\$ 53,237	24%	22%
	3	50th Percentile	Fitness	2,121,000	\$ 37,413	\$ 43,210	\$ 38,775	15%	4%
	3	25th Percentile	Office/Healthcare	709,000	\$ 23,759	\$ 26,723	\$ 11,274	12%	-53%
Commercial	4	1	Hotel	16,085,000	\$ 191,556	\$ 367,659	\$ 294,691	92%	54%
	4	5	Hotel	6,388,000	\$ 92,460	\$ 117,008	\$ 117,008	27%	27%
	4	50th Percentile	Restaurant/Ski Lodge	2,439,000	\$ 54,274	\$ 61,626	\$ 47,874	14%	-12%
	4	25th Percentile	Hotel	1,121,000	\$ 41,529	\$ 47,008	\$ 18,438	13%	-56%
Commercial	6	1	Hotel	12,906,000	\$ 182,650	\$ 222,448	\$ 222,448	22%	22%
	6	2	Hotel	8,490,000	\$ 139,947	\$ 162,643	\$ 153,234	16%	9%
	6	3	Hotel	5,412,000	\$ 110,183	\$ 126,556	\$ 104,174	15%	-5%



Exhibit J
Example Customer Impacts - Annual Water Usage and Bill Amount

Customer Class	Meter Rate	User Rank	Description	Gallons of Water	Existing Water Bill	Proposed Water Bill	Optimized Bill	Percent Change	Percent Change if Meter Rate Optimized
Multi Family	0.75	1		322,000	\$ 3,009	\$ 3,209	\$ 3,209	7%	7%
	0.75	50th Percentile		67,000	\$ 1,405	\$ 1,333	\$ 1,333	-5%	-5%
	0.75	25th Percentile		41,000	\$ 1,193	\$ 1,126	\$ 1,126	-6%	-6%
Multi Family	1	1		831,000	\$ 14,034	\$ 18,981	\$ 15,640	35%	11%
	1	50th Percentile		112,000	\$ 2,371	\$ 2,186	\$ 1,774	-8%	-25%
	1	25th Percentile		66,000	\$ 2,053	\$ 1,956	\$ 1,460	-5%	-29%
Multi Family	1.5	1		2,128,000	\$ 43,162	\$ 53,355	\$ 52,911	24%	23%
	1.5	50th Percentile		202,000	\$ 4,761	\$ 4,438	\$ 2,798	-7%	-41%
	1.5	25th Percentile		105,000	\$ 3,970	\$ 3,823	\$ 1,869	-4%	-53%
Multi Family	2	1		2,202,000	\$ 34,724	\$ 44,597	\$ 40,866	28%	18%
	2	50th Percentile		488,000	\$ 11,598	\$ 12,564	\$ 11,107	8%	-4%
	2	25th Percentile		201,000	\$ 8,134	\$ 7,815	\$ 2,791	-4%	-66%
Multi Family	3	1		6,734,000	\$ 129,341	\$ 179,767	\$ 161,166	39%	25%
	3	50th Percentile		1,946,000	\$ 36,466	\$ 37,477	\$ 37,477	3%	3%
	3	25th Percentile		841,000	\$ 24,287	\$ 23,432	\$ 13,591	-4%	-44%
Multi Family	4	1		4,509,000	\$ 76,150	\$ 84,207	\$ 84,207	11%	11%
	4	50th Percentile		1,186,000	\$ 40,354	\$ 38,434	\$ 19,348	-5%	-52%
	4	25th Percentile		731,000	\$ 36,692	\$ 35,533	\$ 12,923	-3%	-65%
Multi Family	6	1		2,556,000	\$ 81,451	\$ 78,504	\$ 51,044	-4%	-37%
SFR		1		1,469,000	\$ 37,803	\$ 42,673		13%	
		5		723,000	\$ 16,136	\$ 18,604		15%	
		50th Percentile		46,000	\$ 1,008	\$ 995		-1%	
		25th Percentile		20,000	\$ 800	\$ 800		0%	
IRR	0.75	1		277,000	\$ 4,505	\$ 6,281	\$ 5,990	39%	33%
	0.75	5		113,000	\$ 2,064	\$ 2,699	\$ 2,699	31%	31%
	0.75	50th Percentile		61,000	\$ 1,452	\$ 1,717	\$ 1,717	18%	18%
	0.75	25th Percentile		8,000	\$ 828	\$ 1,047	\$ 1,047	26%	26%
IRR	1	1		663,000	\$ 11,704	\$ 15,916	\$ 15,916	36%	36%
	1	5		506,000	\$ 8,219	\$ 10,612	\$ 10,612	29%	29%
	1	50th Percentile		153,000	\$ 3,043	\$ 4,080	\$ 3,514	34%	15%
	1	25th Percentile		19,000	\$ 1,465	\$ 2,332	\$ 1,176	59%	-20%
IRR	1.5 and larger	1		2,643,000	\$ 45,710	\$ 60,201	\$ 60,201	32%	32%
	1.5 and larger	5		1,459,000	\$ 24,031	\$ 31,484	\$ 31,484	31%	31%
	1.5 and larger	50th Percentile		456,000	\$ 10,899	\$ 10,981	\$ 9,599	1%	-12%
	1.5 and larger	25th Percentile		206,000	\$ 5,077	\$ 7,717	\$ 4,540	52%	-11%



Policy Questions

1. **Is the recommended cost-based water rate structure acceptable?**
 - a. Total revenue received from each customer class is proportional to their total water consumption;
 - b. Higher cost burden placed on high water users within each customer class aligns with higher operational and infrastructure cost of providing peak day water demand (e.g. the Lost Canyon Importation project was built to meet peak day demand);
 - c. Fair and equitable;
 - d. Cross class subsidies are avoided; and
 - e. Existing pumping surcharge distributes electricity, pumping, and energy efficiency costs based on service elevation.
2. **Should initial recommended cost increases received by the highest water users be capped?**
 - a. Generally, the top 5 to 10 users in all Commercial meter rates will experience significant cost increases;
 - b. While less severe than Commercial increases, high-consumption water users in Multi-Family will experience significant increases, mainly due to large volumes of irrigation use; and
 - c. The largest water rate increases are mitigated if customers self-select into more optimal meter rates (see next policy question).
3. **Should customers be allowed to self-select into the optimal meter rate as recommended?**
 - a. Provides the most cost-effective option for a customer's water needs;
 - b. Maximizes the effect of tiered pricing and encourages conservation;
 - c. **Creates potential of a significant drop in base rate revenue that would need to be corrected by future base rate adjustments to rebalance revenue from each meter rate proportional to its water use; and**
 - d. Frequency of changing meter rates would be limited to once every 3 years or possibly less frequent.
4. **Should the new rate structure be delayed until after peak irrigation season, or a different implementation date?**



An aerial photograph of a mountain town, likely Park City, Utah, covered in a thick layer of snow. The town's buildings, mostly in shades of brown, tan, and green, are densely packed in the valley. In the background, steep, snow-covered mountains rise, with some rocky patches visible. The sky is a pale, overcast blue. The title text is centered in the upper half of the image, framed by two thin white horizontal lines.

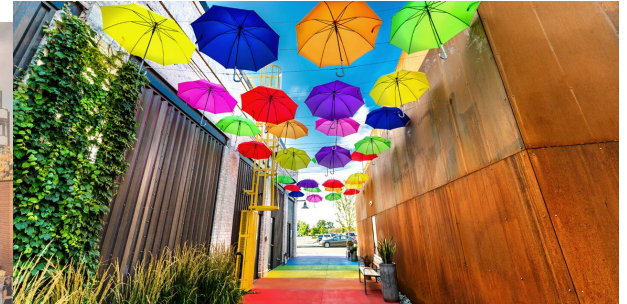
Planning Studies

Contract Approval Request



RFP Process

- In late 2022, PCMC issued 2 Requests for Proposals
- In December, we formed a Selection Committee to review and score proposals from 10 firms
- We narrowed that list to 4 and interviewed those 4 teams prior to deciding



— Selection Committee —

- Peter Barnes and Pat Putt – Summit County
- Dean Berrett – Prospector Square Property Owners Association (PSPOA)
- Morgan Everett and Betsy Wallace - Sundance
- Pat Matheson – Mountainlands Community Housing Trust
- Aldy Milliken – Kimball Art Center
- PCMC Staff



**Sundance
Film Festival
2023**



**MOUNTAINLANDS
COMMUNITY HOUSING TRUST**



The Consultant Team

MKSK – Lead consultant, project management, planning, urban design, landscape architecture, placemaking, sustainability

Future IQ – Engagement: Public and Stakeholders

Development Strategies – Demographic Analysis, Market Trends, Market Analysis, Market Strategy

Fehr and Peers – Transportation and Mobility (services provided as part of Bonanza Park and Snow Creek Small Area Plan Team)



Scope of Work

Feasibility Study

PHASE 1: Initiate, Evaluate, Engage

PHASE 2: Understand and Explore
Concept and Design Elements

PHASE 3: Synthesize Plan
Recommendations.

*Grand Total for Combined work is
\$389,100*

Small Area Plan

Task 1: Define the plan timetable and existing conditions

Task 2: Define and develop a community engagement plan

Task 3: Develop neighborhood vision and plan goals and objectives

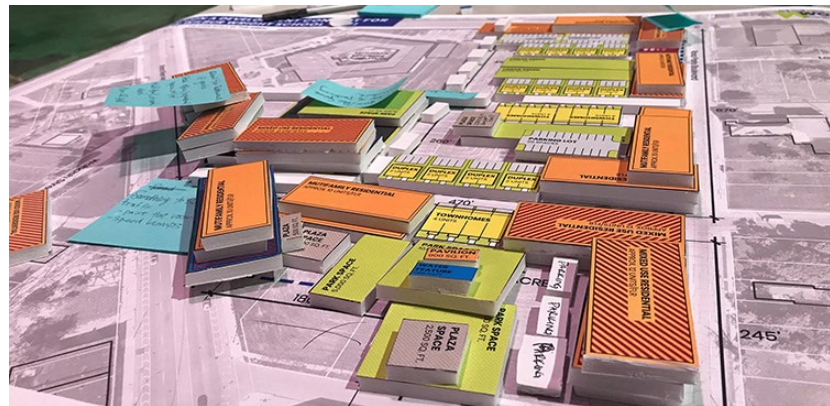
Task 4: Develop plan components

Task 5: Develop an implementation plan

Task 6: Develop Final Report/Executive Summary and Plan Adoption



— Advisory Committees —



Questions?





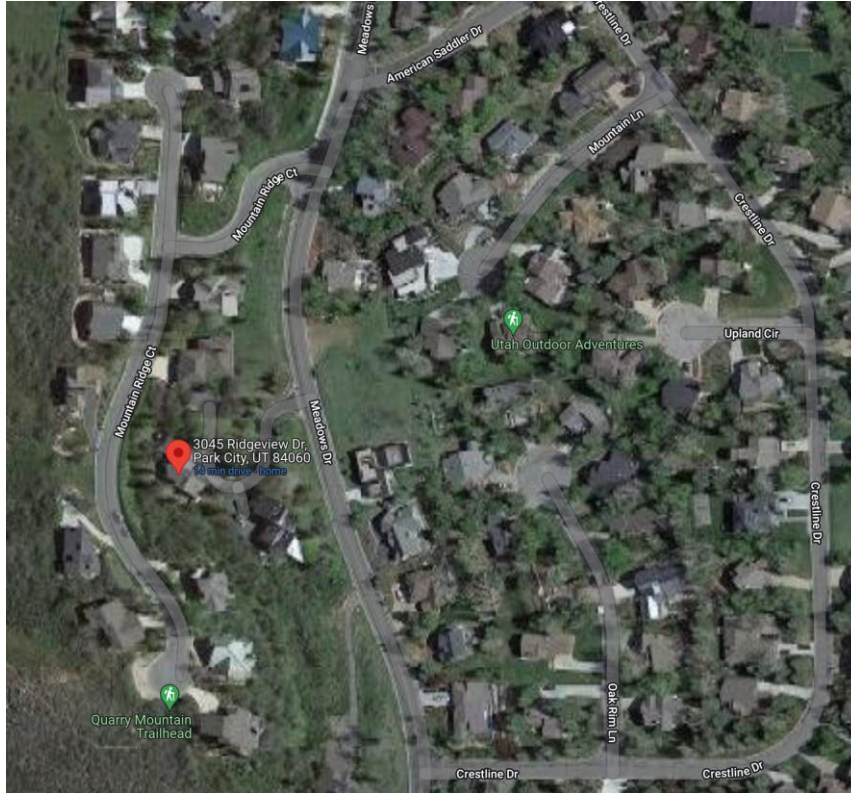
3045 RIDGEVIEW DRIVE

CONDOMINIUM PLAT AMENDMENT

PL-22-05360
February 22, 2023
City Council



3045 RIDGEVIEW DR



BACKGROUND

3045 RIDGEVIEW DR

- On August 26, 1982, the City Council approved the Ridgeview Townhouse Condominium Plat.
- Plat note dedicated Common Space as a Public Utility.
- Unit 3-B was not built as specified on the Plat with expansions into Common Areas.
- 2018 Landscaping Permit showed deck already existed.
- August 2022, building permit requested, Plat Amendment required.
- August 24, 2022, Plat Amendment submitted.
- Conditional Building permit issued.
- January 11, 2023, received positive recommendation from the Planning Commission



[illegible]

ANALYSIS

3045 RIDGEVIEW DR

- The proposal to amend the plat to convert common area to private and limited common complies with the Subdivision Procedures outlined in LMC Chapter 15-7.1.
 - a) There is Good Cause for this plat amendment because it resolves existing non-conformities and brings the property into compliance.
 - b) No Public Street or Right-of-Way is vacated.
 - c) A Public Utility Easement will be vacated.



ANALYSIS

3045 RIDGEVIEW DR

- The proposal to amend the plat to convert common area to private and limited common area complies with the Residential Development (RD) Zoning District requirements outlined in LMC Chapter 15-2.13.



ANALYSIS

3045 RIDGEVIEW DR

- The proposal, as conditioned, complies with LMC § 15-3-6, Parking Ratio Requirements.
- Unit 3-B has a garage that is 23 feet x 23.5 feet. A two-car garage is defined by code as 20 feet wide by 20 feet deep.



DEPARTMENT REVIEW

3045 RIDGEVIEW DR

- The Development Review Committee reviews the application on January 3, 2023 and did not identify any issues.
- The Planning Department, Engineering Department, and City Attorney's Office reviewed this application.



PUBLIC INPUT

3045 RIDGEVIEW DR

Staff did not receive any public input at the time the report was published.



PUBLIC NOTICE

3045 RIDGEVIEW DR

Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on December 22, 2022. Staff mailed courtesy notice to property owners within 300 feet on December 22, 2022. The Park Record published notice on December 24, 2022.



RECOMENDATION

3045 RIDGEVIEW DR

(I) Review the proposed Ridgeview Townhouse Condominiums First Amendment – Amending Unit 3-B, (II) hold a public hearing, and (III) consider approving the proposed Plat Amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in Draft Ordinance No. 2023-05.



LAND MANAGEMENT CODE

AMENDMENT TO §15-2.13-2

PL-22-05391; PL-22-05403; PL-22-05471

February 16, 2023



BACKGROUND

Three Homeowner's Associations petitioned to amend LMC § 15-5.13-2 –
Uses in the Residential Development Zoning District

Chatham Crossing Subdivision AKA CHATHAM HILLS HOA (NR, FO,
Timeshare)

Solamere Subdivision No. 1 & No. 2A (FO)

West Ridge Subdivision & West Ridge Subdivision Phase 2 (NR, FO)

- Nightly Rentals are an Allowed Use
- Fractional Use is a Conditional Use
- Timeshares are prohibited



ANALYSIS

The proposed LMC amendments to prohibit Nightly Rentals and Fractional Use in Chatham Crossing and West Ridge Subdivisions, and Fractional Use in Solamere Subdivision complies with the Park Cit General Plan and Land Management Code.

- Sense of Community – Core Value to preserve areas for primary residents
- Mitigate adverse impacts
- **Goal 7:** Create a diversity of primary housing opportunities to address the changing needs of residents.
 - **Objective 7B:** Focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupancy by full time residents
- **Goal 8:** Increase affordable housing opportunities
 - **Objective 8C:** Increase housing ownership opportunities for workforce within primary residential neighborhoods



ANALYSIS

There is precedent for the proposed LMC amendment within the RD Zoning District.

- 2014 – April Mountain and Mellow Mountain Estates Subdivisions
- 2020 – Meadows Estate Subdivisions #1A and #1B
- 2021 – Fairway Meadows Subdivision
- 2021 – Hidden Oaks at Deer valley Subdivision, Phases 2 and 3

On October 27, 2022, the City Council directed Planning Staff to evaluate Timeshares, Private Residence Clubs, and Fractional Use in three Zoning Districts, including the RD Zone. A pending ordinance temporarily prohibits these uses in the RD Zone.

AMENDMENT

Existing Footnote #3:

Nightly Rentals do not include the Use of dwellings for Commercial Uses. Nightly Rentals and Dwelling Unit, Fractional Use are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions, Meadows Estates Subdivision Phases #1A and #1B, Fairway Meadows Subdivision, and Hidden Oaks at Deer Valley Phases 2 and 3.

Proposed Footnote #3:

Nightly Rentals do not include the Use of dwellings for Commercial Uses. Nightly Rentals ~~and Dwelling Unit, Fractional Use~~ are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions, Meadows Estates Subdivision Phases #1A and #1B, Fairway Meadows Subdivision, ~~and~~ Hidden Oaks at Deer Valley Phases 2 and 3, ~~Chatham Crossing Subdivision, and West Ridge Subdivision and West Ridge Subdivision Phase 2.~~



AMENDMENT

Existing Footnote #19:

Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.

Proposed Footnote #19:

Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use. Dwelling Unit, Fractional Use is not permitted in the April Mountain, Mellow Mountain Estates Subdivisions, Meadows Estates Subdivision Phases #1A and #1B, Fairway Meadows Subdivision, Hidden Oaks at Deer Valley Phases 2 and 3, Chatham Crossing Subdivision, West Ridge Subdivision and West Ridge Subdivision Phase 2, and Solamere Subdivision No.1 and No 2A.

AMENDMENT

WHEREAS, property owners within the Chatham Crossing Subdivision, the Solamere Subdivision No. 1 & No. 2A, the West Ridge Subdivision, and the West Ridge Subdivision Phase 2 petitioned the City Council to amend the Land Management Code to prohibit Nightly Rentals and Fractional Use in the Chatham Crossing Subdivision, ~~the Solamere Subdivision No. 1 & No. 2A~~ the West Ridge Subdivision, and the West Ridge Subdivision Phase 2, and ~~to prohibit Fractional Use in the Solamere Subdivision No. 1 & No. 2A.~~



RECOMMENDATION

(I) Review proposed Land Management Code amendment to prohibit Fractional Use in Solamere Subdivision No. 1 and No. 2A, prohibit Nightly Rentals and Fractional Use in West Ridge Subdivision & West Ridge Subdivision Phase 2 and Chatham Crossing Subdivision, (II) hold a public hearing, and (III) consider approving Ordinance No. 2023-06.

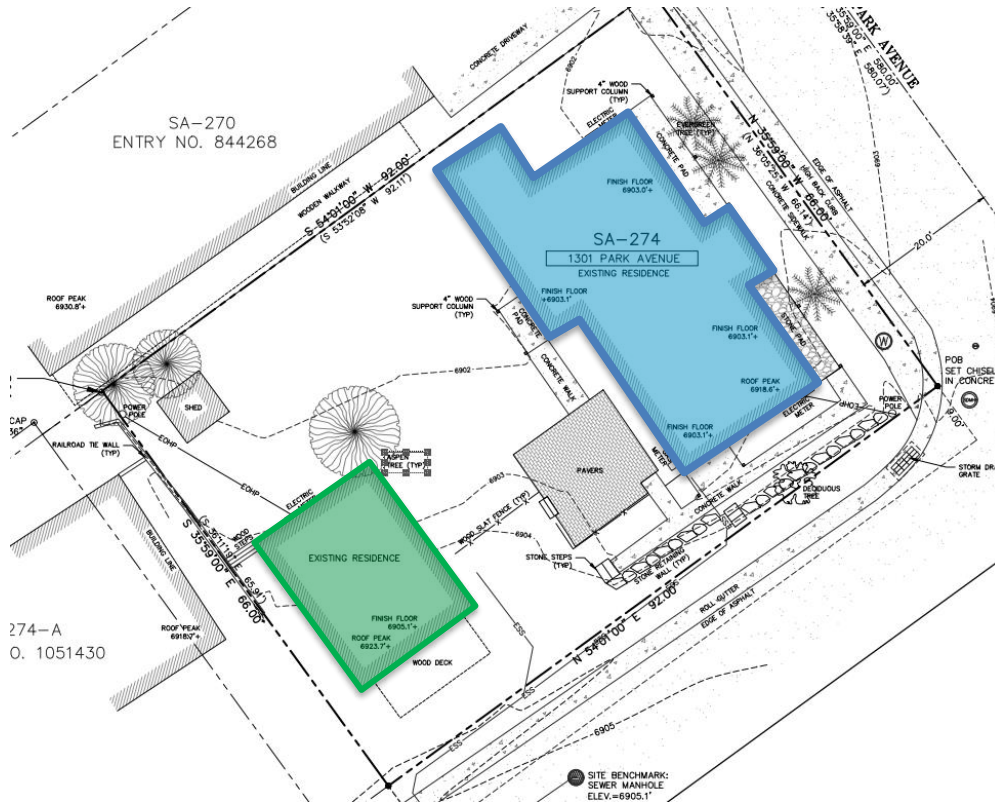


1301 PARK AVENUE SUBDIVISION

PL-22-05195



1301 PARK AVENUE



- Metes-and-bounds Lot – 6,072 square feet
- 1904 - Landmark Historic Structure (blue)
- 1964 - Non-historic A-Frame SFD

1301 PARK AVENUE

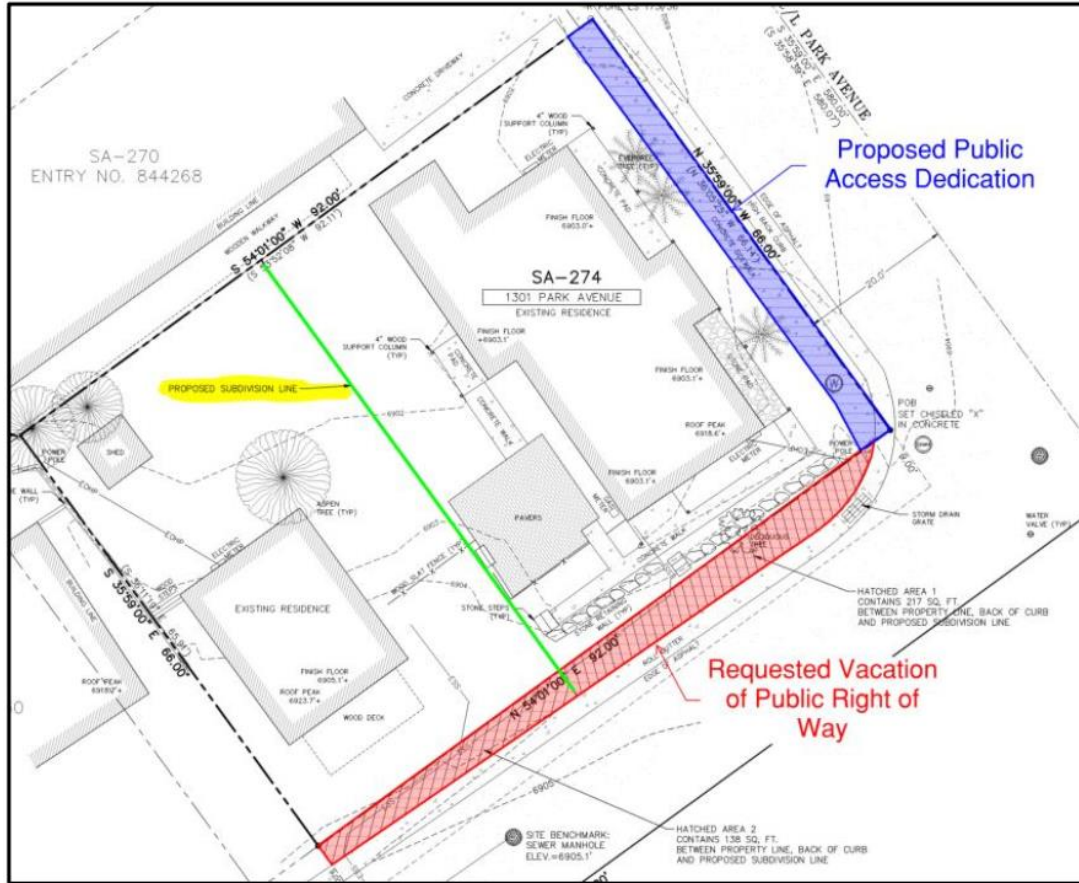


A-Frame



Landmark Historic Structure

1301 PARK AVENUE



- Grant public access easement (266 sq. ft.)
- Petition to vacate 355 sq. ft. of 13th Street ROW
 - 138 sq. ft. → Lot 1
 - 217 sq. ft. → Lot 2
- Provides off-street parking
- Duplex complies with min. lot size requirements

1301 PARK AVENUE

- 2005 City Council Staff Report:
“the Historic Structure consists of two dwelling units and is technically a duplex, even though one of the units is only 410 square feet”
- 1961—Duplex at time of purchase
- 1968 LMC:

CHAPTER 10. RESIDENTIAL ZONE R-1

67-10-1. PERMITTED USES.

- (1) Agriculture.
- (2) Single-family dwelling.
- (3) Two-family dwelling.
- (4) Accessory buildings and uses customarily incidental to the main use.
- (5) Signs, identification, name plate, property, public information, temporary.

67-10-3. AREA REGULATIONS.

The minimum lot area shall be three thousand (3,000) square feet.



1301 PARK AVENUE

HRM REQUIREMENTS

The Applicant proposes to amend the plat to create two Lots:

- Lot 1 – Non-historic A-Frame SFD (2,539 sq. ft.)
- Lot 2 – Historic Structure/Duplex (3,533 sq. ft.)

HRM Requirements:

- SFD: 1,875 sq. ft.
 - Duplex: 3,750 sq. ft.
 - Min. Lot width: 37.50 sq. ft.
 - Front: 15 feet
 - Rear: 10 feet
 - Side: 5 feet
 - Height: 27 feet
 - Parking: 2 off-street spaces
- Historic Structures area exempt from Setback requirements (LMC § 15-2.4-4)



1301 PARK AVENUE

December 14, 2022—Planning Commission Work Session

January 11, 2023—Planning Commission forwards positive recommendation

- Amended COA 11
 - Remove active transportation (leaving only improvements)
- Two Commissioners voted to forward a negative recommendation
 - Achieve lot size for duplex through other means
- Majority found Good Cause
 - Maintain minimum lot widths
 - Provides off-street parking opportunity



1301 PARK AVENUE

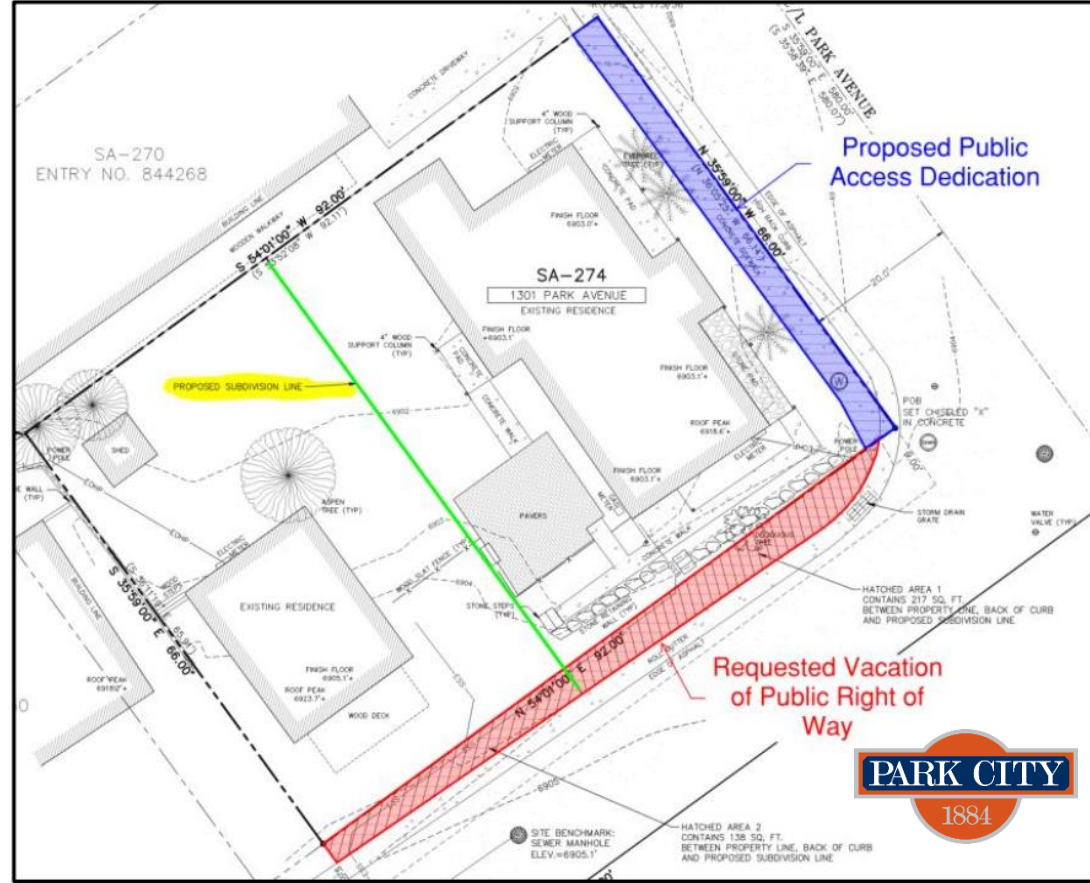
The Applicant petitions the City to vacate a portion of the 13th Street Right-of-Way.

- Adds square footage to both Lots
- Applicant proposes easement along Park Avenue (will not reduce size of Lot 2)

Resolution 8-98

The City Council must find Good Cause to vacate a Public Right-of-Way.

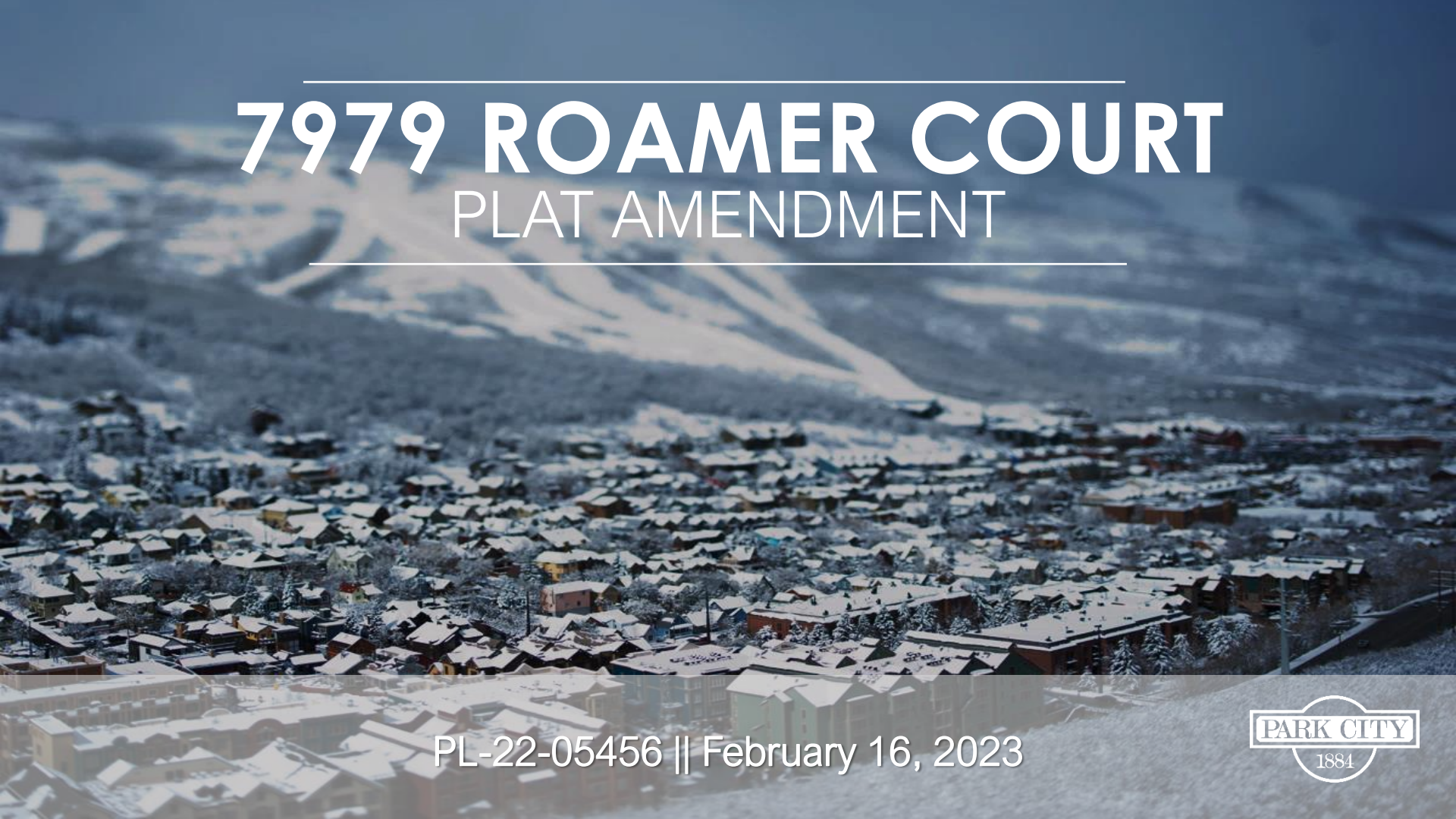
- No increase in density
- Neighborhood Compatibility
- Consideration (Compensate the City for the loss of the Right-of-Way)
- Utility of Existing Right-of-Way



1301 PARK AVENUE

(I) review the 1301 Park Avenue Subdivision and petition to vacate public Right-of-Way, (II) hold a public hearing, and (III) consider approving Ordinance No. 2023-07.



An aerial photograph of a mountain town covered in snow, with a large mountain peak in the background. The town's buildings are densely packed, and the surrounding landscape is a mix of snow-covered ground and rocky outcrops.

7979 ROAMER COURT

PLAT AMENDMENT

PL-22-05456 || February 16, 2023



BACKGROUND

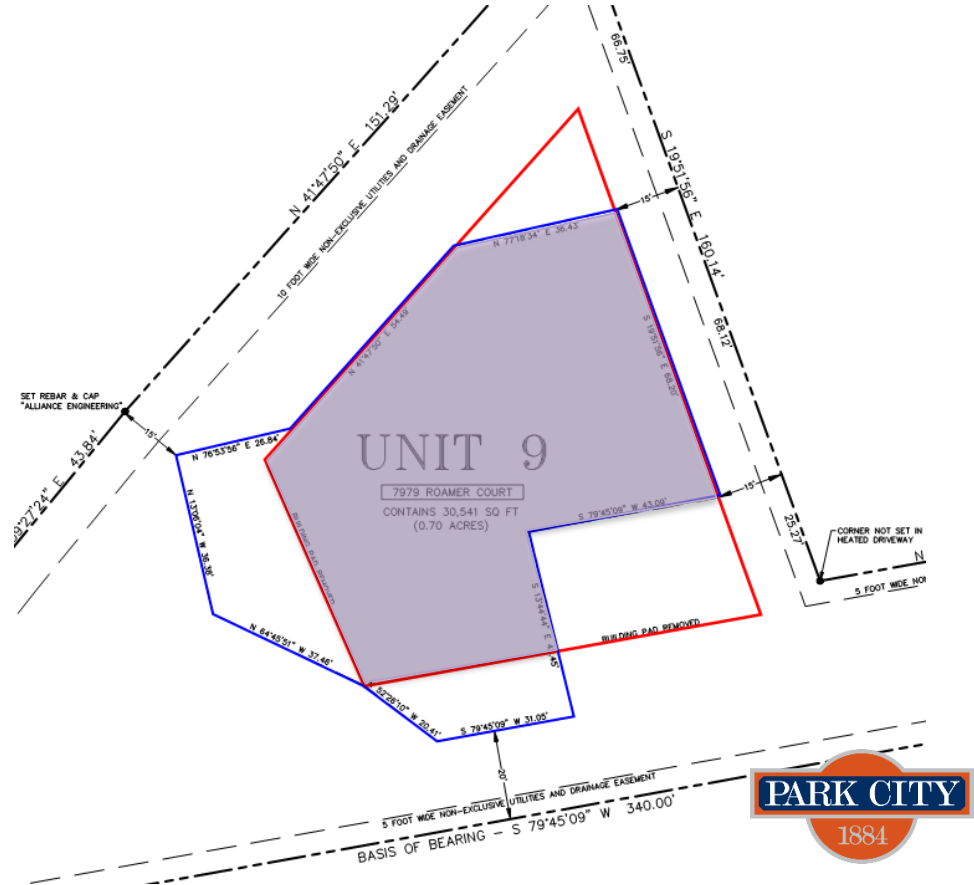


7979 Roamer Court



BACKGROUND

- Established in 1989
- 2004 addition
- Proposal:
 - I. Adjust for existing conditions
 - II. Revise for future addition



[illegible]

ANALYSIS

(I) The proposed Plat Amendment complies with the RD Zoning District Requirements

- Single-Family Dwelling
- Meets/Exceeds Setbacks
- Building Height – COA 4

ANALYSIS

(II) The proposal, as conditioned, complies with the Sensitive Land Overlay Criteria as found in LMC Chapter 15-2.21

Planning Commission added COA 8:

A Sensitive Lands Analysis shall accompany any development plans at the building permit phase subject to review and approval by the Planning Department. The Planning Department shall deny any building permit inconsistent with LMC § 15-2.21-2 Overlay Review Process.

ANALYSIS

(III) The proposal complies with the Bald Eagle Club At Deer Valley Plat requirements.

- Utility or Drainage Easements
- Platted Trails
- Private Roads

7979 ROAMER COURT
EXISTING RESIDENCE

ROOF PEAK
= 8317.6'

FF = 8285.6'

FF = 8287.1'
L = 14.15'

PLANTER
8286.7'

STONE COLUMN

STONE LANDING

STONE COLUMN

ELECTRICAL METER

CONCRETE DRIVEWAY

STORM DRAIN

STONE WING WALL

CONCRETE STEPS

STONE WALL

STONE RETAINING WALL

STONE STEPS

ASPEN TREE (TOP)

EVERGREEN

BOULDER

ROOF-BACK COMB

8280.2'

8284.4'

8280.0'

8281.2'

8286.2'

8286.5'

8284.1'

8287.2'

8286.2'

8286.6'

8287.1'

8286.6'

8286.0'

8291.4'

8293.6'

8297.2'

8286.0'

8296.7'

8297.3'

8290



Park City 1884 logo featuring the text "PARK CITY" in a blue banner and "1884" below it, set against an orange and white background.



ANALYSIS

(IV) The proposal complies with LMC § 15-7.1-3(B) *Plat Amendment*.

- Good Cause
 - Reflect as-built
 - Density
 - Square footage (7,963)
- No Public ROW Vacated/Amended
 - Private roads
 - Property access
- No Easement Vacated/Amended

RECOMMENDATION

(I) Review the Plat Amendment, (II) hold a public hearing, and
(III) consider approving Ordinance 2023-08.



An aerial photograph of a mountain town covered in snow. The town features numerous buildings with snow-laden roofs, interspersed with evergreen trees. The surrounding landscape is a vast, snow-covered mountain slope. The text is overlaid on the upper portion of the image.

CLARK RANCH

LAND SURVEYING & CONSULTANT SERVICES CONTRACT

February 16, 2023



BACKGROUND

- Aggressive community goal of 800 new affordable/attainable units by 2026.
 - 156 units have been created since this goal was adopted.
- The most efficient tool is for the City to partner with private entities to develop affordable housing units on City-owned land
- City has identified parcels of land that could be considered for affordable housing development

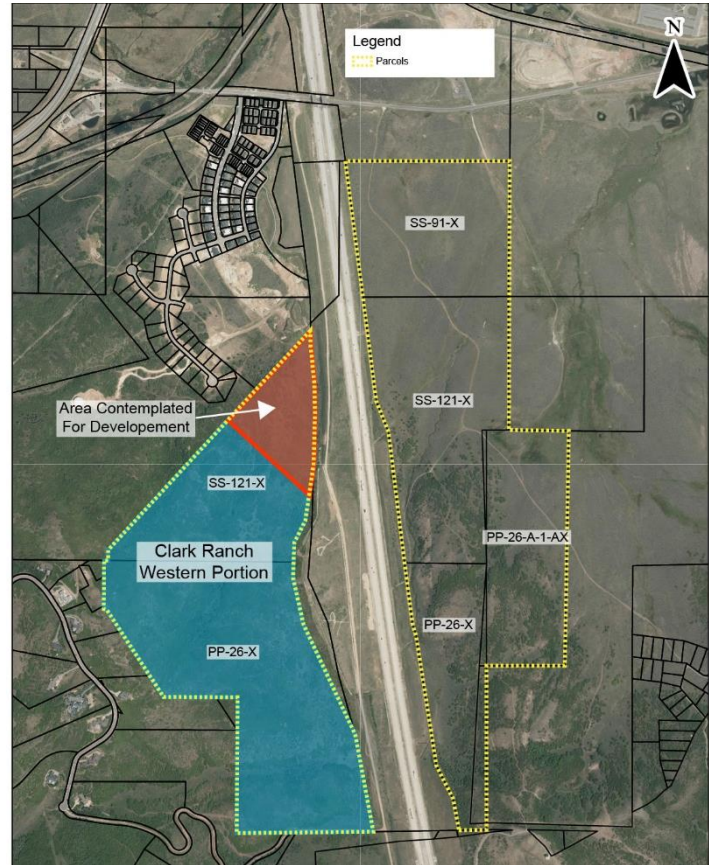
BACKGROUND

- City purchased Clark Ranch on December 17, 2014, at the time was located in unincorporated Summit County.
- In 2016, Citizens Open Space Advisory Committee (“COSAC”) recommended to Council preservation of the Clark Ranch property
 - They recommended that up to 10 acres in the northwest corner (adjacent to Park City Heights) be excluded from a conservation easement for senior or affordable housing, and/or essential services (e.g., fire station).
- City annexed the Property into Park City in 2022.
- Upon annexation, City zoned it Recreation and Open Space (“ROS”) and Sensitive Land Overlay (“SLO”).

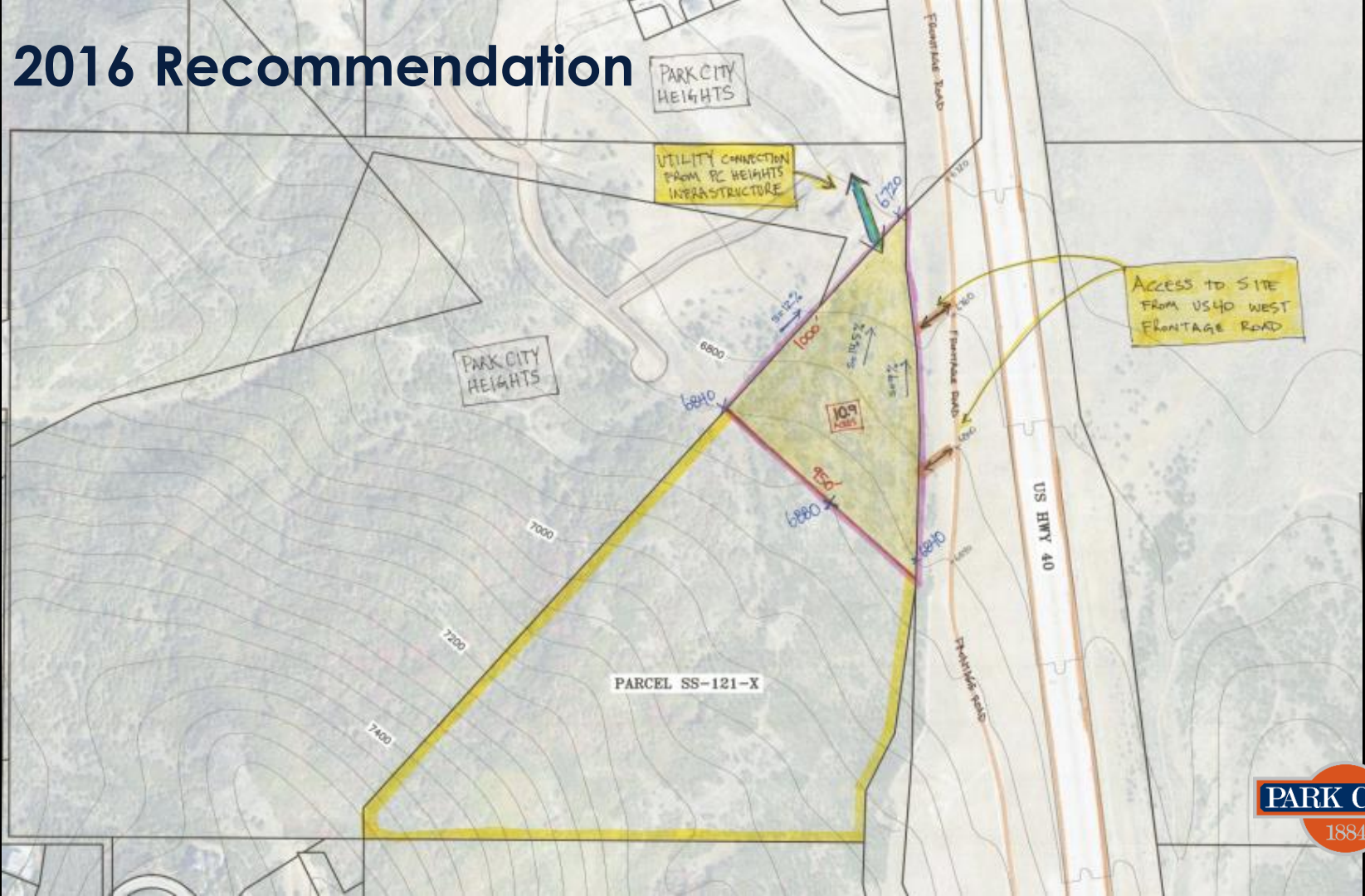


PROPERTY

- Total Property Size: 344 Acres
- Western Portion: 153 Acres
- Focus Area of RFP: 10-15 Acres
- Zoning: Recreation Open Space and Sensitive Lands Overlay
- Potential Entitlement Needs:
 - Plat Amendment
 - Rezone
 - Conditional Use Permit
 - Affordable MPD



2016 Recommendation



COUNCIL INPUT

- City Council's most recent City Property Disposition List was adopted on March 19, 2020.
- The consultant services for Clark Ranch will help inform how the City should manage the property and its inclusion in future City property disposition lists.
- Following COSAC's recommendation, the City can evaluate the property and evaluate the feasibility of placing future affordable housing or essential services on the site.

SUMMARY OF RFP

The project team is asked to meet the following:

- Understand and report the **developable feasibility of the land**, such as max density and parameters analyzed in the following:
 - Evaluate the property pursuant to the City's **Sensitive Land Overlay**
 - This includes analyzing view corridors, vantage points, ridgelines, soils, steep slopes, mining hazards and environmental conditions
 - Evaluate the site for any historical structures or sites
 - Evaluate access, traffic and circulation, utilities



SELECTION ADVISORY COMMITTEE RECOMMENDATION

- Four project teams submitted proposals.
- Selection Advisory Committee met on January 18, 2023, to consider the proposals
- Committee selected top two vendors based on experience, project team composition, and proposed work plan.
- Committee interviewed top two vendors the week of January 23, 2023.



SELECTION ADVISORY COMMITTEE RECOMMENDATION

- Stereotomic was selected because:
 - Their deep familiarity with Park City's unique environmental conditions
 - Their experience in past projects
 - Their ability to produce clear and comprehensive analyses of environmentally sensitive properties.



— POTENTIAL TIME FRAME —

- February 20, 2023 – City issues Notice to Proceed
- March 2023- Consultant begins site evaluation and analysis
- April-May 2023 – Meetings and Charrettes with Key Stakeholders
- June 2023 – Consultant presents options to City Council

RECOMMENDATION

- Review and consider a contract with Stereotomic, PLLC, for land surveying and consultant services for the Clark Ranch feasibility study, in a form approved by the City Attorney's Office.
- Receive public input

AN ORDINANCE AMENDING CITY CODE SECTION 13-1-28, DRINKING WATER SOURCE PROTECTION



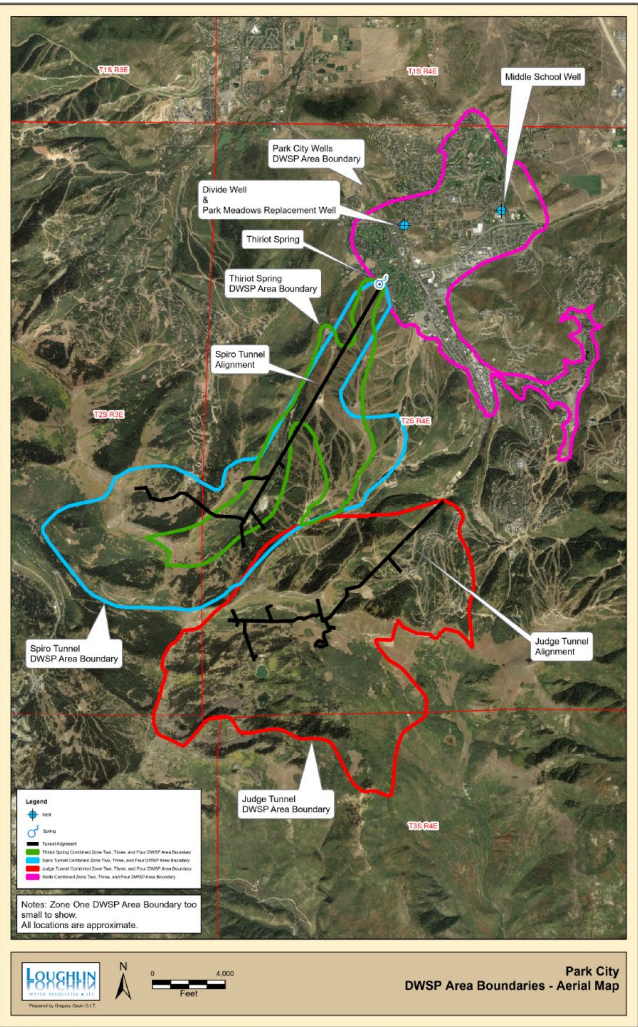
Ordinance

- Utah Division of Drinking Water required Management Program to control or prohibit Potential Contamination Sources from contaminating groundwater drinking water sources
 - Source Protection Area: Surface and subsurface area surrounding a Groundwater Sources of drinking water supplying Park City, through which contaminants are reasonably likely to move toward and reach such Groundwater Source
 - Zones 1-4 established to protect any well, spring, or tunnel used as a drinking water source considering both distance and groundwater time of travel criterion
 - Extremely permeable soils
- Original ordinance 2006, amended in 2008
- Procedure for granting variances



Regulates Potential Contamination Sources

- Existing ordinance
 - Fertilizer/herbicides/pesticides
 - Road salt
 - Fuel storage
 - Septic systems
 - Dry cleaners
 - Car washes
- Amended ordinance adds
 - Borings, wells, or excavations that are more than 10 feet deep
 - Open-loop Ground Source Heat Pump (GSHP) wells and systems and closed-loop GSHP wells unless the later meets specific criteria and approvals
 - The use of any fluorinated ski wax due to contamination associated Per-and Polyfluoroalkyl Substances (PFAS)





Protect Our Drinking Water

NO FLUORO (LF or HF) WAX

*Prohibited by PCMC Drinking Water Source
Protection Ordinance #2023-09*



Learn more:
engageparkcity.org/ski-wax



FLURO SKI WAX TAKE BACK PROGRAM

Help protect Park City groundwater and wastewater

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS), also known as forever chemicals, have been detected in local groundwater wells and wastewater

- Fluoro ski wax is likely responsible for low-level PFAS contamination
- Banned in advance of the 2022 Winter Olympics
- Goal to stop continued environmental impacts
- Summer 2022 EPA issued updated Drinking Water Health Advisories, regulations pending

- Requesting local residents, visitors, waxers, and ski shops turn in fluoro ski wax
- Accepting fluoro waxes: predominantly Nordic and Downhill ski race waxes
- Waxes will be accepted at Recycle Utah near the office door by other hard to recycle items like batteries, light bulbs and ink cartridges
- Wax can be dropped off at Recycle Utah 24/7 through April 15, 2023

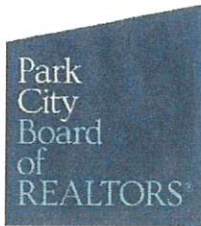
Questions?
Contact Recycle Utah
435-649-9698



Recommendation

Review and consider adopting revised Park City Drinking Water Source Protection Ordinance Number 2023-09





February 14, 2023

Dear Park City Council Members,

The Park City Board of REALTORS® respectfully expresses its opposition to proposed Ordinance No. 2023-06, which would amend Land Management Code Section 15-2.13-2 to prohibit Nightly Rentals and/or Fractional Use in five local subdivisions. We believe the proposed amendment would constitute a regulatory overreach by the local government and that HOAs should receive deference from Park City in regulation and guidance at the subdivision level.

The Park City Board of REALTORS® respects the Council and believes that you all strive to make our city the best it can be. Not every matter is one for the City to decide, though. HOAs—through their CC&Rs or bylaws, by a vote of their owners—are the appropriate authority to regulate individual subdivisions within our neighborhoods. Please allow them to do so. Thank you for your consideration.

Respectfully,

A large, stylized blue ink signature of Joanne O'Connell, featuring multiple loops and a long horizontal stroke extending to the left.

Joanne O'Connell

2023 President

Park City Board Of REALTORS®

A blue ink signature of Jamie Johnson, written in a cursive style with a prominent 'J' and 'J' at the end.

Jamie Johnson

Chief Executive Officer

Park City Board of REALTORS®

On behalf of the Park City Board of REALTORS® Directors

Bob Theobald Public Comment:

City Council – 2/16/2023 - Purpose – Submit two Reports.

The first report is entitled - *Public Officials - Facts, Concerns, and Questions Relating to “Perceived” Entitlements, Authority and Compliance with Laws and Protocols*

1. In conjunction with a remodel permit, today is the first 1st anniversary of the inspection of Planning Commissioner Hall’s foundation for a “pool” – quote “pool is done to plans”. You might ask - What is the Problem??
 - Pool is a recreation Facility which requires a CUP/and SLO analysis.
 - Commissioner Hall failed to apply for a CUP.
 - The Planning Director failed to demand a CUP.
 - Why a CUP was not required is the primary question that no one can answer.
 - On 12/9/2022 four Citizens filed a complaint for this violation as well as numerous other violations connected to the project permit.
2. Today is exactly 1 week shy of the first anniversary on 2/23/2022 where the Planning Commission was debating a change to the definition of a Recreation Facility to include pickleball courts. Commissioner Hall, off -topic, argued to delete pools and spas from the definition. Neither Commissioner Hall **nor** Director Milliken disclosed to the Commission the material fact that Commissioner Hall was actively constructing a Pool without a CUP.

There is a direct nexus between the issues described in the first Report and the additional failures cited in the second report attributable to the Planning and Building Departments, specifically the Director and Chief Building Official.

The second Report is entitled *Planning and Building Process Violations: Decision-making, Diligence, Circumventing the LMC and Fabricating Code Provisions*

In connection with Counselor Rubell’s Case-by Case concerns expressed in Council meeting on 12/15/2022., this report cites 7 different occasions where the Planning Department exhibited one or more of the actions in the Report title. Three of the incidents are documented in detail as Case Studies. I believe the facts of this report clearly indicates that the Planning Department may not be totally broken, but it is cracking and as Counselor Rubell seemed to suggest at a Council meeting – it requires a thorough investigation and a “fix” if necessary.

I submit these Report with a constructive intent and hope you review them with an open mind.

The documents **#1-#5 highlighted in RED** will provide a basic fluency with the issues. The necessity of reviewing other documents is dependent upon the desire (or obligation) to have a comprehensive understanding of the history and scope of the issues. Some issues may be more problematic and subject to considered decisions of the Planning Commission and the City Council.

Please contact me with additional question.

Best regards,

Bob Theobald

LMC and Beyond – Documents and Exhibits

Sequence of priority for review:

1. Letter: *Public Officials - Facts, Concerns and Questions Relating to “Perceived” Entitlements, Authority and Compliance with Laws and Protocols* February 13, 2023
2. Letter Report: *Planning and Building Process Violations: Decision-making, Diligence, Circumventing the LMC and Fabricating Code Provisions* February 13, 2023
3. PowerPoint Exhibits: Public Officials - Concerns... 2-16-2023
4. Letter to City final 12-9-2022 (Violations Compliant - 2750 Meadow Creek Drive Lot #2)
5. Dropbox Link: [PowerPoint Exhibits to 12-9-2022 Violations Complaint- 2750 Meadow Creek Drive Lot #2](#)
6. Willow Ranch Replat First Amended Lot 2 – Entry # 1181781 (See Plat Notes)
7. To be provided - Letter to City final 2-9-2023 (Follow up to Violations Compliant - 2750 Meadow Creek Drive Lot #2)

Links:

- [Planning Commission Minutes - 2-23-22 \(See page 27\)](#)
- [Planning Commission Video 2-23-22 \(See at 3:07:30 Minutes\)](#)
- [Planning Commission Minutes 3-23-22 \(See Page 34\)](#)
- [Planning Commission Video 3-23-22 \(See Pickleball 2:24:30 min. Pool at 2:57:30 minutes\)](#)
- [BOA Appeal Hearing 2-8-2022 See page 99](#)
- [BOA Findings and Ruling 3-1-2022](#)
- [BOA Minutes](#)

City Council – 2/16/2023

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I submit these Report with a constructive intent and hope you review them with an open mind.

December 9, 2022

VIA EMAIL to
buildingcounter@parkcity.org

Community Code Compliance
Park City Municipal Corporation
445 Marsac Ave
Park City, Utah 84060

RE: Building Permit Application Number 21-1302 at 2750 Meadow Creek Drive – Complaint of Violations of Code and Other Laws

The undersigned are longtime residents and property owners in Park City. Our properties are adjacent to, or nearly adjacent to, 2750 Meadow Creek Dr, which is Lot 2 (Lot) in the Willow Ranch Subdivision (Subdivision). Crescent Vertical, the named owner of the Lot (Owner), has applied for and been granted a building permit, Number 21-1302 (Building Permit), for a remodel project (Project) with a total valuation of \$1,258,150.

We are concerned that the Project and the Owner may be in violation of numerous provisions of the Park City Land Management Code (LMC), the Lot and Subdivision amended plats (the Amended Plat), and other applicable laws. As you know, over the past several months we have informally communicated our concerns to City officials, as well as to the Owner, but, to our knowledge, as of this date, the construction and apparent violations are unresolved and continuing.

In particular, based on the Building Permit, Owner proposes to construct a swimming pool on the Lot in violation of provisions of the LMC which require the Owner to apply for and obtain a Conditional Use Permit (CUP) for such construction and conduct a Sensitive Lands Overlay (SLO) review as part of the CUP review process. It appears that Owner has neither obtained a CUP nor conducted an SLO review in flagrant disregard of the LMC.

We believe there are additional violations in connection with the Lot and the Project, including numerous violations of the Limits of Disturbance as provided in the Amended Plat, wetlands and wildlife protection and disturbance violations, Wildland-Urban Interface violations, violations of restrictions on Accessory Dwelling Units and total maximum house square footage limits, and violations of fence maintenance requirements, all of which are listed in greater detail below. Upon further investigation by the City, there may be discovered additional violations of the LMC, the Amended Plat and other Utah and federal laws in connection with the Project. We respectfully request that the City carefully, comprehensively and promptly investigate all aspects of compliance by Owner with applicable provisions of law.

This letter constitutes our formal complaint in respect of apparent continuing violations of the LMC and the Amended Plat by the Owner on the Lot and in connection with the Project. We respectfully request that the City immediately impose a Stop Work Order or otherwise enjoin further construction until Owner is in full compliance with all of the provisions with the LMC and Amended Plat.

Here is a summary of the violations which we are concerned may exist and be continuing on the Lot:

1. Swimming Pool and Conditional Use Permit

- a. The application for a Building Permit expressly contemplates construction of a swimming pool.
- b. A swimming pool is a Private Recreation Facility, construction of which in the Estate District requires a Conditional Use Permit (CUP) from the Planning Commission.
- c. There is no exception to the CUP requirement for swimming pools.
- d. The CUP procedure requires, *inter alia*, application by the Owner for a CUP, public notice and hearing, evaluation by the Planning Department, and approval by the Planning Commission, prior to commencement of construction.
- e. The Planning Department is required to evaluate all proposed Conditional Uses and recommend conditions of approval to preserve the *character of the zone*.
- f. To our knowledge, Owner has not applied for or received a CUP for the Project.

2. Sensitive Lands Overlay Compliance

- a. All Development in the Estate District requiring a CUP must include an SLO review.
- b. Section 15-2.21-1 Purpose
The purpose of the SLO review is to:
 - i. require dedicated Open Space in aesthetically and environmentally sensitive Areas;
 - ii. encourage *preservation of large expanses of Open Space and wildlife habitat*;
 - iii. cluster Development while allowing a reasonable use of Property;
 - iv. prohibit Development on Ridge Line Areas, Steep Slopes, and *wetlands*; and
 - v. *protect and preserve environmentally sensitive land*.
- c. An SLO review must include a comprehensive analysis performed by a qualified professional(s) that examines, identifies, and delineates on a map and in a written report all Areas of a Property deemed to be environmentally and aesthetically important to the community as expressed in the Park City General Plan, including, but not limited to...wetlands, streams and lakes, wildlife habitat Areas, entry corridors, Vantage Points, Significant Vegetation, and Wildfire/ Wildland Interface Zones.
- d. Owner has not conducted an SLO review.
- e. We believe an SLO review would likely show that the Project impacts wetlands and vantage points and reduces dedicated Open Space and wildlife habitat and fails to adequately protect and preserve environmentally sensitive land.
- f. In addition, we believe that a careful review of the City's proceedings during 1992-1993 in connection with the approval of the Subdivision will confirm that it was the clear intent of the City Council and the Developer to protect (i) the Open Space, Natural Areas, wetlands, view corridors and wildlife habitat on the Lot and in the Subdivision, and (ii) the rights of owners of neighboring properties outside the Subdivision which are impacted by violations of the Amended Plat and the LMC.

3. Limits on Development in the Estate District

- a. The Lot is part of the Subdivision which has been designated part of the Estate District under the LMC.
- b. The LMC for the Estate District provides that the purpose of the Estate District is to allow very low density, environmentally sensitive residential development which preserves ridgetops, meadows, and visible hillsides, *preserves large, cohesive, unbroken areas of open space and undeveloped lands*, and preserves and incorporates wetlands, drainageways, and intermittent streams as amenities of development.
- c. The development on Lot 2 of an irrigated orchard and border trees in an environmentally sensitive area of existing meadows, unbroken areas of open space and undeveloped lands on the Lot violates the purpose of Limitations of Development in the Estate District as set forth in the LMC and fails to preserve the wetlands on the Lot as an amenity of development.

4. View Corridors and Designated Vantage Points

- a. The Limits of Disturbance Area detailed on the Amended Plat and defined in the CC&Rs on Exhibit F thereto (as specifically surveyed boundaries for the Building Pad on the Lot) precludes violation of the CC&Rs relating to Limits of Disturbance, which includes view corridors (View Corridors).
 - i. Section 6.1 of the CC&Rs provides that “Limits of Disturbance Areas have been located to protect wetlands and natural drainage features and *protect view corridors*”.
 - ii. In the Matter of the Appeal Filed by Third Party Neighbor regarding an Enforcement Complaint – Complaint Alleges Previously Issued Building Permit Violated Limit of Disturbance Restrictions in the Willow Ranch Subdivision Plat and City Ordinance enacting the same decided by the Board of Adjustment (BOA) on March 1, 2022 (the “March 1 Order”), the BOA determined that the Limits of Disturbance areas set forth on the Amended Plat preclude violation of the CC&Rs relating to Limits of Disturbance.¹
 - iii. The trees which Owner has planted on the Lot block the View Corridors of at least 6 neighboring houses.
 - iv. Public records show that the City planning and building departments in 1992-93 concurred that the CC&R provisions apply to the View Corridors of homes outside the HOA when the Subdivision was originally approved.
 - v. Owner’s failure to protect the View Corridors outside the Limits of Disturbance is a violation of the Amended Plat which incorporates provisions of the CC&Rs relating to Limits of Disturbance.

¹ See Minutes of Meeting of Park City Board of Adjustment on March 1, 2022 as approved by the Board on May 17, 2022 (https://parkcity.granicus.com/DocumentViewer.php?file=parkcity_27eed0b8660b77bfd0755d8c29a696e8.pdf&view=1)

- vi. The March 1 Order requires that Limits of Disturbance must be adhered to in accordance with CC&Rs.
- b. Under the SLO regulations Owner must comply with designated Vantage Point regulations. Compliance with View Corridors is equally as important as compliance with the Vantage Point regulations.

5. Wetlands And Stream Protection

- a. Owner has planted trees and built berms in the wetlands on the Lot in violation of restrictions on wetlands development under the Plat and the LMC.
 - i. City must require Owner to comply with Section 15-2.21-6 (Sensitive Lands Regulations - Wetlands And Stream Protection) of the LMC.
- b. Owner has planted trees and built berms in the wetlands on the Lot in violation of the federal Clean Water Act (Act).
 - i. Section 404 of the Act requires authorization from the Army Corps of Engineers *for the discharge of fill material* into all waters of the United States, including wetlands.
 - ii. Planting trees and building berms in wetlands are considered “fill” under the Act and expressly require Army Corps of Engineers authorization.

6. Wildlife And Wildlife Habitat Protection

- a. The wildlife habitat and corridor on the Lot is being disrupted by the ongoing construction in violation of applicable restrictions on wildlife habitat and corridor development.
- b. Owner must comply with Section 15-2.21-8 (Sensitive Land Regulations - Wildlife And Wildlife Habitat Protection) of the LMC.
- c. Under Section 5.5 of the CC&Rs “No Improvements, except Permitted Fencing, of any kind or nature are allowed in the Wildlife Corridor.”
- d. The provisions of the CC&Rs applicable to the Wildlife Corridor are incorporated into the Amended Plat.

7. Wildland-Urban Interface Code (Fire Codes)

- a. The City must investigate whether there are unremoved dead and/or dying mature trees and extensive tall grasses within the Intermediate (5-30 feet) and Extended (30-100 feet) Ignition Zones on the Lot which create an unreasonable danger in the event of fire.
- b. Certain of the unremoved dead and dying trees and tall grasses on the eastern property lines of the Lot are less than 30 feet from neighboring home structures, creating a fire hazard for neighboring properties.
- c. The City should enforce fire prevention measures and zones inside properties and across property lines to protect all structures within 100 feet of hazards.

8. Landscaping

- a. Under Section 3.2 of the CC&Rs landscaping must be approved by the Architectural Committee of the HOA.
- b. Under the March 1 Order, landscaping outside the Limits of Disturbance is subject to the Amended Plat and must comply with CC&R provisions relating to Natural Areas, Open Space, View Corridors, Wetlands, and Wildlife Habitat.
- c. Landscaping in violation of the SLO and the CC&Rs is a violation of the Amended Plat.

9. Accessory Dwelling Unit

- a. Plans for the Dwelling on the Lot previously submitted to the City indicate that there is an existing Mother-in-law Apartment (Accessory Dwelling Unit or ADU) on the Lot.
- b. The ADU may not have been properly permitted by the City when it was constructed and may not have been counted as required in the square foot calculation submitted by Owner's architect in connection with the application for a Building Permit.
- c. Note 12 of the Amended Plat requires any ADU to be approved by the City and in accordance with restrictions in the CC&Rs (including maximum square footage restrictions).
- d. The City should investigate whether an ADU exists, whether it has been properly approved and whether the square footage for the ADU, if any, has been properly and accurately included in the plan (Plan) submitted to the City in connection with the application for the Building Permit.

10. Maximum Square Footage of Lot Disturbance

- a. The addition of berms, non-foraging vegetation and trees, and irrigation outside the 17,000 square foot disturbance limit for the Lot on the Amended Plat violates the Limits of Disturbance on the Amended Plat.

11. Maximum Square Footage of House

- a. Note 13 to the Amended Plat provides that the maximum square footage for the house is **9,300 square feet** (not including up to 600 square feet for a garage).
- b. The Plan apparently inaccurately shows that the square footage of the house prior to the Project remodel is 9,297 square feet and that the square footage after the remodel will be 8,057 square feet.
- c. The Plan apparently fails to count the square footage relating to the swimming pool or the living space above the garage (which may be the ADU referred to in Paragraph 9 above).
- d. The square footage of the house as currently reported by the Summit County Assessor is 12,361 square feet, which exceeds the current maximum permitted square footage of 9,300 for the house by 3,061 sq. ft.
 - i. According to current Summit County tax records for the Lot (Account # 0289441, 2750 Meadow Creek Drive, WLR - Lot 2), the current home Living

Area is 11,500 square feet plus net garage square footage of 861 square feet (1461 square feet less 600 square foot garage exclusion equals 861 net square feet), equaling a total of 12,361 square feet.

- ii. Accordingly, it appears that the house exceeds the maximum permitted square footage of 9,300 sq. ft. by 3,061 sq. ft.
- e. We have previously provided the City with copies of Park City Board of Realtors MLS reports showing eight listings from 2009 to 2020 which include the ADU as a feature of the home and report square footages ranging from 11,500 to 12,000 sq. ft. (each exceeding the permitted maximum square footage of 9,300 sq. ft.).
- f. The City should cause an independent measurement of the dimensions of the house to be conducted to determine whether it is in compliance with the 9,300 square foot limitation under Note 13 of the Amended Plat.

12. Maintenance of Fencing

- a. Under Section 3.2 of the CC&Rs fences must be approved by the Architectural Committee of the HOA.
- b. Under Section 4.13 of the CC&Rs "All Lots, and the Improvements on them, shall be maintained in a clean, sanitary, attractive and marketable condition at all times. No Owner shall permit his Lot or the Improvements on it to fall into disrepair."
- c. Section 4.13 of the CC&Rs includes fences which are Improvements.
- d. Note 8 to the Amended Plat requires that lot line fencing must be maintained in accordance with CC&Rs and design guidelines of the HOA.
- e. A neighbor has made several requests to Owner to repair the fence which runs along Owner's eastern property line over a period of nearly two years, but Owner has ignored these requests.
- f. Failure to maintain fencing is a violation of the Amended Plat.

The undersigned have provided additional information regarding violations to City officials on December 2, 2022, and expect to supplement this complaint with additional information regarding the above-referenced violations in the near future, which information we would ask that you carefully consider and include with the file regarding this matter.

Thank you in advance for your continuing attention to this complaint which arises from apparent clear violations of the LMC, the Amended Plat and applicable law.

Sincerely,



D. Robert Theobald
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Date: February 13, 2023
To: Mayor Worel and City Officials
From: Bob Theobald
RE: Planning and Building Process Violations: Decision-making, Diligence, Circumventing the LMC and Fabricating Code Provisions

In the City Council meeting on 12/15/2022, Counselor Rubell discussed his concerns regarding the decision-making processes and authority of the various City departments. The questions raised are appropriate, concerning, and timely, although the basis for, scope and the direction in which to proceed were not clear.

The issues and questions raised by Counselor Rubell are in fact substantial, consequential and may go well beyond the scope of a simple fix. The problems may be systemic and in violation of the LMC, statutes and protocols.

Understanding the concerns and getting answers to these questions is especially important given the major development proposals before the City. More important, is the proper functioning of the day-to-day processing of permits for the residential building and remodeling projects. This should be the focus of investigation and not to be overlooked. After issues are identified by the City, taking appropriate actions to correct improprieties and improve functions is essential to maintain integrity of and confidence in City government.

There is a nexus between Counselor Rubell's interest and our experience with City departments and development approvals. Beginning in July 2021, with the discovery of the illegal construction of an unpermitted backyard pickleball court, we have become aware of several troubling issues. Upon deeper investigation, many of these issues appear to be problematic issues found in **both** the planning and building departments - judgment, decision-making, code compliance and selective enforcement. These problems may be related to the process issues raised by Counselor Rubell.

Some of the issues may *also* be the result of the staff's (Director's) faulty reading of the LMC and other documents such as subdivision plats. Others may have resulted from poor procedure and insufficient diligence. In some cases, the staff has recommended or promoted non-compliant and illegal solutions to 'assist' applicants in achieving "effective compliance" that is, in fact, insufficient to warrant an objective, legal permit. Whatever the basis, there should be no question

that the soundness of the City's decision-making process is of critical importance to the overall soundness of municipal governance. Otherwise the results of Staffs work will be flawed resulting in no confidence in actions and City operations.

The Planning Department is **the gateway** to approval of all land uses and building projects. Its procedures and processes are of critical importance. It is our understanding that all applications must first be reviewed by planning staff and then as classified by a staff member, processed as an MPD, CUP, or if determined to be an Approved/permitted land use, immediately transferred to the Building Department to assure compliance with building codes.

Who makes this critical decision of project classification and what are the criteria for planning department review and approval. Is there oversight or a signoff by a senior planner for each or questionable projects? It appears that this is the critical point in the process where consequential mistakes have been and are being made. They are then compounded as projects continue through additional City review, with conditions attached to an approval and/or construction process to completion.

An A-Z running description of the process would seem helpful and would be the starting point to understand the process i.e., the pre-application conference, submission of application/fees, assignment of a planner, circulation of project materials, team discussions, problems issues, planning reports, compliance with LMC, Plats/Notes, recorded special agreements, referenced documents (CC&Rs), discussion/sign off by leadership, documented of resolution to issues, etc. Is there a check list that planners follow? If not, why not? If so, is the list available to the legislative officials and the public?

Several Council members have expressed an unwavering confidence in the planning department, including its decisions and process. This same trust by the Council applies to the Planning Commission while dealing with LMC amendments and recommendations to other legislative actions. The Council, and citizens, rely on the Planning Commission, supposedly with unquestionable integrity and diligence, to review the critical decisions relating to a project and compliance with the Code.

The Council may not be aware of the day-to-day operations and mistakes of the Planning Department. Only when consequential mistakes are exposed and/or become costly, does the Council begin to "appear" to have focused attention on the matter. It is evident that a citizen must make significant "noise" to get the attention of the City for legitimate complaints about violations. Few citizens are willing to

take the time, spend the money and possess the skills to investigate and organize a meaningful presentation and, consequently, risk retribution. There are numerous roadblocks to overcome – there is not a forum to present major issues directly to the Council, other than the 3 minute, non-agenda period.

Typically, enforcement of violations is the responsibility of the Chief Building Official (CBO) and his/her staff. However, personal experience reveals that the CBO does not possess the expertise nor authority to investigate and to determine non-compliance with land-use issues. The CBO must go back to the Director for a determination of compliance, the person or entity that perhaps made the mistake.

In our experience investigations have been a simple recount of the permitting process, not a diligent investigation into potential mistakes or seeking more information. If a wrong decision is made by the Planning Department, the CBO cannot/will not override the Planning Director. When there is violation, the Director and CBO may attempt to enforce violations with improper corrective measures and/or improper methodology. See 2750 Meadow Creek Complaint Update.

Unfortunately, the Planning Commission's integrity and its recommendations to the Council have become a subject of doubt along with serious questions of impropriety. In one case, this is due to flawed decision-making and processing by planning staff **and** the actions or inactions of one Planning Commissioner.

Without acknowledgement, disclosure, and correction of this troubling situation by the Planning Commission, the reputation of the body may be tainted. Is the Council's reliance on the Planning Commission also misplaced?

There is a familiar adage used to describe the three primary attributes of a real estate property:

LOCATION- LOCATION – LOCATION

There are six words of more importance that describe the desired, if not required conduct of a real estate practitioner. Perhaps, they are or should be part of the tenets and practices of Planning Staff and Planning Commissioners.

DILIGENCE – DILIGENCE – DILIGENCE

DISCLOSURE – DISCLOSURE – DISCLOSURE

Below is a list of projects where mistakes have occurred and the Code was not followed by the Director/Staff or Applicant during the permitting process. There are at least two occasions where planners should have subjected the projects to Commission scrutiny under a CUP and amendment process. And at least one project where approval required a variance and a plat amendment by the Council.

The reasons for these mistakes are not always clear but may have arisen from incorrect readings of applicable law, excessive staff workloads, staff inexperience, insufficient supervision, favoring expedience over diligence, or favoritism or blind-eye treatment to certain applicants. It stands to reason that there are undoubtedly more similar situations than just those listed here.

- **955 Saddle View Way** - Finnegan's Bluff. Although this project was approved in 2020 prior to the current Planning Director, it is an example of the serious mistakes that can occur. In this application the City erroneously approved a building permit for a house which clearly violated ridgeline construction limitations under the Land Management Code. This may also be an example of a non-compliant project where the staff suggested improper measures to achieve 'effective' compliance. This project is currently in litigation. Have these mistakes carried over under the current Director's leadership?
- **2704 Meadow Creek Dr, Lot 4 Willow Ranch Subdivision.** The City approved a sauna building outside the Limits of Disturbance in violation of the plat. Here again, this may be another example of a non-compliant project where staff suggested and acted on improper measures to achieve 'effective' compliance. The planning staff (and others) continue to refuse to admit this mistake although overwhelming and compelling evidence has been presented with the issue adjudicated by the BoA on March 1, 2022. **See Case Study #1.**
- **1961 Venus Ct.** In this application the City approved, under the guise of a 30 x 60-foot "patio", a private pickleball court encroaching on applicable setbacks without the required CUP . After the city attorney repudiated staff's "patio" interpretation, the planning department resurrected the project in a brazen attempt to achieve CUP approval. Staff improperly suggested that the project could become "effectively" compliant with setbacks by adjusting the painted boundaries lines. (Note: Staff's notion of compliance failed to receive approval by the Planning Commission but would have resulted in an unplayable facility.) **See Case Study #2.**

- **2089 Equestrian Court.** The City approved a sports court (pickleball), which is a Private Recreation Facility, without a required CUP. The court may have been approved by the building department under permitting process for new residence construction without review by the Planning Department or Commission. Do not all Recreation Facilities require a CUP?
- **2732 Meadow Creek Dr, Lot 3 Willow Ranch Subdivision.** The City ordered the property owner to restore his lot following commencement and 90% completion of an unpermitted pickleball court. The CBO has failed to require complete compliance with the order within applicable time limits.
- **2750 Meadow Creek Dr, Lot 2 Willow Ranch Subdivision** The City approved a renovation which included a “pool” (a Private Recreational Facility) without the LMC-required CUP/SLO process. The applicant failed to show that the home does not exceed the maximum permitted square footage as required by the Plat Notes. Other activities may violate wetlands laws and protections of neighbors’ view corridors. Neighbors filed a formal complaint with City officials on December 9, 2022, which is currently under review. This is another example of a non-compliant project where staff allowed circumvention of the LMC/CUP and suggested improper measures to achieve ‘effective’ compliance. This project should have been subjected to the Planning Commission’s review and approval. Due to the improper actions and inactions by **both** a sitting Planning Commissioner and the Planning Director during permitting and at subsequent Commission hearings, it may be appropriate to recall this project as reprocessed under a CUP. **See Case Study #3.**
- **PCMR ski lift upgrades** It is reported by the media that this project was reviewed and approved by the Planning Director without appropriate authority and in violation of the applicable development agreement and the Land Management Code. It resulted in litigation. Perhaps, this project should have been subjected to Commission and Council review.

In several cases, the City’s erroneous decision-making resulted in neighbors’ time-consuming and expensive complaints, appeals and litigation. It was eventually determined that the staff’s decision-making process was flawed in some manner. Questions remain including, specifically, who made these wrong decisions? The concept of “TEAM” would be desirable but precludes individual accountability. The accountability problem is compounded when an issue is raised by a staff member and then, the method of and rationale for resolution of the problem is not logged/recorded in the report files.

Case Studies – Decision-making, Diligence, Circumventing the LMC and Fabricating Code Provisions

Case Study #1 - 2704 Meadow Creek Dr, Lot 4 Willow Ranch Subdivision – Sauna Building

The details of this case might be suitable for a mandatory review by all planning and building staff, Commissioners and others in positions requiring critical thinking and diligence.

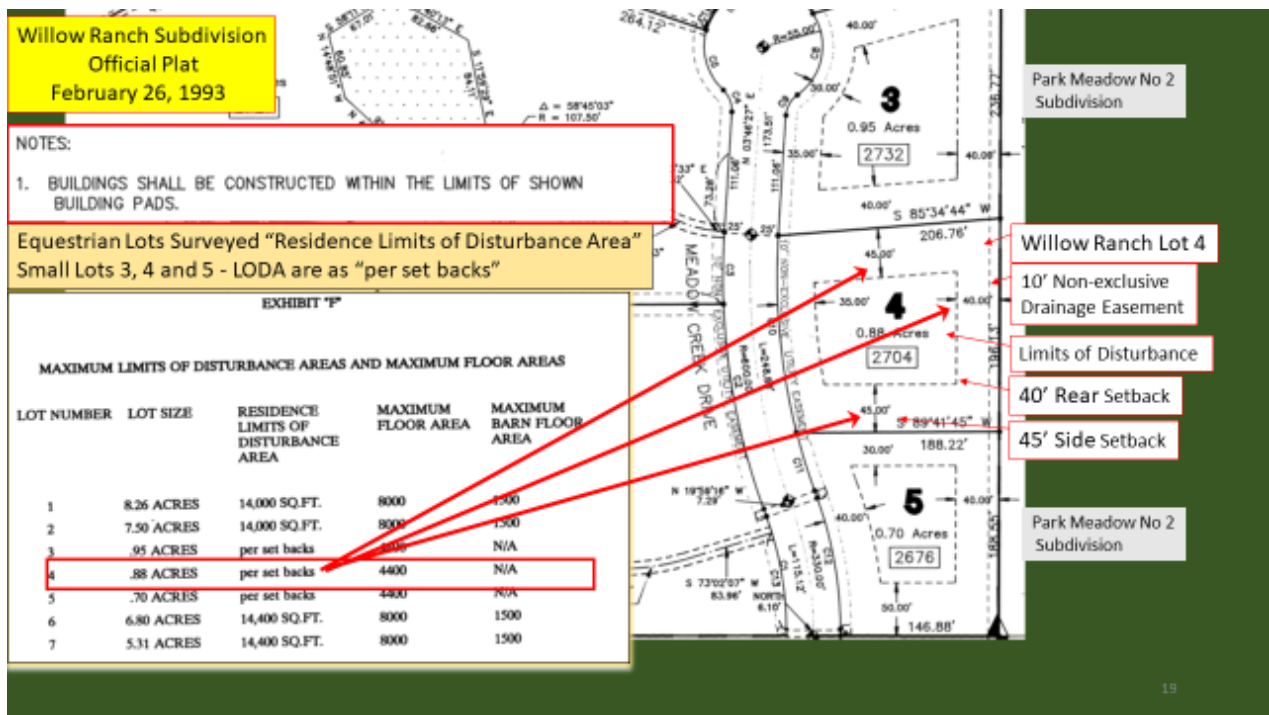
The Planning Director and others continue to refuse to admit the mistakes of the case although overwhelming and compelling evidence has been presented and the Board of Adjustment has issued Findings and an Order.

- [BOA Appeal Hearing 2-8-2022 See page 99](#)
- [BOA Findings and Ruling 3-1-2022](#)
- [Minutes](#)

Limits of Disturbance Area (LODA) - On August 9, 2021, the Planning and Building Departments issued a building permit at 2704 Meadow Creek Drive, Lot 4 Willow Ranch Subdivision for a detached sauna building in the rear yard. The planning department made the “Pivotal Mistake” of misinterpreting the meaning of the setback lines on the Willow Ranch Subdivision Plat. Apparently, the Planning Director incorrectly overrode a junior planner’s initial and correct interpretation that the setback lines indicated the LODA on the Plat.

With “critical thinking” and proper diligence, the pertinent facts were discoverable by those seeking them. This is the business and obligation of the Planning Director.

The issue was adjudicated by the BoA where it found the permit and construction was illegal because the setback lines are, indeed, also the LODA boundaries. The Plat shows the setbacks of 40 feet; Exhibit “F” of the CC&Rs defines the “Limits of Disturbance Areas” “as per setbacks”.



Maximum Square Footage In addition to improper permitting because of construction outside the LODA, there was and remains the issue of the maximum square footage of the home. The planners manufactured a Code provision to achieve "effect compliance" with a Code that did not exist.

Willow Ranch Plat Note #9 and the CC&Rs Exhibit "F" prescribes that 4,400 square feet is the maximum area allowed for home/residence on Lots 3, 4 and 5.

The LMC does not address aggregating the square footage of an accessory buildings (sauna) with the maximum home square footage restrictions, so the issue was unresolved. The Plat nor CC&Rs address this situation because no Improvements (accessory buildings) are allowed outside the Limits of Disturbance. Therefore, the planner faced a dilemma. Resolution of the issue was required by staff to proceed with the permitting process. In this case, the planner (team?) concocted a false, hybrid "Condition of Approval" to which the Applicant attested and the planner accepted without certification of any kind:

Conditions of Approval: "1. Per the Applicant the addition of this Attached Accessory Structure is only 361 sq. ft. and is below the Maximum House Size of 4,400 sq. ft. as per the Willow Ranch Subdivision."

Perhaps the most disturbing fact of this scenario is that the planning department improperly (illegally) fabricated a Code provision to “effect compliance” with a perceived, nonexistent Code requirement. As indicated by the emails and the “Plan Report”, the planner believed that without this “Condition” inserted on the site plan, she must continue to reject the permit.

The following GRAMA request was submitted to the City on February 18, 2022:

3. Please provide all documentation and records identifying the name of the “representative of owner” referenced below and identifying the section of the LMC used to resolve this issue.

4/26/21, Heather Wasden – Rejected - “I spoke with a representative of the owner on the phone and it sounds like the square footage of the existing home is at the maximum allowed square footage per the plat. The addition would exceed what is allowed. It appears a Plat Amendment to change the allowed maximum square footage would be needed to continue forward with this project.”

The City’s GRAMA response on March 4, failed to cite a provision that directed or permitted the planner to apply the “Condition of Approval”. The “Condition” was improperly (illegally) applied to facilitate approval of the permit.

Since the BoA determined that the setbacks are the Limits of Disturbance, the square footage restriction may be considered moot by the City.

However, the Violation Complaint also included another potential enforcement action because several public sources indicated the home/residence **alone** was more than the 4,400 sq. ft. permitted and in violation of the Plat Notes, **without consideration of the square footage of the sauna building**.

- Public tax records indicate that the home alone is 4,502 sq. ft., 102 sq. ft. more than the allowable maximum. An additional 312 sq. ft. applicable to the garage equals 4,814 sq. ft., an excess of 414 sq. ft.
- The original building plans approved by the City in 1993 include a schedule of the square feet used for calculating City fees which show the home at 4,192 sq. ft. plus a net 294 sq. ft. applicable to the garage which totals 4,486 sq. ft. In 2002, an additional dormer and exterior window was constructed on the second floor over the main-floor Bedroom #1 that is not shown or

calculated in the original square feet. The dormer construction is clearly visible on a 2002 Google Earth aerial photo... square footage unknown.

As suggested by the Complaint, the CBO should have investigated this additional violation by requiring the owner to engage an appraiser or surveyor to determine the actual square footage of the home to determine if the Applicant filed a misleading (false) application. The City/CBO has taken no action.

Continuing Investigation - Willow Ranch Lot 4 Sauna - Additional circumstances are under investigation. Reportedly, the application ran into some difficulty during August, of 2020, and spring of 2021. The difficulties may have been for reasons articulated in the Plan Review Report dated April 26, 2021. The concerns included the fact that when the square footage of the sauna building was added to the square footage of the existing residence the total would exceed the Plat-restricted maximum. Or, perhaps, the reported difficulties were related to the August 17, 2020, email to the builder which expressed concerns that the proposed sauna building was situated outside the Plat-restricted “Limits of Disturbance Area.”

From: Heather Wasden <heather.wasden@parkcity.org>
Sent: Monday, August 17, 2020, 4:25 PM
To: tpotasky@bdogbuilders.com
Subject: 2704 Meadow Creek Dr: accessory building

Todd,

As per our conversation I hit my first hurdle please see the attached plat and read through the details on it. There are restrictions on Limits of Disturbance and home square footages...

In any event, the applicant’s wife confirmed during a discussion with a neighbor on August 4, 2021, that the application had run into unspecified problems with the City, and that the applicant had enlisted the help of another neighbor.

The City’s GRAMA responses are silent regarding the nature of the neighbor’s efforts. It is not known if the “assistance” was in person or by phone. What is known is that after these efforts were made, the permit was approved with no written explanation for the basis for resolution of the two problems identified by the planner. Why did the Planning Director disregard the planner’s two major

concerns and approve the application? **Who** made these decisions and **when** were they made? Was there communication and assistance from neighbors? Perhaps Commissioner Hall who had voted for HOA approval of the project?

Case Study #2 - 1961 Venus Court – Setbacks for Pickleball Court

On July 7, 2021, the building department issued a permit for a concrete “PATIO” measuring approximately 28 feet x 60 feet. Apparently, Staff was not curious and asked no questions about the actual intended use and the “patio” was completed. Workers told neighbors that the Owner’s intentions for the “patio” was actually a pickleball court.

Later, the legal department determined that a pickleball court was classified as a Recreation Facility requiring a CUP. On November 15, 2021, the Owner applied for a CUP to convert the existing concrete “pad” to a pickleball court. Staff advised the Applicant to circumvent the LMC regarding the applicable setbacks for a Recreation Facility.

[Staff Report PL-21-05072](#) – *“On November 15, 2021, the Planning Department received an application from the Applicant for a CUP to convert an existing concrete pad into a sports court, including pickleball as a recreational use among other uses (hereafter referred to as the “sports court”). Staff deemed the application complete on December 15, 2021.”*

On December 8, 2021, a City planner wrote the Applicant an email:

"First, as you are probably aware, we are requiring Recreation Facilities to adhere to the required 12' side setback...Based on the current configuration of the patio and the dimensions of pickleball courts, it appears that you might be able to paint the sports court on the existing paved surface so that it is at least 12 feet away from the side property line. It would be helpful if you could verify whether that is possible, and potentially submit an additional exhibit showing how the proposed sports court maintains the side setback. "

At the CUP hearing on January 26, 2022, the planner formally proposed the following in the Staff Report:

“Condition of Approval 1 The existing concrete pad is five feet (5’) from the east Side Lot Line. The Applicant has agreed to paint the sports court on the

western portion of the concrete pad so that it maintains a twelve-foot (12') setback from the eastern Side Lot Line. Seven (7') feet of concrete flat work will remain outside the sports court as permitted within the side yard setback exception.⁴ However, staff recommends in the pending ordinance revisions that this condition is not allowed in the future "

An overlay of the setbacks is provided on a diagram of a regulation pickleball court. A similar result would be achieved by simply measuring the setback from the property boundary line to the standard in-play boundary lines of 44' x 20' painted on the court. This would provide 8 ft. of additional "**effective setback**" distance ($60-44=16/2=8$) to achieve (illegal) "**compliance**" of a 12 ft. setback.

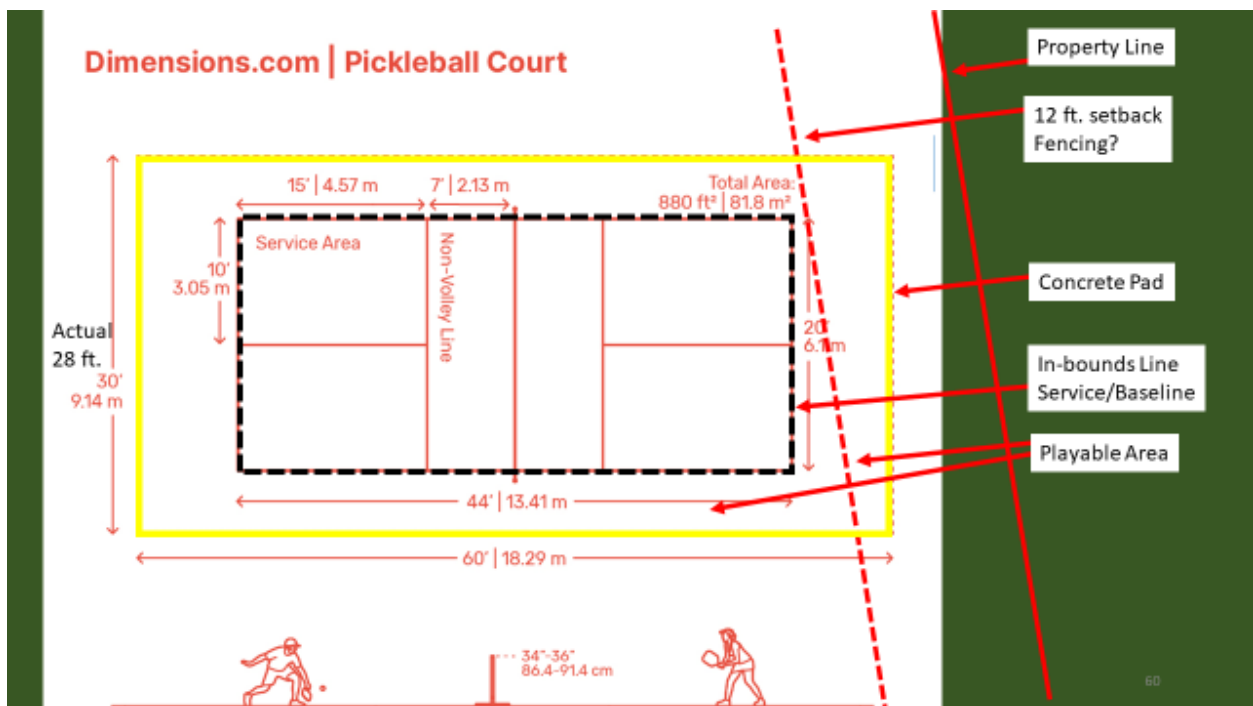
It is evident that the planner did not understand the configuration of a **playable** pickleball court. It would be impossible to play on the court described by staff. The setback line would be either one foot from or on the service/baseline line eliminating the service and playable area behind the "baseline". Where does the planner propose to place the fencing to keep errant balls from trees and shrubbery? The entire disturbed area, including the playable area outside the in-play boundary lines, concrete, fencing and ancillary elements should be considered as the "facility" which precludes compliance with 12-foot setbacks.

This notion proposed by the planner is another example of the department's misinterpretation, misapplication, fabrication of code and circumvention of LMC provisions. Was this suggestion condoned by the Planning Director, leader of the "team". See Exhibits Below.



Above: Staff Report Proposed Layout

Below: Overlay on Regulation



Case Study #3 - 2750 Meadow Creek Dr, Lot 2 Willow Ranch Subdivision

Discussions with Dave Thacker, Chief Building Official (CBO), regarding potential violations of the LMC and Plat by the Owner of 2750 Meadow Creek Drive, Lot #2 Willow Ranch Subdivision began on, or about, September 8, 2022.

After several meetings, the CBO believed the allegations had sufficient merit to bring the matter to the attention of other City officials. After weeks of scheduling delays, the CBO was able to arrange a PowerPoint presentation on December 6, 2022, which provided extensive and indisputable evidence of violations. Attendees included Gretchen Milliken, Jenn McGrath, Alex Ananth, Dave Thacker and Frode Jensen as a potential co-complainant. Afterward, a closing statement made by Ms. McGrath indicated the City's "Team" would review all allegations and get back to us with a report. On December 9, four concerned citizens filed a formal written complaint detailing violations. See:

- Letter to City final 12-9-2022 (Violations Compliant - 2750 Meadow Creek Drive Lot #2)
- Dropbox Link: [PowerPoint Exhibits to 12-9-2022 Violations Complaint- 2750 Meadow Creek Drive Lot #2](#)
- Willow Ranch Replat First Amended Lot 2 – Entry # 1181781 (See Plat Notes)

Over the next several weeks the Complainants made numerous requests for a status report and received "excuse" emails with no meaningful updates from the "Team". Finally, 5 weeks later on January 17, CBO Thacker agreed to provide a response, albeit very limited and unofficial:

"As promised this email will serve as an update for the ongoing investigation of the 2750 Meadow Creek Dr. property in relationship to the concerns and complaint filed with the City. Community Development Staff along with the City Attorney's office continue to work through the concerns and complaint. At this point it would be great to schedule a call to discuss the status of the concerns. Due to the ongoing investigation not all the concerns may be able to be addressed at this time, but a conversation may help with understanding where we are currently."

On January 23, a meeting was held with Ms. McGrath, CBO Thacker, and me. According to the long-awaited, verbal report, only two issues had been resolved (in

the minds of “The Team”) Several questions remained unanswered. The CBO had exhibits that he thought might clarify the Planning Department resolution. CBO Thacker offered an in-person meeting on the 25th, which was attended by the CBO, Frode Jensen and me.

CUP Requirement - CBO Thacker showed a new, revised drawing of the “pool” area submitted by the Applicant and explained that the “Team” had determined that a CUP is not necessary because Commissioner Hall, the owner, has recently changed the name and re-characterized the water facility from a “pool” to a “hot tub”. Apparently, CBO Thacker and Planning Director Milliken have improperly and without authority made the distinction between “pool”, “spa”, and “hot tub” without definition of each and without consideration of the facility as a “similar facility” as defined under Recreation Facility. The CBO Thacker did not realize that at the time when the building permit was granted, 10/27/21, a “pool”, “spa” or “similar facility” triggered a Conditional Use Permit and SLO process.

In the meeting on January 25, with the CBO Thacker, a very disturbing fact was discovered. On December 7, 2022, three months after CBO Thacker was informed of the issues, one day after the PowerPoint presentation was given to the investigative “Team”, and two days before the formal Complaint was submitted and accepted by key City officials, the Director and CBO stamped the approval of a new plan for the “pool” which is now illustrated and labeled as a “hot tub” with a “spa” cover.

Prior to Commissioner Hall’s improper arguments to delete “spas” in the definition of a Recreation Facility, the water body required a CUP and still does.

The date of the new approved plan and re-characterization of the facility was not intentionally disclosed by the Director or CBO. Only by chance of looking closely at the notes on the new plan shown on a big-screen monitor was the date of plan approval discovered. The CBO has withheld a copy of the new plan. It is inexcusable for the Director and “Team” to secretly review and approve a plan without informing the Complainants immediately, or two days later, or during one of our meetings or requests for updates. How long had this new plan been proposed and considered by Staff? Was it engineered by Staff and the Commissioner? How long would the Complainants, been strung out without disclosure from the City. The exhibit showing the re-characterizing the facility is only available at City Hall.

Maximum Home Square Footage – 2750 Meadow Creek Drive - In addition, the Director and CBO “Team” has determined that only an “overlay” comparison of the original 1993 plans and the 2021 remodel plans would suffice as the proper investigative methodology to determine compliance with the maximum square footage of the home. The home is limited by Code and Plat Notes, to 9,300 sq. ft. The 2021 plan submitted to the City by the applicant’s agent has deficiencies and is misleading, if not untruthful. It is not signed and stamped by the architect and does not correctly illustrate the entirety of the home e.g., which shows attic space instead of the “known to be” accessory dwelling or bedroom above the garage.

The Director/CBO “Team” disregards evidence from the Board of Realtors’ MLS and County Assessors’ office indicating 11,500 to 12,000 square feet. Staff assumes dimensions were calculated by the County only by satellites and GIS. However, the details on the plan obtained from the Assessor’s suggest that it is the **same plan** as submitted by the applicant to the City e.g., it shows the pool, the areas and measurements by floor, as well as the plan without the section of the home which is to be demolished and removed. This information cannot be ascertained simply by aerial/GIS. Did “The Team” discuss the issue with appropriate people in the County Assessor’s office to determine the specific source and who and how the calculations were generated and became to be shown on the County plan. Apparently, not. The investigation to date raises issues of the “Team’s” favoring expedience over diligence, competency, and predisposition to investigate this issue.

The actual (truthful) square footage of the home can only be determined with a new physical room-by-room or floor-by-floor measurement according to predetermined standards and methodology (ANSI) by an independent appraiser or architect certifying the findings with his professional license at risk.

The Director/CBO “Team” has refused to impose this “burdensome” requirement on the owner, a sitting planning commissioner, that violated the LMC by not applying for a CUP at the outset. The Owner, Commissioner Hall is obligated to comply with the Plat and prove the square footage is less than 9,300 sq. ft. This figure is consequential. See attached Willow Ranch Lot #2 AM Plat Notes #13, #17 and #19 below.

It has become clear that the investigation of the 2750 violations may be another instance of the Director’s or Staff’s questionable interpretations, decision-making, exceeding authority, and favoring expedience over investigative diligence. There

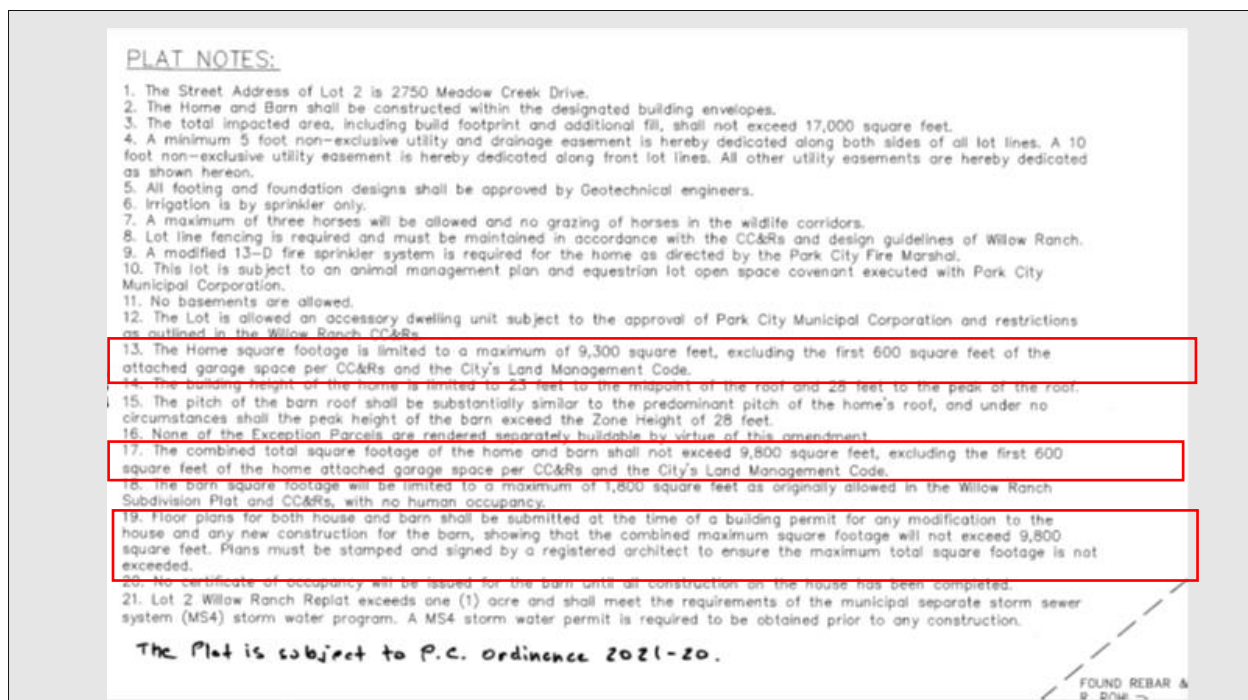
appears to be systemic deficiencies of the 2750 application and other projects issues we have cited regarding the oversight by the planning department – and in turn City Manager and Council.

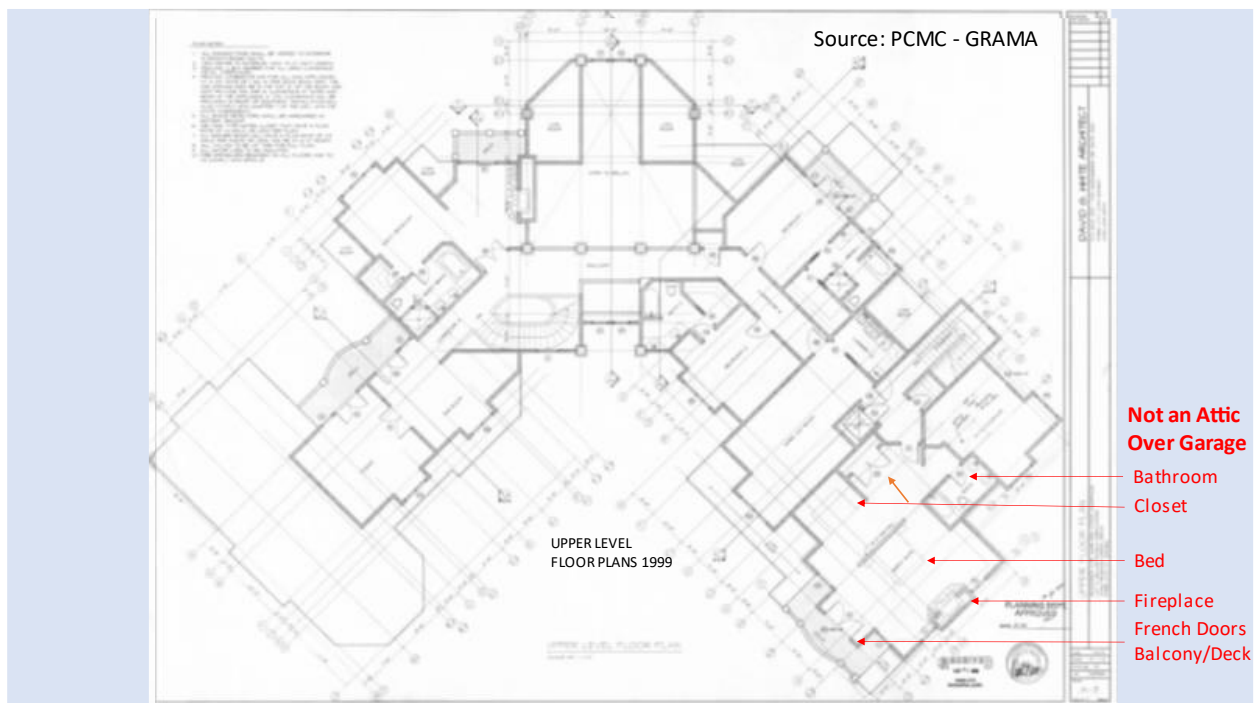
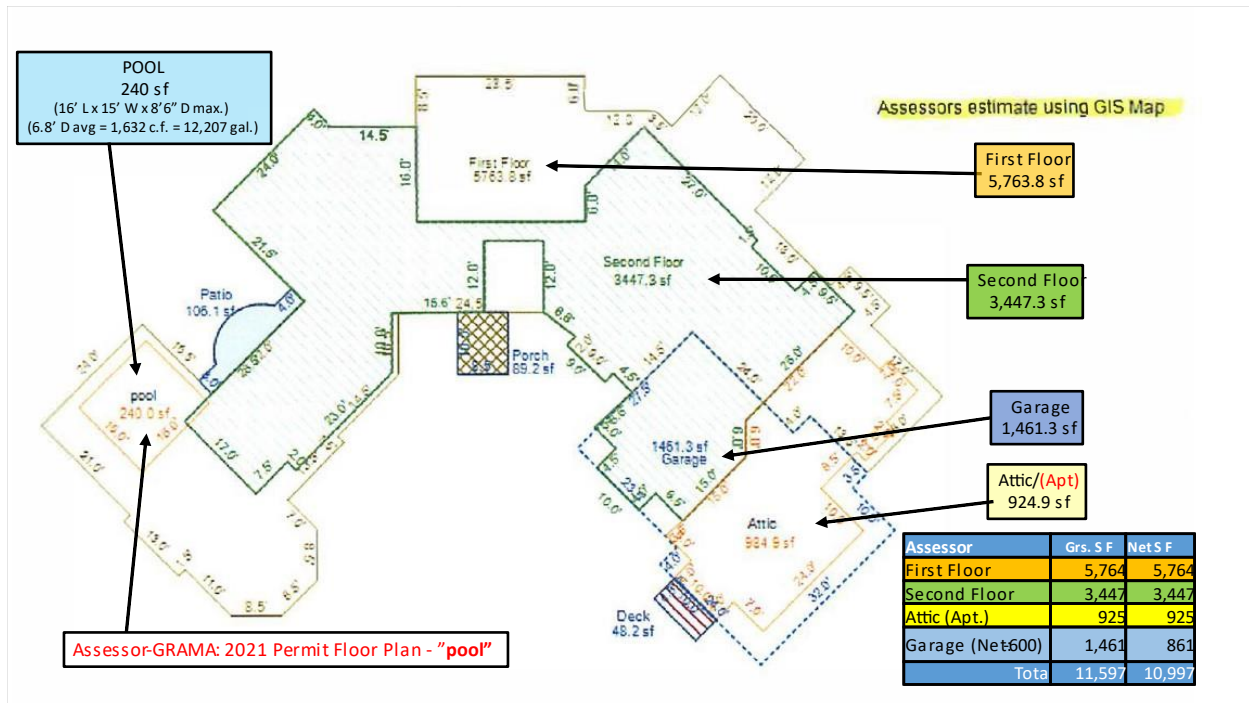
Again, the City may be in violation of Codes and statutes by not enforcing the provisions of the LMC and Plats. A Plat, including Notes and references to other documents are subject to mandatory enforcement in compliance with the Land Management Code, expressly stated zoning, and other provisions that are reflected on the Plat. Otherwise, the Planning Director is usurping the authority of the City Council. And the City Council is abdicating its duties by allowing the Planning Director to do so. Excerpts from Codes and Statutes:

Ordinance. Any legislative action, however denominated, of the City Council of Park City which has the force of law, including any amendment or repeal of any ordinance.

“The Utah Office of the Property Rights Ombudsman has determined that a local government has no authority to disregard the mandatory and required provisions of local law.”

*“A municipality is bound by the terms and standards of applicable land use regulations and **shall comply** with mandatory provisions of those regulations.”*
Utah Code Ann. § 10-9a-509.





**Public Officials - Facts, Concerns and Questions Relating to “Perceived”
Entitlements, Authority and Compliance with Laws and Protocols”
and
Planning and Building Process Violations: Decision-making, Diligence,
Circumventing the LMC and Fabricating Code Provisions
Summary - Case Study #3**

February 13, 2023

**Public Officials - Facts, Concerns and Questions Relating to “Perceived”
Entitlements, Authority and Compliance with Laws and Protocols”
and
Planning and Building Process Violations: Decision-making, Diligence,
Circumventing the LMC and Fabricating Code Provisions
Summary - Case Study #3**

February 13, 2023

The information presented herein has been obtained from sources believed reliable including Park City Municipal Corporation, and other public and private records. This Report is intended to only provide the facts and ask obvious pertinent questions. The Report is not intended to allege any ethical misconduct. After reviewing the facts, the Planning Commission and City Council are best equipped and authorized to make considered decisions related to the necessity of further investigations, as well as appropriate actions, if any.

Purpose

This presentation describes certain actions and inactions of Commissioner Sarah Hall, a member and now, Vice Chair of the Park City Planning Commission (Commission).

Commissioner Hall apparently failed to disclose facts relating to a building permit which a company which she controls applied for and was granted and which building permit has been subject to provisions of the Land Management Code (LMC) under consideration in February and March 2022 by the Commission.

A Complaint was filed on December 9, 2022, which describes the possible violations of provisions relating to improper permitting, Limits of Disturbance in the Estate District, wetlands and wildlife protection and disturbance violations, Wildland-Urban Interface violations, violations of restrictions on Accessory Dwelling Units and total maximum house square footage limits, and violations of fence maintenance requirements.

The Building Permit

- On August 26, 2020, Owner acquired Lot 2 in Willow Ranch Subdivision which is in the Estate District under the LMC.
- On October 1, 2021, Owner applied for a building permit to remodel the residence on Lot 2 which specifically contemplated construction of a **pool**.
- Under the LMC, a **pool** is a Recreation Facility.
*“Recreation facilities operated on private Property and not open to the general public. Including Recreation Facilities typically associated with a homeowner or Condominium association, such as **pools**, tennis courts, playgrounds, **spas**, picnic Areas, **similar facilities** for the Use by Owners and guests.” (Emphasis added.)*
- A Recreation Facility in the Estate District requires a Conditional Use Permit (CUP).
- On October 27, 2021, Owner was granted the Building Permit.
- **Owner did not apply for a CUP and the City did not demand a CUP.**



Park City Building Permit

Permit #: 21-1302
Issue Date: 10/27/2021

Application Accepted Date: 10/01/2021		Construction Valuation \$ 1,182,650.00	
Type of Improvement: Remodel		Electrical Valuation \$ 21,500.00	
Description: Remodel.		Plumbing Valuation \$ 9,500.00	
Bldg. Address: 2750 MEADOW CREEK DR		Mechanical Valuation \$ 44,500.00	
City: Park City State: UT Zip: 84060		PERMIT FEES	
Subdivision: Willow Ranch Sub. Phase:		Building Fee \$ 11,826.50	
Block: Lot #: 2-AM Parcel #: WLR-2-AM		Electrical Fee \$ 349.25	
Property Owner: CRESCENT VERTICLE		Mechanical Fee \$ 593.75	
City: PARK CITY State: UT Zip: 84068		Plumbing Fee \$ 181.25	
Permit Contact: Richard Knight P:(801) 592-5177		Building Plan Check Deposit \$ 0.00	
Email: rgkhomes@gmail.com		Plan Check Totals (65% of Permit Fees) \$ 7,687.23	
CONTACT INFORMATION		Deposit Credit \$ 0.00	
Engineer of Record: Blazer Engineering		Plan Check Fee \$ 7,687.23	
Email: tdraper@blazerengineering.com P: (801) 987-8985		State Fee \$ 129.51	
Design Professional: Clifton		Total Fees: \$ 20,767.49	
General Contractor: R G Knight Construction LLC		APPROVALS	
License #: 241215-5501 P: (801) 592-5177		DATE INFO	
Address: 670 East Valley Hills Dr		Plan Review Finalized: Yes 10/14/21 Crystal Kaufman	
City: Heber State: UT Zip: 84032			
Email: daceknight@hotmail.com			
Electrical Contractor: Chesley Electric Inc			
License #: 372894-5501 P: (435) 671-6079			
Address: 6421 N Business Park Loop Rd			
City: Park City State: UT Zip: 84098			
Email: mark@chesleyelectric.com			
Plumbing Contractor: Platinum Plumbing Services Inc			
License #: 6162456-5501 P: (801) 230-2395			
City: Herriman State: UT Zip: 84096			
Email: platinumplumbing@gmail.com			
Mechanical Contractor: MVTC			
License #: P:			
City: State: Zip:			
Email:			
APPLICATION DETAILS			
# Bedrooms:	# Bathrooms:		
# Covered Parking:	# Stories:		
Max Occupancy:	Fire Sprinkler: No		
Const. Material:	# of Units: 0		
APPLICATION NUMBER: TEMP21-1283			
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury.			
Applicant Name: Dace Knight			
Signature of Builder/Authorized Agent or Owner: Dace Knight		Date: 10/16/2021	
Application Approved By: Crystal Kaufman		Date: 10/14/2021	
Permit Issued By: Dave Thacker		Date: 10/27/2021	
Receipt #: pd		Date:	
☐ Check # ☐ Credit Card			

Application Accepted 10/1/2021

Permit Issued 10/27/21

Planning Technician Permit Comments 10/15/21

"1) Per the applicant the proposed **pool** is going to be built within the existing homes footprint, it will not be expanding outside the platted building pad or past the max footprint size (**emphasis added**)

2) Per the applicant the **pool** areas roof will be altered to open up the space and will not change in height from the existing roof; the exterior walls are being changed to have large openings to the outside (**emphasis added**)

3) Per the Applicant the Upper floor deck is not changing, just the roofing materials are; roofing materials shall comply with LMC 15-5-5(E) which states roofing must be natural earth toned in color and have a SRI of 35 or less, if Tesla shingles are used they shall comply with LMC 15-5-5(G) which states solar energy systems shall be as flush mounted to the roof as possible and shall be non-reflective surfaced

4) Previous conditions of approval still apply "

PLAT NOTES: Amended and Restated – Ord. 2021-20 Replat

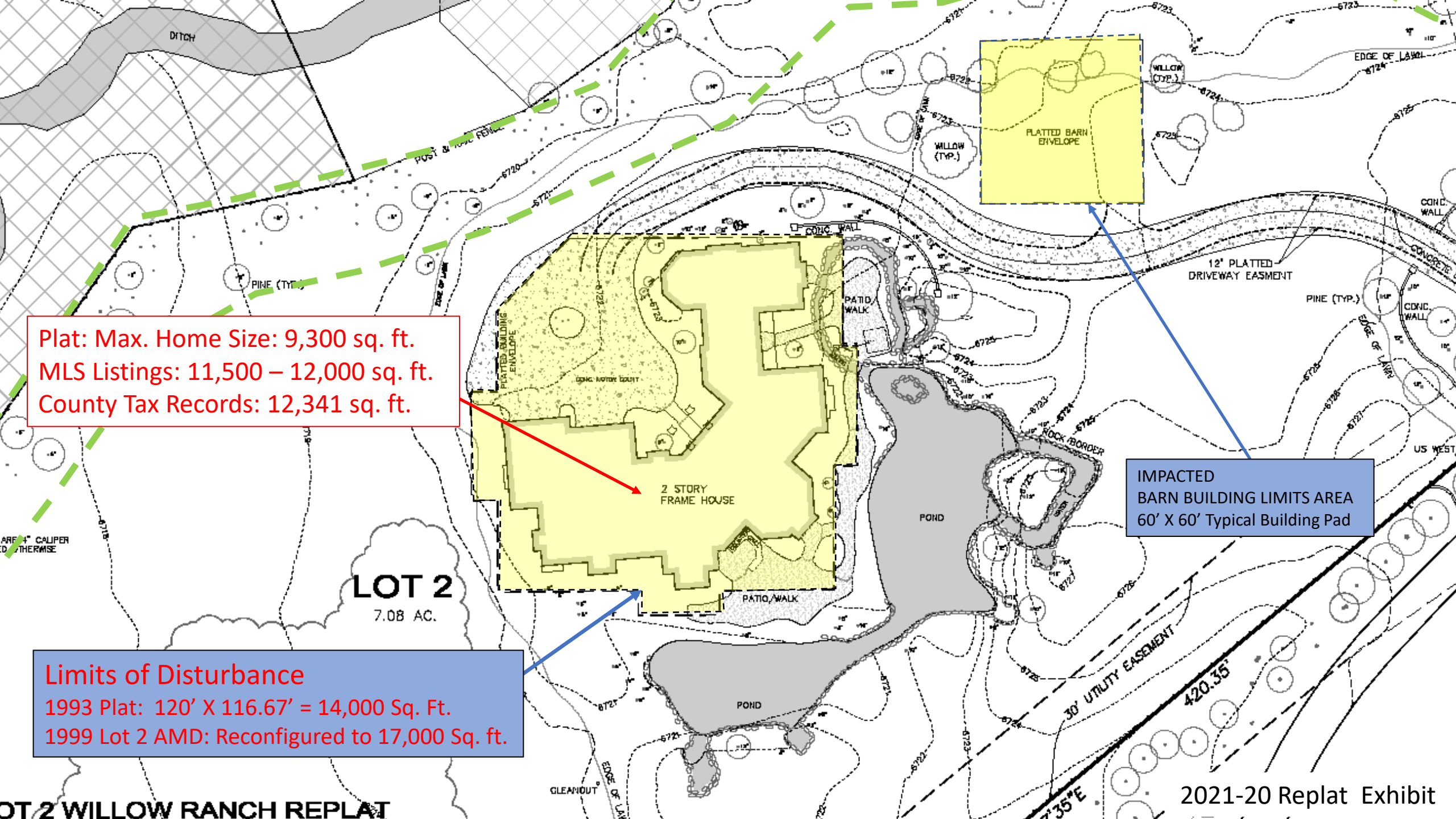
1. The Street Address of Lot 2 is 2750 Meadow Creek Drive.
2. The Home and Barn shall be constructed within the designated building envelopes.
3. The total impacted area, including build footprint and additional fill, shall not exceed 17,000 square feet.
4. A minimum 5 foot non-exclusive utility and drainage easement is hereby dedicated along both sides of all lot lines. A 10 foot non-exclusive utility easement is hereby dedicated along front lot lines. All other utility easements are hereby dedicated as shown hereon.
5. All footing and foundation designs shall be approved by Geotechnical engineers.
6. Irrigation is by sprinkler only.
7. A maximum of three horses will be allowed and no grazing of horses in the wildlife corridors.
8. Lot line fencing is required and must be maintained in accordance with the CC&Rs and design guidelines of Willow Ranch.
9. A modified 13-D fire sprinkler system is required for the home as directed by the Park City Fire Marshal.
10. This lot is subject to an animal management plan and equestrian lot open space covenant executed with Park City Municipal Corporation.
11. No basements are allowed.
12. The Lot is allowed an accessory dwelling unit subject to the approval of Park City Municipal Corporation and restrictions as outlined in the Willow Ranch CC&Rs.
13. The Home square footage is limited to a maximum of 9,300 square feet, excluding the first 600 square feet of the attached garage space per CC&Rs and the City's Land Management Code.
14. The building height of the home is limited to 23 feet to the midpoint of the roof and 28 feet to the peak of the roof.
15. The pitch of the barn roof shall be substantially similar to the predominant pitch of the home's roof, and under no circumstances shall the peak height of the barn exceed the Zone Height of 28 feet.
16. None of the Exception Parcels are rendered separately buildable by virtue of this amendment.
17. The combined total square footage of the home and barn shall not exceed 9,800 square feet, excluding the first 600 square feet of the home attached garage space per CC&Rs and the City's Land Management Code.
18. The barn square footage will be limited to a maximum of 1,800 square feet as originally allowed in the Willow Ranch Subdivision Plat and CC&Rs, with no human occupancy.
19. Floor plans for both house and barn shall be submitted at the time of a building permit for any modification to the house and any new construction for the barn, showing that the combined maximum square footage will not exceed 9,800 square feet. Plans must be stamped and signed by a registered architect to ensure the maximum total square footage is not exceeded.
20. No certificate of occupancy will be issued for the barn until all construction on the house has been completed.
21. Lot 2 Willow Ranch Replat exceeds one (1) acre and shall meet the requirements of the municipal separate storm sewer system (MS4) storm water program. A MS4 storm water permit is required to be obtained prior to any construction.

The Plat is subject to P.C. Ordinance 2021-20.

Plat: Max. Home Size: 9,300 sq. ft.
MLS Listings: 11,500 – 12,000 sq. ft.
County Tax Records: 12,341 sq. ft.

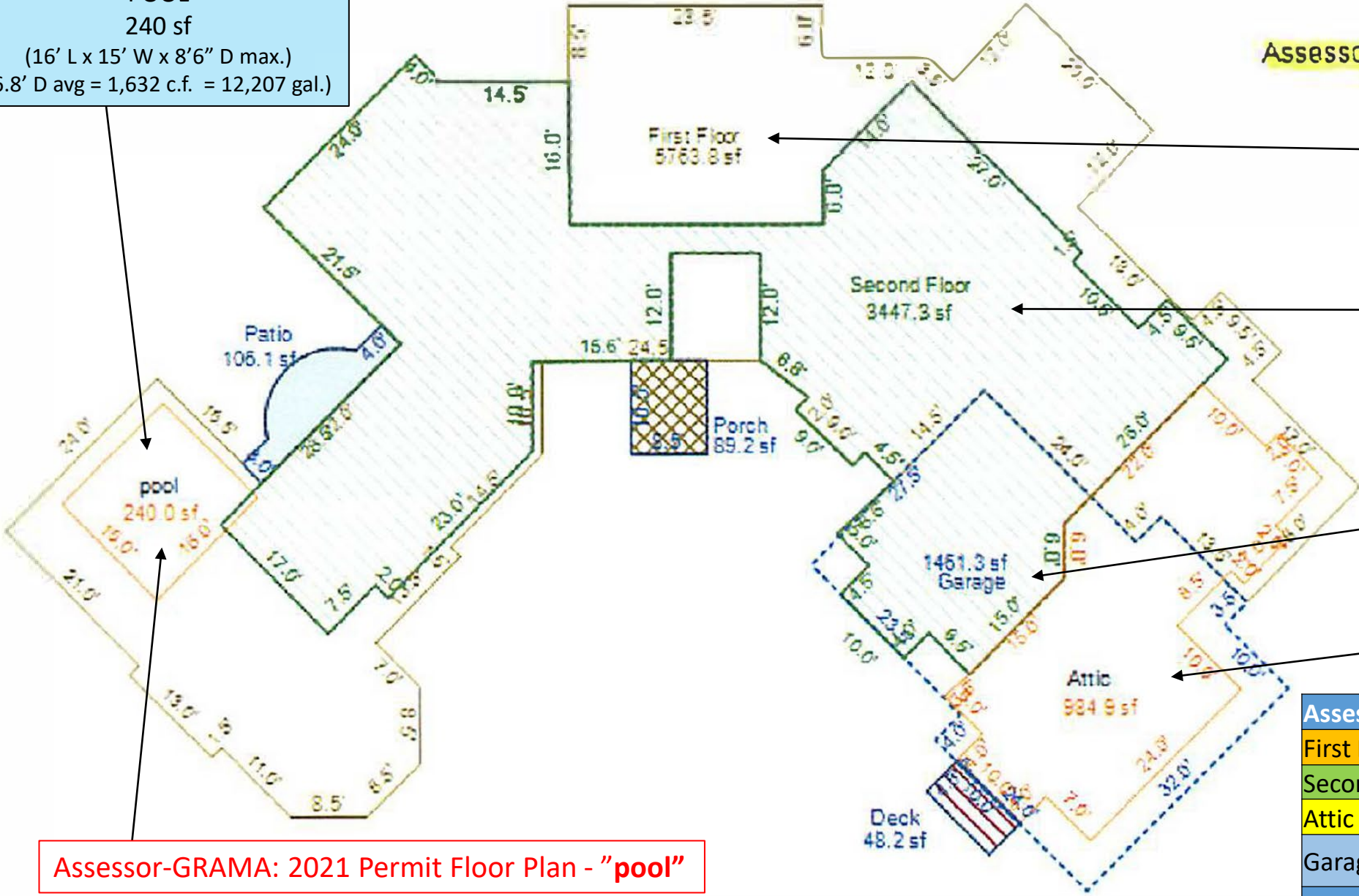
Limits of Disturbance
1993 Plat: 120' X 116.67' = 14,000 Sq. Ft.
1999 Lot 2 AMD: Reconfigured to 17,000 Sq. ft.

IMPACTED
BARN BUILDING LIMITS AREA
60' X 60' Typical Building Pad



Section to be removed

POOL
240 sf
(16' L x 15' W x 8'6" D max.)
(6.8' D avg = 1,632 c.f. = 12,207 gal.)



Assessors estimate using GIS Map

First Floor
5,763.8 sf

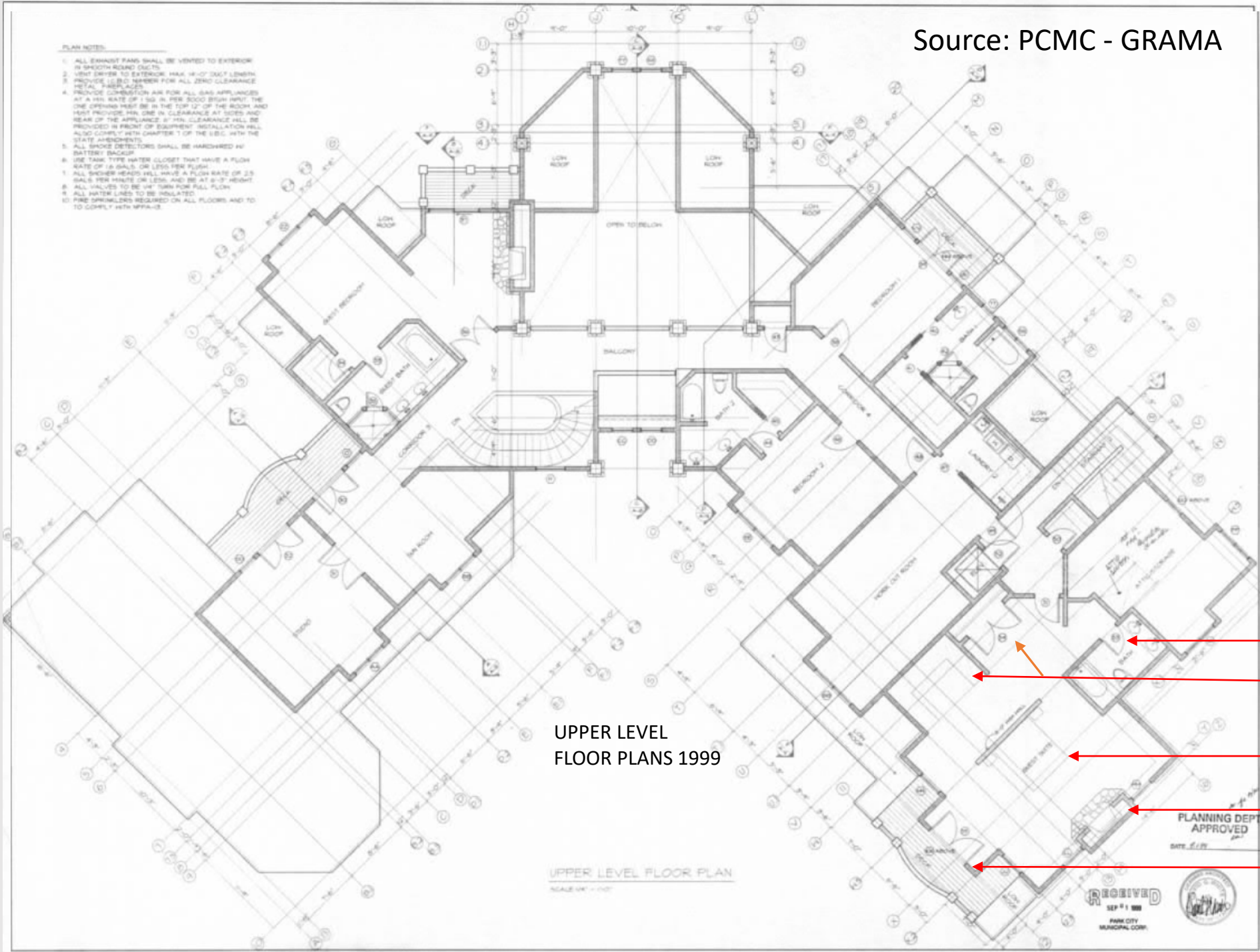
Second Floor
3,447.3 sf

Garage
1,461.3 sf

Attic/(Apt)
924.9 sf

Assessor-GRAMA: 2021 Permit Floor Plan - "pool"

Assessor	Grs. S F	Net S F
First Floor	5,764	5,764
Second Floor	3,447	3,447
Attic (Apt.)	925	925
Garage (Net: -600)	1,461	861
Total	11,597	10,997



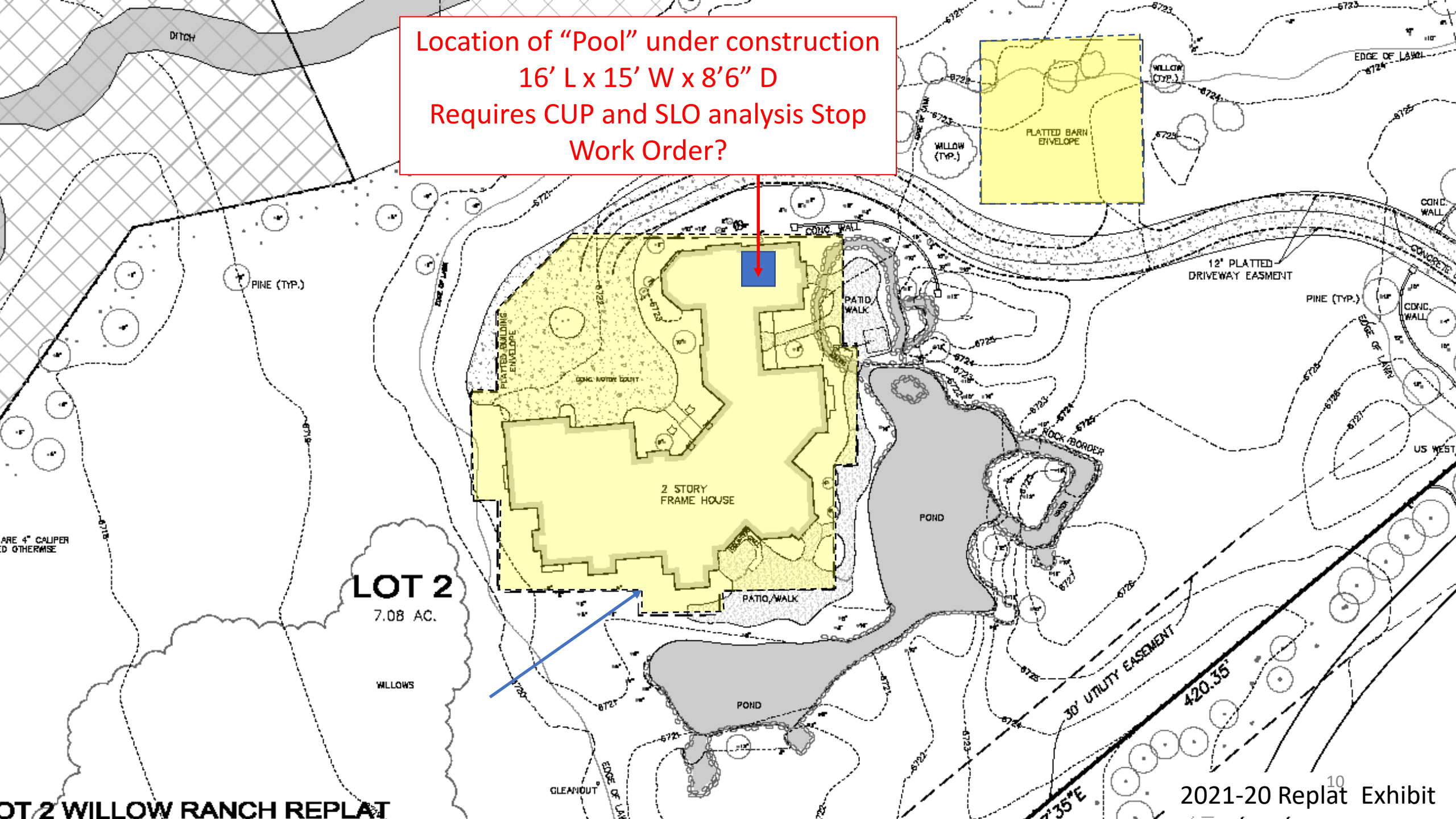
Not an Attic
Over Garage

Bathroom
Closet

Bed

Fireplace
French Doors
Balcony/Deck

Location of "Pool" under construction
16' L x 15' W x 8'6" D
Requires CUP and SLO analysis Stop
Work Order?



Date Called In: 02-14-2022		Park City 445 Marsac Ave Park City, UT 84060 PHONE # (435) 615-5100 inspections@parkcity.org COMPLIANCE INSPECTION REPORT																																					
Date Inspect On: 02-16-2022 ☐ AM ☒ PM																																							
OWNER NAME: CRESCENT VERTICLE		OWNER email:																																					
OWNER/BUILDER: R G Knight Construction LLC		Requested by: Richard Knight																																					
ADDRESS: 2750 MEADOW CREEK DR, Willow Ranch Sub. , Lot # 2-AM , Park City		Phone #: (801) 592-5177																																					
PERMIT #: 21-1302		Email: rgkhomes@gmail.com																																					
Description: Remodel.		Permit Type: Remodel																																					
INSPECTION OF ITEMS LISTED BELOW:																																							
Building Inspections <table border="0"> <tr> <td>1. ☐ Radiant Tubing</td> <td>2. ☐ Roof Framing</td> <td>3. ☐ Roof Sheathing</td> <td>4. ☐ Footings/Piers Passed: 11/29/21</td> </tr> <tr> <td>5. ☒ Foundation - re Passed: 02/16/22</td> <td>6. ☐ Grout/Bond Beam</td> <td>7. ☐ Und. Plumbing</td> <td>8. ☐ Und. Mechanical</td> </tr> <tr> <td>9. ☐ Und. Electrical</td> <td>10. ☐ Und. Gas Line</td> <td>11. ☐ Slab/Holddowns</td> <td>12. ☐ Slab on Grade</td> </tr> <tr> <td>13. ☐ Shear Wall</td> <td>14. ☐ Ext. Moisture Barrier</td> <td>15. ☐ Rough Framing</td> <td>16. ☐ Rough Electrical</td> </tr> <tr> <td>17. ☐ Rough Mechanical</td> <td>18. ☐ Rough Plumbing</td> <td>19. ☐ Fire Wall</td> <td>20. ☐ Masonry/Stone Veneer</td> </tr> <tr> <td>21. ☐ Stucco/Ext. Siding</td> <td>22. ☐ Gas Line/Meter Set</td> <td>23. ☐ Insulation</td> <td>24. ☐ Sheetrock</td> </tr> <tr> <td>25. ☐ Shower Pan</td> <td>26. ☐ Fire Sprinkler</td> <td>27. ☐ Power to Panel</td> <td>28. ☐ Final Electrical</td> </tr> <tr> <td>29. ☐ Final Mechanical</td> <td>30. ☐ Final Plumbing</td> <td>31. ☐ Final Fire Inspection</td> <td>32. ☐ Pre-Final Site Visit</td> </tr> <tr> <td>33. ☐ Final Inspection (Building)</td> <td>34. ☐ Final Inspection (Planning)</td> <td colspan="2"></td> </tr> </table>				1. ☐ Radiant Tubing	2. ☐ Roof Framing	3. ☐ Roof Sheathing	4. ☐ Footings/Piers Passed: 11/29/21	5. ☒ Foundation - re Passed: 02/16/22	6. ☐ Grout/Bond Beam	7. ☐ Und. Plumbing	8. ☐ Und. Mechanical	9. ☐ Und. Electrical	10. ☐ Und. Gas Line	11. ☐ Slab/Holddowns	12. ☐ Slab on Grade	13. ☐ Shear Wall	14. ☐ Ext. Moisture Barrier	15. ☐ Rough Framing	16. ☐ Rough Electrical	17. ☐ Rough Mechanical	18. ☐ Rough Plumbing	19. ☐ Fire Wall	20. ☐ Masonry/Stone Veneer	21. ☐ Stucco/Ext. Siding	22. ☐ Gas Line/Meter Set	23. ☐ Insulation	24. ☐ Sheetrock	25. ☐ Shower Pan	26. ☐ Fire Sprinkler	27. ☐ Power to Panel	28. ☐ Final Electrical	29. ☐ Final Mechanical	30. ☐ Final Plumbing	31. ☐ Final Fire Inspection	32. ☐ Pre-Final Site Visit	33. ☐ Final Inspection (Building)	34. ☐ Final Inspection (Planning)		
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		☐ NO PASS _____																																					
ITEMIZED AND DESCRIBED AS FOLLOWS:																																							
Foundation pool is done to plans																																							
2022-02-16 16:10:52 DATE & TIME		Troy Paxton SIGNATURE OF DESIGNATED COMPLIANCE INSPECTOR																																					

Inspection date **02-16-2022**

Foundation

“pool is done to plans”

PARK CITY PLANNING COMMISSION MEETING

SUMMIT COUNTY, UTAH

February 23, 2022

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Park City, Utah will hold its Regular Meeting electronically on Zoom, through www.parkcity.org/public-meetings for the purposes and at the times as described below on Wednesday, February 23, 2022.

7. REGULAR AGENDA

7.B. Land Management Code Amendments - Amendments to Land Management Code § 15-2.1-2, § 15-2.2-2, § 15-2.3-2, § 15-2.4-2, § 15-2.5-2, § 15-2.6-2, § 15-2.7-2, § 15-2.9-2, § 15-2.10-2, § 15-2.11-2, § 15-2.12-2, § 15-2.13-2, § 15-2.14-2, § 15-2.15-2, § 15-2.16-2, § 15-2.17-2, § 15-2.18-2, § 15-2.19-2, § 15-2.23-2, For Zoning District Use Tables, § 15-15-1 Definitions, and Enacting a New §15-4-22, Outdoor Pickleball Courts in Residential Areas, Are Proposed for Pickleball Court Land Use Regulation in Residential Zoning Districts To Mitigate Pickleball Court Impacts. PL-21-05062

(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on March 3, 2022.
(60 mins.)

https://granicus_production_attachments.s3.amazonaws.com/parkcity/d258281660c0782a8f9d22b89f4c87250.pdf

Planning Commission Consideration of Changes in the Definition of Recreation Facility under the LMC

- On February 23 and March 23, 2022, the Planning Commission considered amendments to the definition of Recreation Facility under the LMC in connection with a proposed amendment to the LMC to regulate outdoor pickleball courts.
- Commissioner Hall participated in these discussions apparently without either disclosing to the Commission or to the public that at the time of these discussions she controlled the Owner of the property which had been granted a Building Permit on October 27, 2021, to build, a **pool** without a CUP process.
- At the time Owner applied for and was granted the Building Permit and prior to consideration of the pickleball changes by the Commission on February 23, 2022, the definition of Private Recreation Facility in the LMC was:

*“Recreation Facilities, Private. Recreation Facilities operated on private Property and not open to the general public. Including Recreation Facilities typically associated with a homeowner or Condominium association, such as **pools**, tennis courts, playgrounds, **spas**, picnic Areas, and **similar facilities** for the Use by Owners and guests.”*

(Emphasis added.)

Planning Commission Consideration of Changes in the Definition. . . (Con't)

In connection with the **February 23, 2022**, Commission meeting Staff proposed that the definition of Private Recreation Facility be changed to delete playgrounds, spas and picnic Areas, and add Outdoor Pickleball Courts, as follows: “Recreation Facilities, Private. Recreation facilities operated on private Property and not open to the general public, including Recreation Facilities such as **pools**, tennis courts, outdoor Pickleball Courts and similar facilities for the Use by Owners and guests.” (**Emphasis added.**)

At the meeting, Commissioner Hall proposed that **pools** be removed from the definition of Private Recreation Facility. The minutes of the meeting state the following on pp. 27-28:

- “Commissioner Hall requested further information from Staff regarding the definition of Private Recreational Facilities on page 69 as it relates to allowed uses versus conditional uses. Commissioner Suesser agreed that those three items should be removed from that definition. Commissioner Hall asked whether a CUP was common for the installation of a **pool**. Commissioner Thimm presumed that this discussion centered only on pickleball courts. Director Milliken agreed but acknowledged that the confusion was that prior to making these amendments, pickleball courts fell under Private Recreational Facilities. Part of the LMC Amendments would involve amending the Private Recreational Facilities so that it would be clear that pickleball courts were no longer included in that definition. It was clarified that the only change was to remove pickleball out of that category; everything else would remain as is. Commissioner Hall disagreed and referenced the removal of playgrounds, spas, and picnic areas from the definition. She assumed that every time someone installed a hot tub, they were not getting a CUP. Planner Sebright stated that they would clarify this in the next Staff Report. Commissioner Thimm expressed that this should only address pickleball courts, and leave everything else unchanged.”

[Minutes of Planning Commission -February 23, 2022 page 27-28](#) [Video - Planning Commission 2/23/2022 - See 3:07:30](#)

Planning Commission Consideration of Changes in the Definition. . . (Con't)

In connection with the Commission's meeting on **March 23, 2022**, Staff re-proposed the same definition of Private Recreation Facility that it had proposed in connection with the February 23, 2022, meeting of the Commission. The Commission considered the proposed definition. Commissioner Hall again proposed that **pools** be removed from the definition. The minutes of the Meeting state the following on p. 34:

“Commissioner Hall previously wanted to remove hot tubs and pools from the definition of Private Recreation Facility, and suggested it only include tennis courts, sports courts and outdoor pickleball courts. Acting Chair Suesser asked if pools should remain in the definition. Commissioner Thimm asked if the draft Ordinance contemplated a change to hot tubs or pools. Commissioner Hall referenced the language that previously included hot tubs, picnic areas and playgrounds as requiring a CUP. She suggested the removal of pools from this definition and that the definition only include tennis courts, sports courts and outdoor pickleball courts. Acting Chair Suesser felt a pool was different from a hot tub or spa and should be more closely regulated. She suggested adding the word “swimming” to pools to distinguish it from a hot tub or spa. Commissioner Hall reiterated her suggestion of eliminating pools from this definition. Commissioner Thimm agreed with the addition of “swimming” in the definition. Commissioner Hall questioned whether a CUP should be or has been required for pools. Mr. Harrington stated that this has not been an issue and they have regulated the ones where there were complaints. He did not feel this should be changed but adding “swimming” might narrow it somewhat. Commissioner Thimm reiterated that the focus should be on pickleball courts rather than other changes in the Ordinance.”

Planning Commission Consideration of Changes in the Definition. . . (Con't)

Thereupon, Commissioner Thimm moved that the Planning Commission forward a positive recommendation to the City Council for their consideration on April 7, 2022, concerning the Outdoor Pickleball Courts in Residential Areas Ordinance, to amend the Zoning District Use Tables to require a Conditional Use Permit for these outdoor courts, and to clarify definitions, as outlined in the draft Ordinance and as amended by the comments in tonight's record. The motion passed 5-to-1, with Commissioner Hall voting against.

- [See: Minutes of Planning Commission Meeting, March 23, 2022, pp. 33 and 34](#)
- [Video - Planning Commission 3/23/2022 See 2:57:30](#)

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Summary Discussion

- Commissioner Hall controls the Owner of Lot 2 which applied for a building permit on October 1, 2021, to remodel a house, including construction of a pool.
- The Building Permit was granted on October 27, 2021.
- Commissioner Hall knew or should have known that a CUP is required for construction of pools in the Estate District.
- It is not known why Commissioner Hall, an attorney and member of the Commission who is presumably familiar with provisions of the LMC did not apply for a CUP. Is it simple oversight? Or deliberate avoidance?
- It is understandable why Commissioner Hall might have deliberately avoided a CUP.
 - A CUP would trigger a public notice and hearing that would expose many existing violations of the Code and Plat as shown in the Complaint
 - **Discovery of the home exceeding 9,800 sq. ft., would exclude the right to build a barn of any size.**
 - A Sensitive Lands Overlay (SLO) review would require significant time and several additional studies and reports that would likely preclude planned activities that are in violation of the LMC and Plat. Also described in the Complaint
- **Whether or not she was aware of this, the apparent fact is that she did not apply for a CUP.**

Summary Discussion (Con't)

- In February 2022 Staff distributed to all members of the Commission (including Commissioner Hall) proposed amendments to the LMC to regulate the construction of Outdoor Pickleball Courts in Park City.
- Staff proposed changing the definition of Private Recreation Facility to expressly include Outdoor Pickleball Courts.
- There was an “off-topic” discussion about deleting “playgrounds, spas, picnic Areas” from the definition. Staff **did not** propose the deletion of “**pools**” from the definition.
- Commissioner Hall knew or should have known that she was required under the LMC to apply for a CUP for the pool and conduct a SLO review.
- Commissioner Hall did not disclose to the Commission or to the public the material fact of her consequential private interest in whether the definition of Private Recreation Facility should or should not include “**pools**” or “**spas**”.
- To the contrary, Commissioner Hall argued on February 23 and March 23, 2022, that “**pools**” and “**spas**” should be excluded from the definition of a Private Recreation Facility.

Note: Based on a brief review of plans submitted to the City by Applicant and architect, the plans do not appear to show the dimensions of the entire home. The plan was not signed and stamped by architect. The Plan did not disclose some actual uses and accurate square footage. Plans from the County Assessor show the “pool” is 15’ W x 16’ L. City engineering plans show the pool is 8’ 6” Deep – water level to deepest bottom of “pool”. Assuming the average depth of “Pool” is 6.8’, volume equals 1,632 cubic feet and 12,207 gallons.

Note: It was recently disclosed that Commissioner Hall changed the “**name**” of her Recreation Facility from “**pool**” to a new characterization - “**hot tub** with **spa cover**” (presumably to continue avoiding the LMC/CUP/SLO requirements). Without disclosure, the Planning Department approved the new Plan on 12/7/22.

The CBO stated there is little, if any distinction between “Hot Tub” and “Spa”. Under the LMC on 10/1/21, the date of application, construction of “**pools**”, “**spas**”, and “**similar facilities**” are subject to a CUP and SLO analysis.

However, as reported by the CBO and Deputy City Manager, the City does not intend to enforce the CUP and SLO requirement for the facility.

Date: February 13, 2023
TO: Mayor Nann Worel and City Officials
FROM: Bob Theobald
RE: **Public Officials - Facts, Concerns, and Questions Relating to
“Perceived” Entitlements, Authority and Compliance with Laws
and Protocols**

This Report is intended to only provide relevant facts and ask obvious pertinent questions. The Report is not intended to allege any ethical misconduct. After reviewing the facts, the Planning Commission and City Council are best equipped and authorized to make considered decisions related to the necessity of further investigations, as well as appropriate actions, if any.

Perhaps Mayor Worel might consider designating two interested council members and the Chair and an additional Planning Commission (Commission) member to act as liaisons to gather and verify all relevant information and present a report to their respective entities, or a joint report of findings. A precedent for a similar process was set by former Mayor Andy Beerman when he assigned Councilor Worel in October of 2021, to review the circumstances of the “Sauna” building permit - ultimately determined illegal after an appeal to the Board of Adjustment.

This Report focuses on the actions and inactions of **both** Planning Commissioner Hall and Planning Director (Director), Gretchen Milliken.

The Indisputable Facts

It is an indisputable fact that, in violation of the LMC, a Conditional Use Permit (CUP) process was not conducted for Commissioner Hall’s remodel project with a “pool” which is defined as a Recreation Facility, and which under the LMC requires a CUP. In the Estate District, a Sensitive Lands Overlay analysis is also required.

Definition at Application - 10/1/21 *“Recreation Facilities, Private. Recreation facilities operated on private Property and not open to the general public. Including Recreation Facilities typically associated with a homeowner or Condominium association, such as **pools**, tennis courts, playgrounds, **spas**, picnic Areas, **similar facilities** for the Use by Owners and guests.” (emphasis added)*

There are multiple causes of the initial violation regarding the absence of a CUP. And there are several related previous and subsequent failures.

1. Commissioner Hall **failed to apply** for a CUP in compliance with the LMC, either knowingly or by failure to conduct a thorough review of the LMC - as presumably expected of a sitting Commissioner and an attorney.
2. The Planning Department on 10/1/21 **failed to recognize the requirement, and demand compliance** with the LMC for a CUP process for a remodel project with a Recreation Facility such as a “pool”, “spa”, or “similar facility”.

It is also an indisputable fact that, during subsequent discussions by the Commission regarding an amendment to the definition of Recreation Facility to include pickleball, Commissioner Hall and Director Milliken did not disclose the material fact that Commissioner Hall was in the process of constructing a “pool” without a CUP.

It is an indisputable fact that the resulting definition of a Recreation Facility was to be forwarded to City Council for legislative action and was/is undeniably consequential to Commissioner Hall’s remodel project to include a “pool”.

THE PIVOTAL QUESTIONS:

1. Who is responsible for the initial “CUP” failure – the Commissioner, the Director, or both in “special” cooperation?
2. Whose permitting failure is considered most egregious given their trusted position in Park City government?
3. Is the Commissioner or Director obligated to disclose material facts related to a recommendation for legislative action? If so, is the obligation by law, oath of office, protocol, or only to maintain the integrity of the Planning Commission and respect for the system?
4. Are the failures actionable by the Commission, Council, or the legal department?
5. What are the consequences and remedies” related to the improper Permit – a recall and redo with CUP/SLO process?
6. Do the violations constitute a basis for a “Closed Session” review of the violators’ continued employment or service in Park City government?

7. Is this Report and supporting documents sufficient evidence to convince City officials that the Planning Department may be “broken” warranting a thorough investigation and implementation of measures to “fix” it?

Answers to these questions may be discovered by reviewing additional relevant facts. Commissioner Hall and the Director were involved in several previous actions and decisions regarding non-compliance with the applicable Code.

The Sauna Complaint - 2704 Meadow Creek Drive - Lot 4

The “Sauna” complaint filed on 12/30/2021, was about the Applicant’s non-compliance with the LMC and Plat, the Director’s failure to correctly interpret the Plat and the City’s failure to enforce violations related to the illegally permitted and illegally constructed sauna building outside the prescribed “Limits of Disturbance Area” (LODA).

In the “Sauna” Complaint, the Board of Adjustment found on March 1, 2022, that the Director and the Chief Building Official misinterpreted the boundary indicators of the “Limits of Disturbance Area” (LODA) as shown on the Plat (an Ordinance) and defined in the CC&Rs which resulted in an improper building permit and construction.

Although the Director’s and City’s failures were the focus of the violations in the “Sauna” Complaint, Commissioner Hall played a significant role in the causal events.

In a personal conversation, the president of the Willow Ranch Subdivision HOA stated to me that in the spring of 2021, all six members of the HOA, including Sarah Hall, voted by email or proxy to approve the following:

- Lot 4 - a sauna building constructed outside the LODA - BOA Finding: illegally permitted by the City, although fully constructed,
- Lot 3 - a pickleball court outside the “LODA” - 90% constructed, never permitted by the City,
- Lot 2 – a Plat Note amendment allowing a flexible ratio of square footage between home and barn, not to exceed a combined maximum of 9,800 sq. ft., with a maximum of 9,300 sq. ft. allocated to the home. Commissioner

Hall appropriately disclosed that she was the Owner and recused herself from discussions. Christopher Hall, as the Applicant, appeared and spoke at Commission and Council meetings.

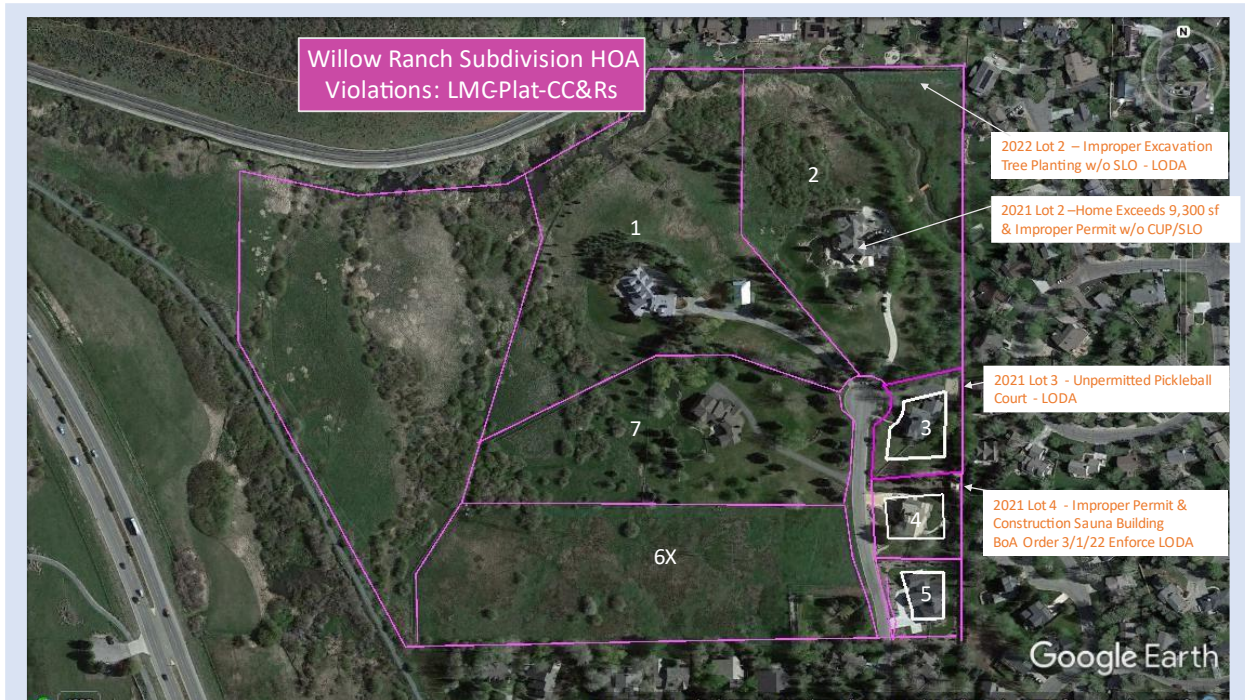
However, Commissioner Hall, a sitting planning commissioner and attorney, knew or should have known that both projects on Lot 3 and Lot 4 were in violation of the “Limits of Disturbance Area”. In fact, the HOA president intimated that, as an attorney, she offered to rewrite and amend the CC&Rs because Lot owners did not like the restrictions imposed in 1992 by the developer **and the City**, e.g., Article 3.3. Variances.

3.3. Variances. Variances to the Architectural Design Standards contained in this Declaration, or modifications to the size or shape or location of the Limits of Disturbance Area on any Lot, may be granted when strict application would create an unforeseen or unreasonable hardship to the Owner of any Lot. No such variance may be granted without the unanimous consent of the Committee and City approval.

Notwithstanding constructive notice, the Owners and agents disregarded the restrictions that are clearly shown on the subdivision Plat (an Ordinance) and defined in Article 3.3 of the CC&Rs. Apparently, Commissioner Hall did not advise the owners of Lot 3 and Lot 4 of the restriction. Commissioner Hall did not oppose the projects that were in clear violation. Instead, the Commissioner voted in favor, and voiced continued support of both projects at subsequent City meetings.

In a personal conversation, Commissioner Hall confirmed to me that she voted for approval and admitted she did not remember reviewing site-plans and did not conduct site visits.

At the Board of Adjustment hearing in March 2022, Commissioner Hall testified in support of the illegally permitted and completed construction of the sauna building.



2750 Meadow Creek Drive-Lot 2 Complaint

In a related matter, a Complaint was filed on 12/9/2022. detailing potential violations. Below is an account of specific, undeniable actions and inactions of Commissioner Hall, the beneficial Owner of the remodel project on Lot 2.

Commissioner Hall on 10/1/21, in violation of the LMC, **failed to apply** for a CUP, either knowingly or by failure to conduct a diligent review and analysis of the LMC. She may have been motivated by the significant advantages of not complying with a CUP process. The advantages include: less time consuming, fewer reports and studies, and avoidance of public scrutiny that would expose known existing violations and the planned activities in violation the LMC. Commissioner Hall's specific actions and motivations become obvious after a review of the Complaint and PowerPoint presentation filed with the City. (Attached and linked to this Report)

The Director's failure to **recognize the requirement and demand compliance** with the LMC and CUP process for a remodel permit with a *"pool"*, *"spa"*, or *"similar facility"* - is **unexplainable** and should be the subject of further investigation.

Subsequent Actions and Inactions, Concerns and Questions – Pickleball Amendment

On 2/23/22 and 3/23/22, in meetings that were specifically “noticed” for amending the LMC for Outdoor Pickleball Courts, it appears that none of the Planning Commission members were aware of the indisputable facts that Commissioner Hall:

1. Opposed all proposed restrictions on pickleball courts without disclosing her support for her neighbor’s unpermitted, partially constructed pickleball court which she voted to approve in HOA proceedings; and more importantly,
2. Was in violation of the LMC by actively constructing a “**pool**”, a “**spa**”, or “**similar facility**” without the required CUP/SLO process. In addition, the facts show that on 2/16/22, seven days prior to the Commission hearing on 2/23/22, the City inspector responsible for foundations notified the contractor/Owner that the “*pool is done to plans.*”

Presumably, while preparing the Staff Report and the draft Ordinance to the LMC associated with pickleball courts, planning staff must have read the definition of a Recreation Facility many times. However, the Director and staff failed to recognize or ignored the inextricable connection between Commissioner Hall’s flawed permit for a “**pool**”, “**spa**”, or “**similar facility**” (granted only four months prior) and the essence of Commissioner Hall’s focused discussions of facilities that require a CUP, **other than pickleball**.

The Director and Staff should have known of and alerted Commissioners to this nexus. Especially, when Commissioner Hall repeatedly drew attention to the issue on two separate occasions by arguing to delete “**pools**” and “**spas**” from the definition. Did the Director and staff mistakenly or intentionally ignore this material fact? Did the Director have oversight influencing the Staff Report, process, or improper decisions as part of a plan that began four months earlier (October 2022) with the unexplainable, illegal permit without a CUP?

The City must consider that, had Commissioner Hall, the Director or staff made full disclosure of these material facts to the Commission, several consequential questions would have been raised:

1. Would have Commissioner Hall's actions or inactions been perceived as necessary and appropriate?
2. Would fellow commissioners in the same circumstance conducted themselves in the same manner by not disclosing or recusing from the issue?
3. Would have Chair Suesser permitted Commissioner Hall to participate in the discussion?
4. Would have the discussion been re-directed and confined to pickleball... the only item officially "Noticed", as Commissioner Thimm noted and suggested – e.g., "Commissioner Thimm asked if the draft Ordinance contemplated a change to hot tubs or pools." ... "Commissioner Thimm expressed that this should only address pickleball courts and leave everything else unchanged."
5. Would have the debate changed in breadth and depth discussing all elements and nuances of the definition of a Recreation Facility related to all types of structures holding water, including Commissioner Hall's current "pool" permit and construction in violation of the LMC and Plat?

Amended Definition – 4/7/22 *"Recreation Facilities, Private. Recreation facilities operated on private Property and not open to the general public, including Recreation Facilities such as **swimming pools**, tennis courts, outdoor Pickleball Courts, and **similar facilities** for the Use by Owners and guests." (emphasis added)*

Perhaps, the Director and Commissioner Hall hold the opinion that amending the Recreation Facility definition (four months after the fact of permit approval) would cover up the planning department's "inexcusable and unexplained" fact of not requiring a CUP at the outset. Apparently, the Director interprets the amended definition to now make it permissible for the City to circumvent the LMC, again.

In connection with the Complaint filed on 12/9/23, the planning and building departments on 12/7/23 compounded the problem and improperly granted approval of a re-characterized version of Commissioner Hall's disputed 'pool' water facility. It is now labeled on the permit as 'hot tub' with a "spa cover". This approval was done in secret without disclosure to Complainants before an official, final decision regarding the original Complaint has been rendered and delivered.

Commissioner Hall's water facility can still be defined as a “**similar facility**” as found in both the original and the amended definition and is open to interpretation.

The Director, however, does not and should not have authority to interpret or amend the definition of a Recreation Facility without the consideration of the Planning Commission and Council. Especially, since Commissioner Hall and the Director were, in fact, jointly responsible for the “**consequential error**” in the initial permitting process. Before participating in critical decision-making related to this Complaint, it would appear appropriate that **both** the Director and Commissioner Hall should first be unequivocally absolved of any action or inaction related to the matter. Is trust in their judgment warranted?

The Director and staff have a factual history of misinterpretation, fabrication of codes and exceeding authority in other matters. See Letter Report: *Planning and Building Process Violation: Decision-making, Diligence, Circumventing the LMC and Fabricating Code Provisions* February 13, 2023.

City officials and the Director must consider and answer serious questions: Is the Planning Department being duped? Is it incompetent? Is it complicit in an engineered scheme? Are special privileges being sought or given? Are these consequential events simply an oversight?

Critical thinking and basic logic indicate it is highly unlikely that the latter question is true where Commissioner Hall and the Director, and all planning staff, coincidentally and unintentionally failed to recognize the requirement of a CUP.

These issues deserve focused evaluation and must be resolved. If corrective measures are not taken, the City may be in violation of Codes and Statutes for its failure to enforce the LMC provisions, again. Perhaps, a vigorous and more consequential investigation is appropriate.

The Planning Commission, the City Council and the public now should be made aware of all the facts. The final Pivotal Question is: who takes the initiative and the next step - the City or concerned citizens?

SUMMARY OF SALIENT FACTS

The Building Permit – 2750 Meadow Creek Drive, Lot #2 Willow Ranch Subdivision

On 10/1/21, Commissioner Hall knew of, or should have known, the requirement for a CUP/SLO analysis and **did not apply** for such. It is not known why planning staff **failed to require** a CUP/SLO analysis. This matter raises very important questions demanding answers and accountability: Why was the original permit granted without a CUP? Simple “Oversight”, or were special privileges sought or given?

1. On August 26, 2020, Owner acquired Lot 2 in the Subdivision.
2. The Subdivision is in the Estate District under the LMC.
3. On October 1, 2021, Owner applied for a building permit to remodel the residence.
4. The application for a permit specifically contemplated construction of a “pool”.
5. Under the LMC, a “pool” is a Recreation Facility.
6. Under the LMC at the time Owner applied for and was granted the Building Permit, a Recreation Facility, Private was defined as

*“Recreation facilities operated on private Property and not open to the general public. Including Recreation Facilities typically associated with a homeowner or Condominium association, such as **pools**, tennis courts, playgrounds, **spas**, picnic Areas, **similar facilities** for the Use by Owners and guests.” (Emphasis added)*

7. Building a Recreation Facility in the Estate District requires a Conditional Use Permit (CUP).
8. On October 27, 2021, Owner was granted the Building Permit.
9. The Owner did not apply for a CUP and the City did not require a CUP.

In addition to the Permit facts outlined above, during subsequent Planning Commission meetings directly related and consequential to compliance of the remodel project, Commissioner Hall failed to disclose her personal interest in whether the definition of a Private Recreation Facility should or should not include “pools” or “spas”. Commissioner Hall did not recuse herself from discussions. In fact, to the contrary, the minutes show that Commissioner Hall repeatedly argued to exclude pools and other water elements that might be interpreted to define her Recreation Facility.

Was this an undisclosed effort by Commissioner Hall and Director Milliken to help bring the project into compliance?

PARK CITY PLANNING COMMISSION MEETING

SUMMIT COUNTY, UTAH

February 23, 2022

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Park City, Utah will hold its Regular Meeting electronically on Zoom, through www.parkcity.org/public-meetings for the purposes and at the times as described below on Wednesday, February 23, 2022.

6. REGULAR AGENDA

7.B. Land Management Code Amendments- Amendments to Land Management Code § 15-2.1-2, § 15-2.2-2, § 15-2.3-2, § 15-2.4-2, § 15-2.5-2, § 15-2.6-2, § 15-2.7-2, § 15-2.9-2, § 15-2.10-2, § 15-2.11-2, § 15-2.12-2, § 15-2.13-2, § 15- 2.14-2, § 15-2.15-2, § 15-2.16-2, § 15-2.17-2, § 15-2.18-2, § 15-2.19-2, § 15- 2.23-2, For Zoning District Use Tables, § 15-15-1 Definitions, and Enacting a New §15-4-22, Outdoor Pickleball Courts in Residential Areas, Are Proposed for Pickleball Court Land Use Regulation in Residential Zoning Districts To Mitigate Pickleball Court Impacts. PL-21-05062

(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on March 3, 2022. (60 mins.)

https://granicus_production_attachments.s3.amazonaws.com/parkcity/d258281660c0782a8f9d22b89f4c87250.pdf

Planning Commission Meeting - February 23, 2022

On February 23, 2022, the Commission considered a change in the definition of Private Recreation Facility for the specific purpose of adding Outdoor Pickleball Courts. At the meeting, Commissioner Hall proposed that pools and spas be removed from the definition of Private Recreation Facility. The minutes of the meeting state the following on pp. 27-28:

“Commissioner Hall requested further information from Staff regarding the definition of Private Recreational Facilities on page 69 as it relates to allowed uses versus conditional uses. Commissioner Suesser agreed that those three items should be removed from that definition. Commissioner Hall asked whether a CUP was common for the installation of a pool. Commissioner Thimm presumed that this discussion centered only on pickleball courts. Director Milliken agreed but acknowledged that the confusion was that prior to making these amendments, pickleball courts fell under Private Recreational Facilities. Part of the LMC Amendments would involve amending the Private Recreational Facilities so that it would be clear that pickleball courts were no longer included in that definition.¹ It was clarified that the only change was to remove pickleball out of that category; everything else would remain as is. Commissioner Hall disagreed and referenced the removal of playgrounds, spas, and picnic areas from the definition. She assumed that every time someone installed a hot tub, they were not getting a CUP. Planner Sebright stated that they would clarify this in the next Staff Report. Commissioner Thimm expressed that this should only address pickleball courts and leave everything else unchanged.”

[Planning Commission Minutes - 2-23-22 \(See page 27\)](#)

[Planning Commission Video 2-23-22 \(See at 3:07:30 Minutes\)](#)

¹ N.B.: Planning Director Milliken was mistaken. The proposed amendment to the definition of Private Recreational Facilities did not exclude pickleball courts from the definition.

Planning Commission Meeting - March 23, 2022

In connection with the Commission's meeting on March 23, 2022, Staff re-proposed the same definition of Private Recreation Facility that it had proposed in connection with the February 23, 2022, meeting of the Commission. The Commission considered the proposed definition. Commissioner Hall again proposed that pools be removed from the definition.

The minutes of the Meeting state the following on p. 34:

"Commissioner Hall previously wanted to remove hot tubs and pools from the definition of Private Recreation Facility, and suggested it only include tennis courts, sports courts and outdoor pickleball courts. Acting Chair Suesser asked if pools should remain in the definition. Commissioner Thimm asked if the draft Ordinance contemplated a change to hot tubs or pools. Commissioner Hall referenced the language that previously included hot tubs, picnic areas and playgrounds as requiring a CUP. She suggested the removal of pools from this definition and that the definition only includes tennis courts, sports courts and outdoor pickleball courts. Acting Chair Suesser felt a pool was different from a hot tub or spa and should be more closely regulated. She suggested adding the word "swimming" to pools to distinguish it from a hot tub or spa. Commissioner Hall reiterated her suggestion of eliminating pools from this definition. Commissioner Thimm agreed with the addition of "swimming" in the definition. Commissioner Hall questioned whether a CUP should be or has been required for pools. Mr. Harrington stated that this has not been an issue and they have regulated the ones where there were complaints. He did not feel this should be changed but adding "swimming" might narrow it somewhat. Commissioner Thimm reiterated that the focus should be on pickleball courts rather than other changes in the Ordinance."

Thereupon, Commissioner Thimm moved that the Planning Commission forward a positive recommendation to the City Council for their consideration on April 7, 2022, concerning the Outdoor Pickleball Courts in Residential Areas Ordinance, to amend the Zoning District Use Tables to require a Conditional Use Permit for these outdoor courts, and to clarify definitions, as outlined in the draft Ordinance and as amended by the comments in tonight's record. The motion passed 5-to-1, with Commissioner Hall voting against."

[Planning Commission Minutes 3-23-22 \(See Page 34\)](#)

[Planning Commission Video 3-23-22 \(See Pickleball 2:24:30 min. Pool at 2:57:30 minutes\)](#)

LMC and Beyond – Documents and Exhibits

Sequence of priority for review:

Attached (#5 is a link)

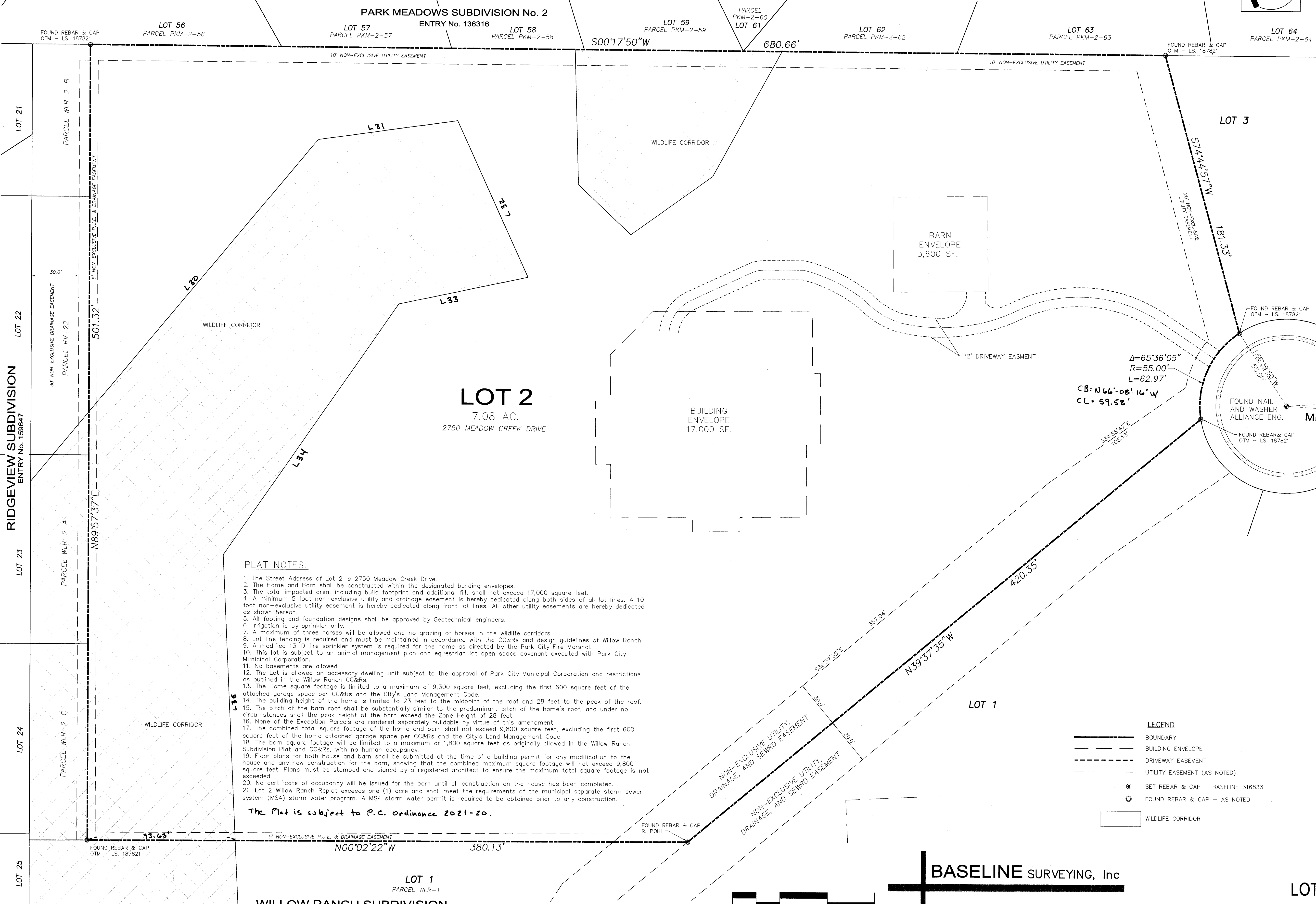
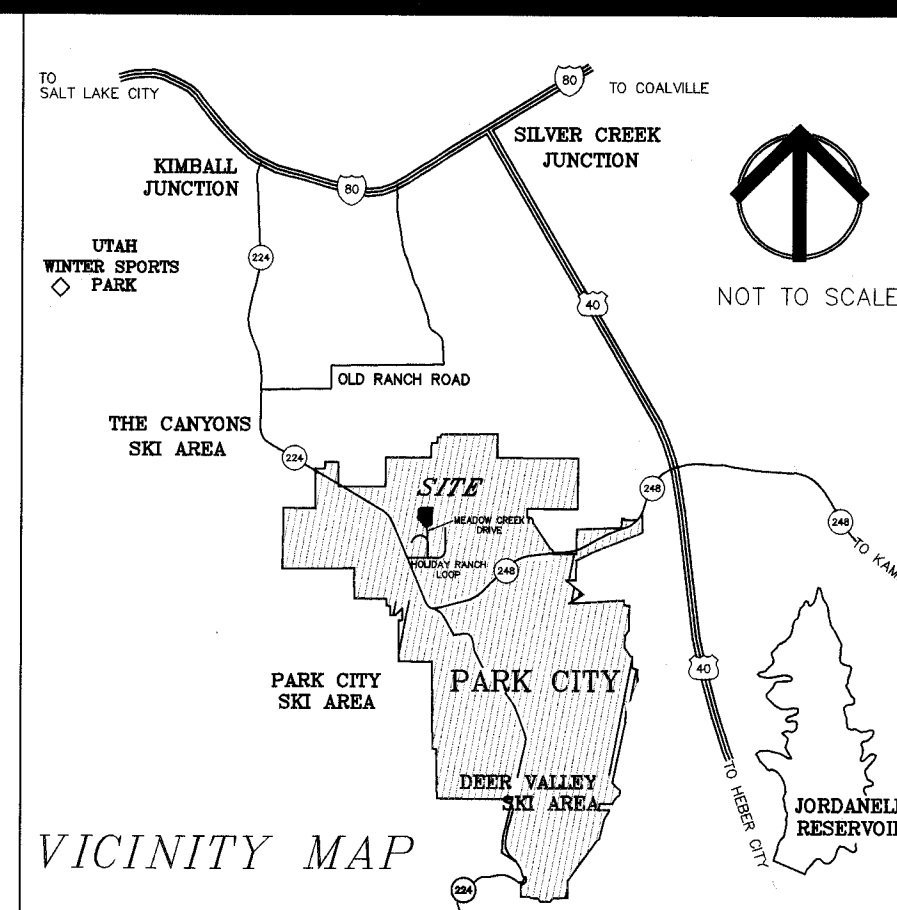
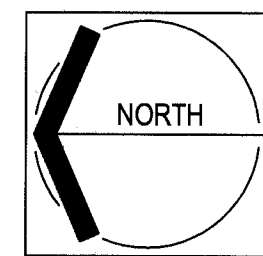
1. Letter: *Public Officials - Facts, Concerns and Questions Relating to “Perceived” Entitlements, Authority and Compliance with Laws and Protocols* February 13, 2023
2. Letter Report: *Planning and Building Process Violations: Decision-making, Diligence, Circumventing the LMC and Fabricating Code Provisions* February 13, 2023
3. PowerPoint Exhibits: Public Officials Concerns 2-13-2023
4. Letter to City final 12-9-2022 (Violations Compliant - 2750 Meadow Creek Drive Lot #2)
5. Dropbox Link: [PowerPoint Exhibits to 12-9-2022 Violations Complaint- 2750 Meadow Creek Drive Lot #2](#)
6. Willow Ranch Replat First Amended Lot 2 – Entry # 1181781 (See Plat Notes)
7. Letter to City final 2-9-2023 (Follow up to Violations Compliant - 2750 Meadow Creek Drive Lot #2)

Links:

- [Planning Commission Minutes - 2-23-22 \(See page 27\)](#)
- [Planning Commission Video 2-23-22 \(See at 3:07:30 Minutes\)](#)
- [Planning Commission Minutes 3-23-22 \(See Page 34\)](#)
- [Planning Commission Video 3-23-22 \(See Pickleball 2:24:30 min. Pool at 2:57:30 minutes\)](#)
- [BOA Appeal Hearing 2-8-2022 See page 99](#)
- [BOA Findings and Ruling 3-1-2022](#)
- [BOA Minutes](#)

LOT 2 WILLOW RANCH REPLAT FIRST AMENDED

LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



PLAT NOTES:

- The Street Address of Lot 2 is 2750 Meadow Creek Drive.
- The Home and Barn shall be constructed within the designated building envelopes.
- The total impacted area, including build footprint and additional fill, shall not exceed 17,000 square feet.
- A minimum 5 foot non-exclusive utility and drainage easement is hereby dedicated along both sides of all lot lines. A 10 foot non-exclusive utility easement is hereby dedicated along front lot lines. All other utility easements are hereby dedicated as shown hereon.
- All footing and foundation designs shall be approved by Geotechnical engineers.
- Irrigation is by sprinkler only.
- A maximum of three horses will be allowed and no grazing of horses in the wildlife corridors.
- Lot line fencing is required and must be maintained in accordance with the CC&Rs and design guidelines of Willow Ranch.
- A modified 13-D fire sprinkler system is required for the home as directed by the Park City Fire Marshal.
- This lot is subject to an animal management plan and equestrian lot open space covenant executed with Park City Municipal Corporation.
- No basements are allowed.
- The Lot is allowed an accessory dwelling unit subject to the approval of Park City Municipal Corporation and restrictions as outlined in the Willow Ranch CC&Rs.
- The Home square footage is limited to a maximum of 9,300 square feet, excluding the first 600 square feet of the attached garage space per CC&Rs and the City's Land Management Code.
- The building height of the home is limited to 23 feet to the midpoint of the roof and 28 feet to the peak of the roof.
- The pitch of the barn roof shall be substantially similar to the predominant pitch of the home's roof, and under no circumstances shall the peak height of the barn exceed the Zone Height of 28 feet.
- None of the Exception Parcels are rendered separately buildable by virtue of this amendment.
- The combined total square footage of the home and barn shall not exceed 9,800 square feet, excluding the first 600 square feet of the home attached garage space per CC&Rs and the City's Land Management Code.
- The barn square footage will be limited to a maximum of 1,800 square feet as originally allowed in the Willow Ranch Subdivision Plat and CC&Rs, with no human occupancy.
- Floor plans for both house and barn shall be submitted at the time of a building permit for any modification to the house and any new construction for the barn, showing that the combined maximum square footage will not exceed 9,800 square feet. Plans must be stamped and signed by a registered architect to ensure the maximum total square footage is not exceeded.
- No certificate of occupancy will be issued for the barn until all construction on the house has been completed.
- Lot 2 Willow Ranch Replat exceeds one (1) acre and shall meet the requirements of the municipal separate storm sewer system (MS4) storm water program. A MS4 storm water permit is required to be obtained prior to any construction.

The Plat is subject to P.C. Ordinance 2021-20.

LEGEND

- BOUNDARY
- BUILDING ENVELOPE
- DRIVEWAY EASEMENT
- UTILITY EASEMENT (AS NOTED)
- SET REBAR & CAP - BASELINE 316833
- FOUND REBAR & CAP - AS NOTED
- WILDLIFE CORRIDOR

BASELINE SURVEYING, Inc

P.O. BOX 58711
Salt Lake City, UT 84158 (801) 209-2152

SURVEYOR'S CERTIFICATE:

I, RUSSELL E. CAMPBELL, DO HEREBY CERTIFY THAT I AM A LICENSE PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE No. 316833 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LICENSING ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH MINIMUM STANDARDS AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS PLAT; AND THAT THE INFORMATION SHOWN HEREON IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY, AND THAT THIS PLAT OF

LOT 2 WILLOW RANCH REPLAT FIRST AMENDED

IN SUMMIT COUNTY, UTAH HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS OF THE SUMMIT COUNTY RECORDER'S OFFICE.

Russell E. Campbell

7/16/21
Date

BASIS OF BEARINGS
S 03°12'32" E 418.37' (PLAT & MEASURED)

MEADOW CREEK DRIVE
(PUBLIC RIGHT OF WAY)

LEGAL DESCRIPTION Entry No. 1139975, Book 2593 at Page 1517:

Lot 2, WILLOW RANCH REPLAT SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office, Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

I, THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN HEREIN AND NAME SAID TRACT:

LOT 2 WILLOW RANCH REPLAT FIRST AMENDED

AND DO HEREBY DEDICATE, GRANT AND CONVEY TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, DRAINAGE MAINTENANCE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH.

Signed this 20 day of July, 2021.

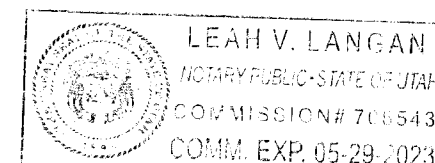
Sarah Hall
Leah V. Langen
Notary Public

ACKNOWLEDGMENT

State of Utah
County of Summit

The foregoing was acknowledged before me this 20 day of July, 2021 by

Sarah Hall
Leah V. Langen
Residing at: Summit County
My commission expires: 7/29/2021



LOT 2 WILLOW RANCH REPLAT FIRST AMENDED

LOCATED IN SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M
SUMMIT COUNTY, UTAH

SHEET 4 of 2

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 20th DAY OF July 2021

BY: S.B.W.R.D.

PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED THIS 20th DAY OF January 2022

BY: Jeff Ward GIS DIRECTOR
THE SUMMIT COUNTY PUBLIC SAFETY ANSWERING POINT

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 17th DAY OF May 2021

CHAIR

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 18th DAY OF January 2022

Michelle Kelly
PARK CITY RECORDER

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT REVIEWED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH AVAILABLE INFORMATION ON FILE IN THIS OFFICE.

Jan 10, 2022
DATE

John S. Patton
PARK CITY ENGINEER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVED THIS 18th DAY OF January 2022 ON BEHALF OF THE PARK CITY COUNCIL

Nannette
MAYOR

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 17th DAY OF January 2022

Mike Reynolds
PARK CITY ATTORNEY

RECORDED

ENTRY NO 1181780 FEE: 102.00

STATE OF UTAH COUNTY OF SUMMIT

DATE 1-20-2022 TIME 10:51 AM

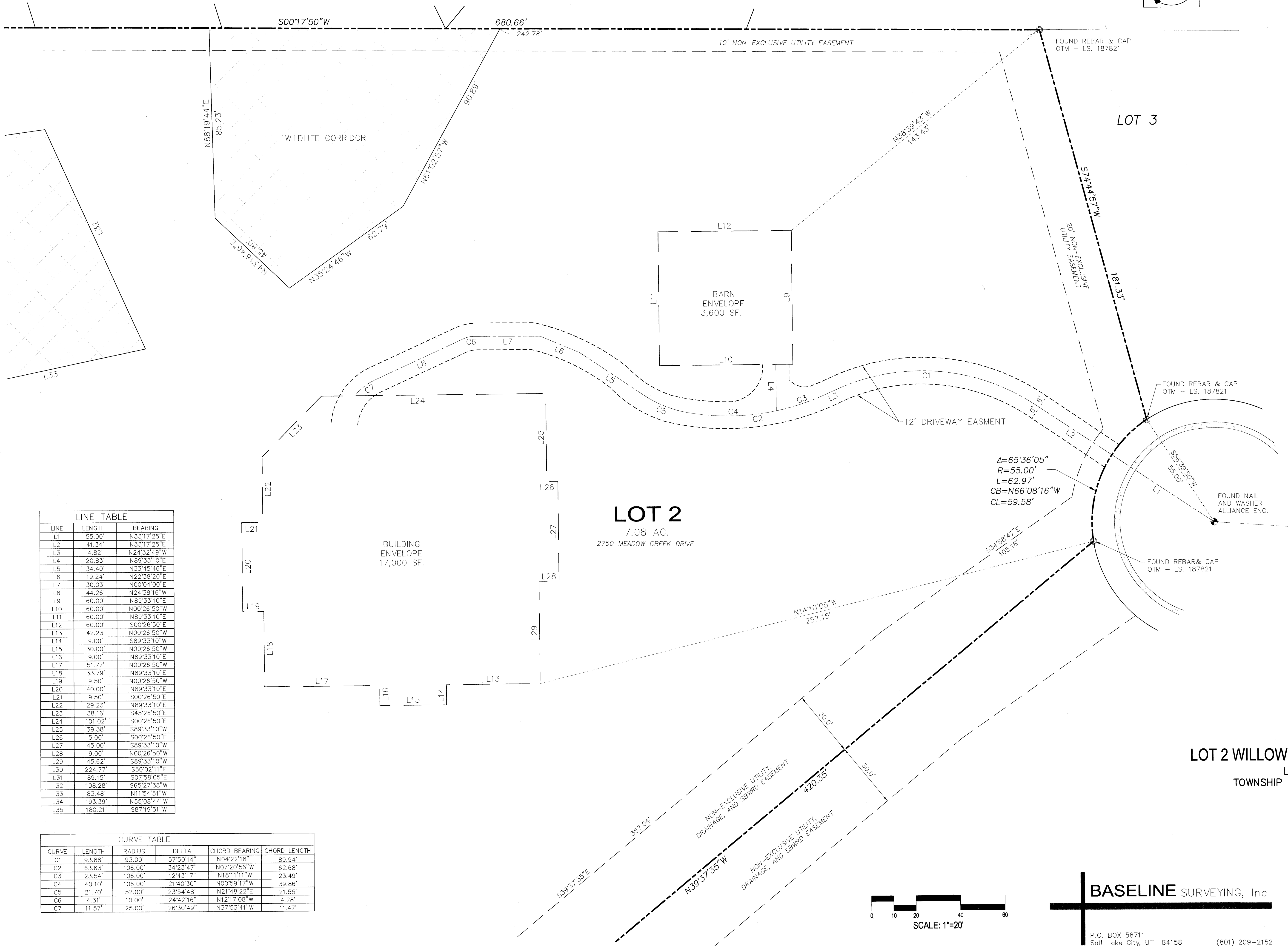
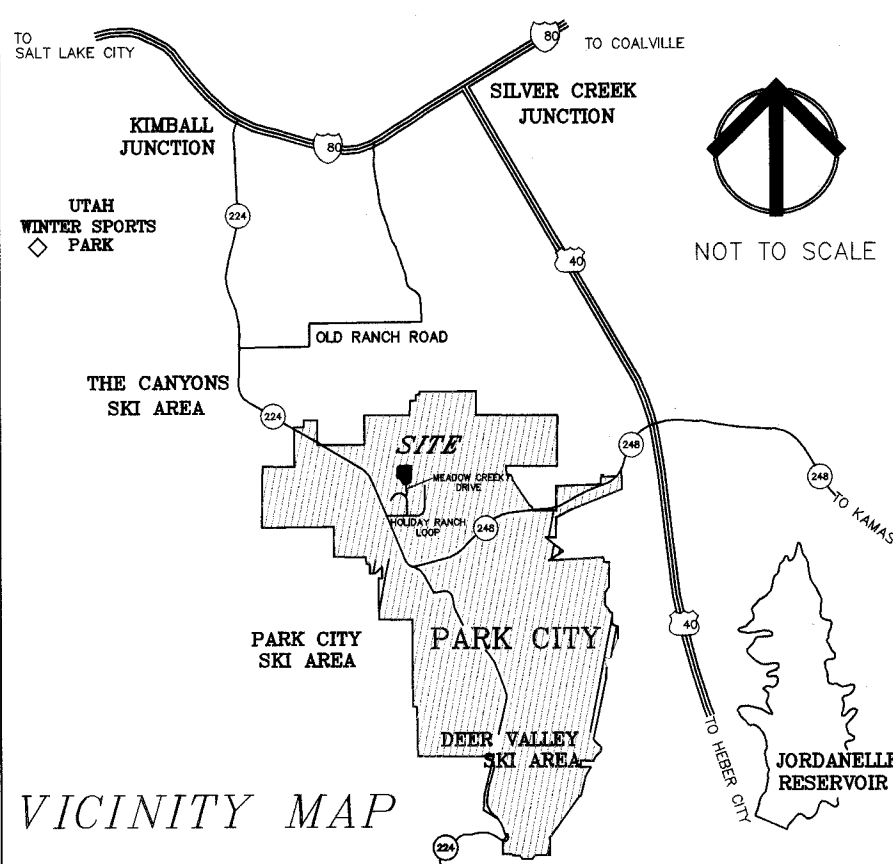
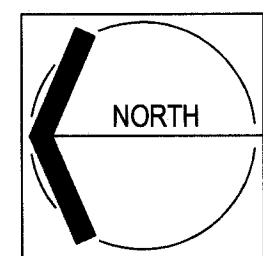
RECORDED AND FILED AT THE REQUEST OF:

REAL ADVANTAGE TITLE

Mike Reynolds
COUNTY RECORDER

LOT 2 WILLOW RANCH REPLAT FIRST AMENDED

LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



LINE TABLE		
LINE	LENGTH	BEARING
L1	55.00'	N33°17'28\"E
L2	41.34'	N33°17'25\"E
L3	4.82'	N24°32'49\"W
L4	20.83'	N89°33'10\"E
L5	34.40'	N33°45'46\"E
L6	19.24'	N22°38'20\"E
L7	30.03'	N00°04'00\"E
L8	44.26'	N24°38'16\"W
L9	60.00'	N89°33'10\"E
L10	60.00'	N00°26'50\"W
L11	60.00'	N89°33'10\"E
L12	60.00'	S00°26'50\"E
L13	42.23'	N00°26'50\"W
L14	9.00'	S89°33'10\"W
L15	30.00'	N00°26'50\"W
L16	9.00'	N89°33'10\"E
L17	51.77'	N00°26'50\"W
L18	33.79'	N89°33'10\"E
L19	9.50'	N00°26'50\"W
L20	40.00'	N89°33'10\"E
L21	9.50'	S00°26'50\"E
L22	29.23'	N89°33'10\"E
L23	38.16'	S45°26'50\"E
L24	101.02'	S00°26'50\"E
L25	39.38'	S89°33'10\"W
L26	5.00'	S00°26'50\"E
L27	45.00'	S89°33'10\"W
L28	9.00'	N00°26'50\"W
L29	45.62'	S89°33'10\"W
L30	224.77'	S50°02'11\"E
L31	89.15'	S07°58'05\"E
L32	108.28'	S65°27'38\"W
L33	83.48'	N11°54'51\"W
L34	193.39'	N55°08'44\"W
L35	180.21'	S87°19'51\"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	93.88'	93.00'	57°50'14\"	N04°22'18\"E	89.94'
C2	63.63'	106.00'	34°23'47\"	N07°20'56\"W	62.68'
C3	23.54'	106.00'	12°43'17\"	N18°11'11\"W	23.49'
C4	40.10'	106.00'	21°40'30\"	N00°59'17\"W	39.86'
C5	21.70'	52.00'	23°54'48\"	N21°48'22\"E	21.55'
C6	4.31'	10.00'	24°42'16\"	N12°17'08\"W	4.28'
C7	11.57'	25.00'	26°30'49\"	N37°53'41\"W	11.47'

LOT 2 WILLOW RANCH REPLAT FIRST AMENDED

LOCATED IN SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M
SUMMIT COUNTY, UTAH

SHEET 2 OF 2

BASELINE SURVEYING, Inc

P.O. BOX 58711
Salt Lake City, UT 84158 (801) 209-2152

RECORDED

ENTRY NO. 01181780

01/20/2022 10:59:26 AM B: 2718 P: 1582

Plat Page 1/1
BOOK 181780, SUMMIT COUNTY RECORDS
FEE: 102.00 BY REAL ADVANTAGE TITLE



COUNTY RECORDER