



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
May 11, 2022**

NOTICE OF HYBRID IN-PERSON AND ELECTRONIC MEETING: The Planning Commission of Park City, Utah will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on Wednesday, May 11, 2022. Planning Commission members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically. Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom through www.parkcity.org/public-meetings. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

SITE VISIT AT 4:00 PM

Site Visit open to the Public at 4:00 PM located at 3805 Fox Tail Trail. The Public and Planning Commission Will Attend a Site Visit from 4:00 - 4:30 PM, Regarding the Proposed Plat Amendment to Create One Single-Family Lot at 3805 Fox Tail Trail. PL-21-04826

MEETING CALLED TO ORDER AT 5:30 PM.

1. ROLL CALL

2. PUBLIC COMMUNICATIONS

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

3.A Transportation Planning Project Update
[Staff Communication Report](#)

4. WORK SESSION

4.A 3805 Fox Tail Trail - Subdivision - The Applicant Proposes Creating One Lot from Parcel PCA-S-98-SEC-11 for a Single-Family Dwelling in the Estate Zoning District and One Parcel in the Recreation Open Space Zoning District. PL-21-04826. (45 mins.)

[Staff Report](#)

[Exhibit A: Ordinance No. 2022-XX](#)

[Attachment 1: Fox Tail Subdivision](#)

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

[Exhibit C: Fox Tail Height Cap Visual Analysis](#)

[Exhibit D: Existing Conditions](#)

[Exhibit E: Slope Constraints Map](#)

[Exhibit F: Hidden Meadow Annexation Plat](#)

[Exhibit G: Hidden Meadows Annexation Resolution, Resolution No. 2-94](#)

[Exhibit H: Amendment to the Hidden Meadows Annexation Agreement, Summit County](#)

Recorder Entry No. 430356
Exhibit I: Hidden Meadow Subdivision
Exhibit J: Hidden Meadow CC&Rs
Exhibit K: Fox Tail Sight Line Analysis
Exhibit L: Public Comment Compiled

- 4.B **Land Management Code Amendments** - The Planning Commission Will Conduct a Work Session on Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts. PL-22-05210. (60 min.)
[Staff Report](#)

5. REGULAR AGENDA

- 5.A **401 Silver King Drive, Unit 75 - Condominium Plat Amendment** - The Applicant Proposes Amending the Plat to Accommodate an Interior Remodel of Attic Space Identified as Common Space on the Existing Plat for Snow Flower Condominiums in the Recreation Commercial Zoning District. PL-22-05167 (15 min.)
(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on June 9, 2022
[Staff Report](#)
[Exhibit A: Draft Ordinance No. 2022-XX and Proposed Plat](#)
[Exhibit B: Existing Plat](#)
[Exhibit C: Project Intent](#)
[Exhibit D: Letter of Support from Snow Flower Condominium HOA Manager](#)
[Exhibit E: Amendment to Condominium Declaration](#)
- 5.B **2346 Park Avenue - Conditional Use Permit** - Applicant is Requesting Use of a Temporary Structure (Tent) at the Peaks Hotel for a Longer Duration Than the Land Management Code Allows Without an Approved Conditional Use Permit. PL-22-05132
(A) Public Hearing (B) Possible Action
[Peaks Hotel CUP Staff Report](#)
[Exhibit A: Draft Final Action Letter](#)
[Exhibit B: Project Description and Plans](#)
[Exhibit C: 1984 Parkview Subdivision](#)
[Exhibit D: Approved Action Letter for ACUP Outdoor Event and Temporary Improvement](#)
[Exhibit E: Final Action Letter ACUP for Outdoor Use and Temporary Improvement](#)
[Exhibit F: Final Action Letter Admin Permit Enclose Dining Area in FPZ](#)
[Exhibit G: Special Events Permit that expired on August 2, 2020](#)
[Exhibit H: ACUP Project Description and Plans](#)
[Exhibit I: Peaks Parking Study](#)
[Exhibit J: CUP Tent Approvals List](#)
[Exhibit K: Project Description and Plans for ACUP Outdoor Dining](#)

6. ADJOURN

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

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

Planning Commission Staff Communication



Subject: Transportation Planning Project Update
Authors: Alex Roy, Senior Transportation Planner
Julia Collins, Transportation Planning Manager
Date: May 11, 2022

Summary

Park City's Transportation Planning staff will give a brief preview and update to the Planning Commission on the progress of three current transportation initiatives: Park City Forward – The Long-Range Transportation Plan, the Short-Range Transit Plan, and the Bike and Pedestrian Plan.

Staff will return to Planning Commission on May 25th to review the Park City Forward (Long Range Transportation Plan) in its entirety and seek the Commission's recommendation to forward the plan to City Council.

Park City Forward (Long Range Transportation Plan)

This is an update to the 2011 Transportation Master Plan. Park City Forward is an ambitious and innovative effort to develop a blueprint for prioritizing multimodal transportation projects and strategies to address existing and future conditions. The purpose of the plan is to improve safety, protect the natural environment, expand transportation choices, and maintain our high quality of life for those that live, work, and recreate in Park City.

Park City Forward seeks to develop a transportation blueprint for the community. Park City Forward is a road map, with designed flexibility to accommodate changing priorities and developments. This approach helps identify critical priorities, provides high-level project cost estimates, is a requirement in seeking grants, and provides direction on future transportation projects for the next 20 years.

Public Outreach and stakeholder engagement have been conducted throughout the project. The last advisory committee was held in April and a work session with City Council is planned for late May with the goal of adoption by early summer. Once Park City Forward is adopted by City Council, it will serve as the transportation component of the General Plan.

Short Range Transit Plan (SRTP)

The SRTP will function as a business plan for the next five years of transit service in Park City, with clear and achievable transit priorities. The plan will include an in-depth study of the City's transit routes and incorporate innovative, high-value transit service options. The plan focuses on route efficiency, transit times, considers on-demand micro transit, smartphone apps, and integration with walking and biking. The SRTP has recently held a series of public and stakeholder outreach to receive feedback on transportation scenarios and technologies. The SRTP consultant team is currently

reviewing community feedback and developing the draft of the service recommendations. The draft recommended service plan is anticipated in early summer.

Bike and Pedestrian Plan

Since Park City's Walkable and Bikeable Neighborhoods study was completed, the City and partners have been able to implement much of that plan. Park City Municipal is now creating a new 15-year plan that will outline walking and biking infrastructure investments for the next decade and a half. This project is currently on a brief pause due to staffing shortages but will restart this summer. Transportation Planning staff is currently engaged in the Rail Trail Master Plan study, being led by the Trails and Open Space Department, to ensure that the plans are aligned.

Conclusion

Each of the above plans are updates from previous plans. These plans will not sit on a shelf. The previous planned projects have largely been implemented. Updating these plans provides the opportunity to responsibly prioritize and organize projects, provide realistic timelines, accurate budget projections, and metrics for measuring success. Adopting an updated plan will allow a strategic and thoughtful approach to transportation improvements for our community.

Planning Commission Staff Report



Subject: Fox Tail Subdivision
Application: PL-21-04826
Author: Browne Sebright
Date: May 11, 2022
Type of Item: Work Session

Recommendation

Staff recommends the Planning Commission conduct a work session on the reconfigured 3805 Fox Tail Trail Subdivision proposal.

Description

Applicant: Douglas Ogilvy, REDUS Park City, LLC
Location: 3805 Fox Tail Trail (Parcel No. PCA-S-98-SEC-11)
Zoning District: Estate and Recreation Open Space
Adjacent Land Uses: Residential, Open Space
Reason for Review: Subdivisions require Planning Commission review and recommendation and City Council review and action

LMC Land Management Code
ROS Recreation Open Space
SLO Sensitive Land Overlay

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

The Applicant originally proposed a one-lot Subdivision in the Estate and Recreation Open Space Zoning Districts to develop a Single-Family Dwelling. The Applicant proposed rezoning the Subdivision to re-allocate the Estate and Recreation Open Space Zoning. The Applicant revised the proposal and no longer seeks a rezone. The Applicant proposes the one-lot Subdivision pursuant to the existing Estate and Recreation Open Space Zoning.

Project review to date is outlined below:

May 25, 2021	Park City Development Review Committee No issues or concerns were identified as part of the interdepartmental, district, and utility review.
July 28, 2021	Planning Commission Public Hearing (Staff Report , Minutes beginning on p. 12)

	The Commission heard from the Applicant and members of the public on a the rezone and Subdivision application. At the meeting, Commissioners asked for additional information, including what mechanisms could be used to ensure relocation of the trails, an explanation of the difference between current configuration of trails versus how segments would be relocated, whether Limits of Disturbance would include the proposed driveway, and how large the proposed home would be in relation to homes in the Hidden Meadows Subdivision.
August 26, 2021	Neighborhood Traffic Management Program Committee On August 26, 2021, the Neighborhood Traffic Management Program (NTMP) committee, including representatives from Trails and Open Space, Transportation Planning, and Engineering, drafted a monitoring and management plan for the trailheads. It is important to note that trails are already in place at this location, and there are no proposed changes to existing conditions other than moving the trailheads to reduce any conflict between the trail and the proposed driveway. Additionally, there are no plans to provide any amenities, such as a kiosk, trash cans, maps, etc., at the trailheads. As with most trails, the City will monitor use per required maintenance levels and management. Monitoring will include: • Placing trail counters • Adding this location to the Trails & Open Space Rangers reporting system, where they: ○ Check trail signage ○ Collect data (trail) ○ Speak with users if any ○ Document parking, if any • Residents may contact trails@parkcity.org if they have concerns and for additional information If the City receives concerns, complaints or sees issues, such as parking, the Trails, and Open Space Department will bring those to the NTMP and propose several steps: • Review with public safety to determine if turning/access issues are present in cul de sac or blocking of hydrants, driveways, etc. ○ Add signage if needed (parking-related) ○ Continue to monitor and enforce if necessary ○ Provide trail-related signage (private property, noise, dog-related)

	The Park City Trails and Open Space Manager reviewed the Applicant's proposal on September 7, 2021, and January 20, 2022, and supports the relocation of the trails, as outlined in the Plat Amendment Staff Report.
October 13, 2021	Planning Commission Public Hearing (Staff Report, Minutes beginning on p. 32) Staff elaborated on the proposed Conditions of Approval relating to limits of disturbance, natural drainage and existing grade, vegetation protection, ridgeline protection, and trails. The Applicant's representative stated that they have offered to pay for the reconstruction of the trails on both Lot 1 and Parcel A of the proposed subdivision. Six members of the public spoke at the public hearing, raising questions related to the separate Limits of Disturbance for the home site and for the driveway, the location of the sewer easement, nightly rentals, the option of the property joining the adjacent Hidden Meadows HOA, the buildability of the property, and the size of the proposed home. The Commission requested more information regarding the Ridgeline Area, the Limits of Disturbance, and context regarding the property in relation to the neighboring HOA.
February 9, 2022	Planning Commission Public Hearing (Staff Report, Minutes beginning on p. 21) Staff addressed questions that were raised at the previous meeting, including background and history of the parcel, the sensitive lands ordinance, and the history of the annexation. The applicant shared that there were updated visual renderings, an adjustment to the sewer lateral location, a refined driveway alignment, and an agreement to not allow nightly rentals on the property. Four members of the public spoke at the public hearing and said that they felt the proposal was inconsistent with what was already built in the neighborhood, and that the developer should build under the current restrictions.
April 19, 2022	Park City Development Review Committee The Applicant revised the proposed plans pursuant to the existing Estate and Recreation Open Space Zoning. Staff took the application back to the Development Review Committee to review the updated plans. Park City Fire District notes that under state law, fire sprinklers are not required on a single-lot, single family subdivision. However, the Annexation Resolution (Resolution No.

	2-94, Exhibit G) requires exterior and interior fire sprinklers for all construction in within the Hidden Meadows annexation area (Condition of Approval 12). No other issues or concerns were identified as part of the interdepartmental, district, and utility review.
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Background

The property known as 3805 Fox Tail Trail consists of 32.71 acres of land that was annexed into Park City in 1995 (Hidden Meadows Annexation, [Resolution No. 2-94](#)). The annexation plat included parcel No. PCA-S-98-SEC-11 (Exhibit B; Summit County Recorder Entry No. 425982).

The Applicant proposes the Fox Tail Subdivision create a 3.8-acre (165,320 SF) Lot in the Estate Zoning District for a Single-Family Dwelling with a portion of the Lot zoned Recreation Open Space. The Recreation Open Space parcel of Lot 1 will be protected, pursuant to a conservation easement (Condition of Approval 20). The Applicant also proposes to create a 28.94-acre (1,260,583 SF) Parcel, to be dedicated to Park City to be protected as Open Space (Condition of Approval 21).

The image below is the recorded Annexation Plat, with emphasis added to show the extent of 3805 Fox Tail Trail property (red outline), and the area to be in the Estate Zoning District where a single-family home could be constructed (yellow highlight).

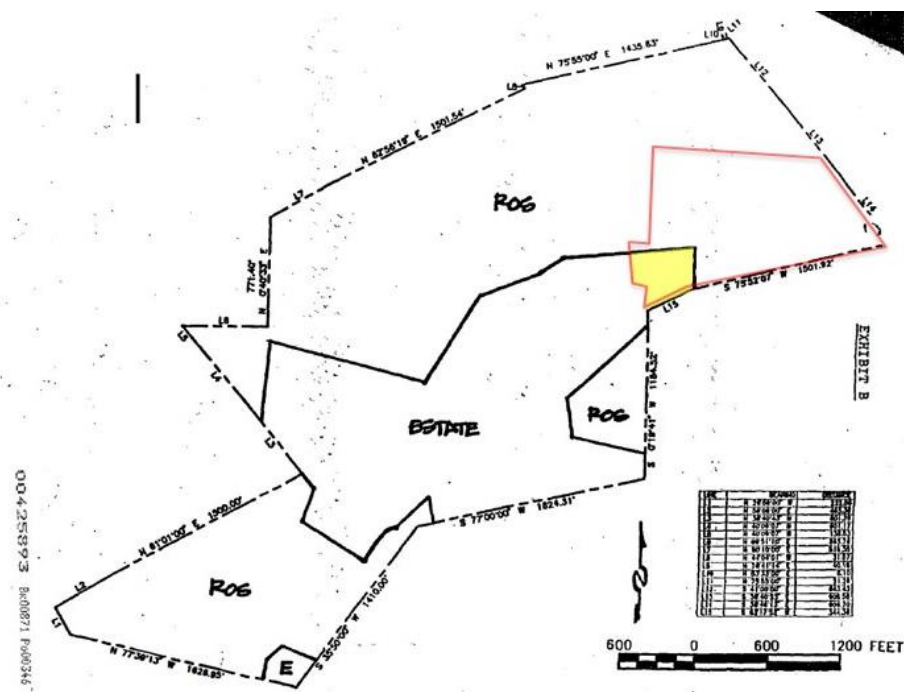


Figure 1. Annexation Plat.

Source: Hidden Meadows Annexation Resolution No. 2-94, Emphasis Added by Staff.

The 3805 Fox Tail Trail property is located between the Hidden Meadows subdivision to the west and Park City Heights to the east.

The property was originally anticipated to be platted as a Lot of record in the conceptual Hidden Meadows Phase II subdivision, which was expected to follow the Hidden Meadows Phase I subdivision, however, this proposed subdivision did not move forward.

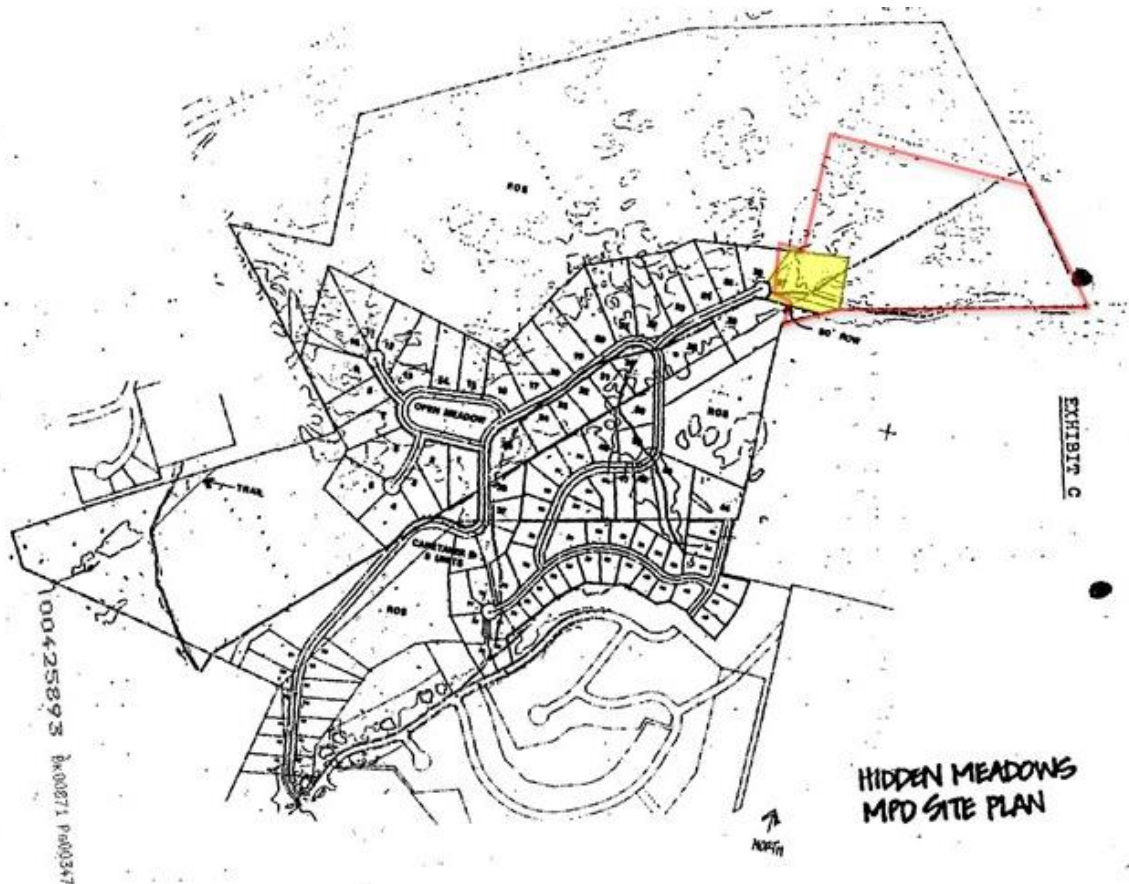
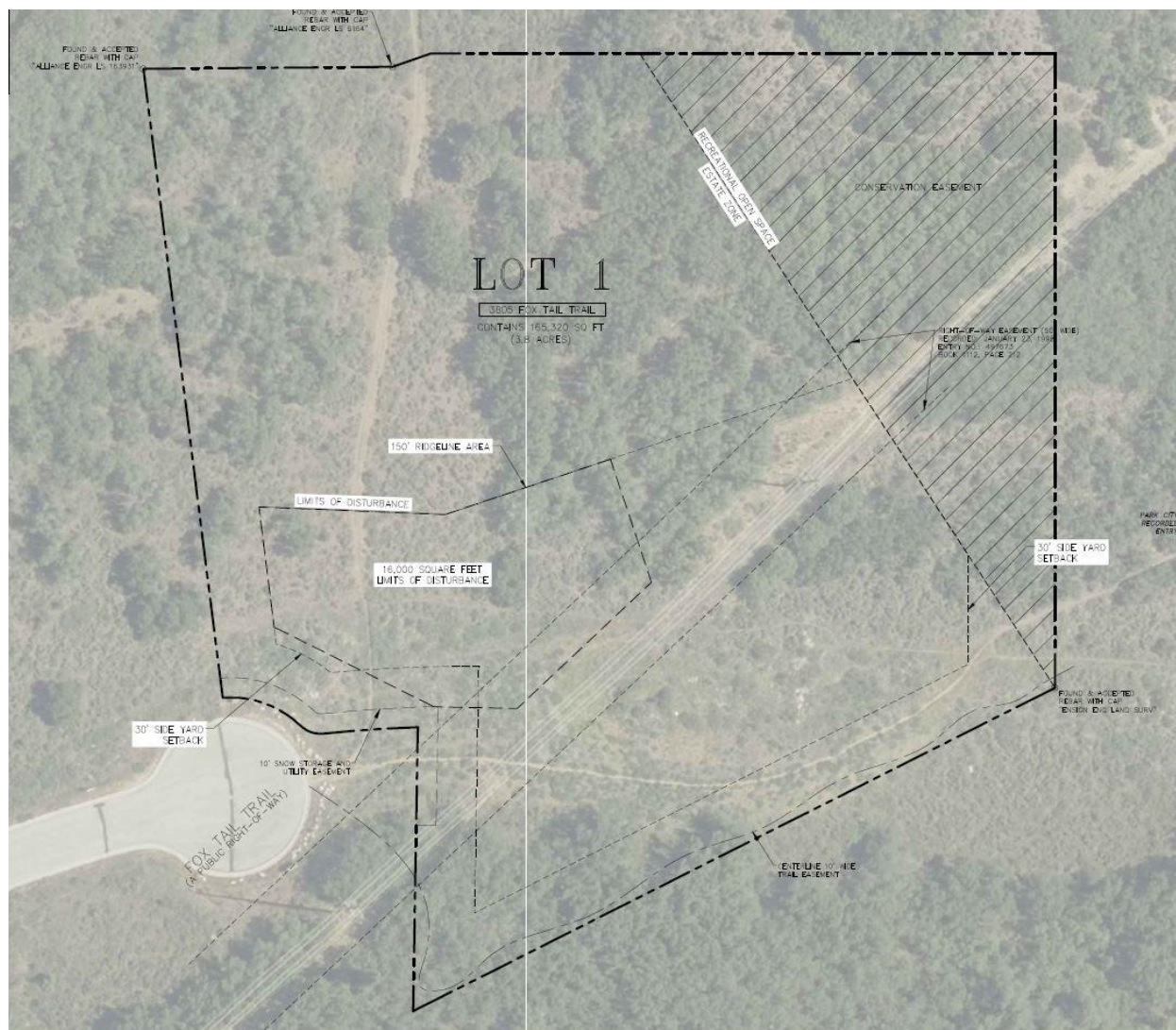


Figure 2. Site Plan Per Approved MPD.

Source: Hidden Meadows Annexation Resolution No. 2-94, Emphasis Added by Staff.

In 1995, the City Council approved the Hidden Meadow Subdivision Phase I and Parcel No. PCA-S-98-SEC-11 was not included in the Subdivision (Exhibit G; Summit County Recorder Entry No. 436642). The Hidden Meadow CC&Rs outlined a timeline to include Parcel No. PCA-S-98-SEC-11 in the Hidden Meadow Subdivision and Homeowner Association (HOA). However, the option expired on September 1, 2002. (Exhibit H, Article XII).

Since the February 9, 2022, Planning Commission meeting, the Applicant has revised the original proposal (one that included both subdivision and rezone applications) and introduced a new proposal that does not require an adjustment of the zoning boundary.





**Figure 2. Conceptual Rendering for Lot 1 of the Fox Tail Subdivision, looking east.
Source: Applicant's submittal.**

Analysis

(I) The proposed Fox Tail Subdivision complies with previous land use approvals, including the Annexation Resolution.

The subject property is subject to a series of prior land use approvals, that have determined the density and sensitive land restrictions that apply to the proposed Lot. The relevant approvals are detailed in the table below.

Date Adopted	Item	Description
September 24, 1992	Ordinance No. 92-17	An Ordinance Adopting the Sensitive Area Overlay Zone Regulations and Amending the Official Zoning Map of Park City, Utah to Include the Sensitive Area Overlay Zone and Amending the Land Management Code of Park City, Utah to Better Regulate Development on Sensitive Lands

October 21, 1993	<u>Ordinance No. 93-9</u>	An Ordinance Amending Chapters 2 and 9 of the Land Management Code and Section 4 and Appendix A of the Sensitive Land Ordinance
February 3, 1994	<u>Resolution No. 2-94</u>	A Resolution Annexing 227.99 Acres of Hidden Meadows Into the Corporate Limits of Park City, Utah
February 3, 1994	<u>Ordinance No. 94-2</u>	An Ordinance Amending the Official Zoning Map of Park City, Utah, to Include the Hidden Meadows Property
May 11, 1995	<u>Ordinance No. 95-19</u>	An Ordinance Approving the Final Plat of Hidden Meadows Located at Solamere Drive, Park City, Utah
May 16, 1995	Summit County Recorder Entry No. 430356 (Exhibit H)	Amendment to the Hidden Meadows Annexation Agreement
August 31, 1995	<u>Ordinance No. 95-45</u>	An Ordinance Amending the Final Plat of Hidden Meadows Located at Solamere Drive, Park City, Utah
August 15, 1996	<u>Ordinance No. 96-40</u>	An Ordinance Accepting the Public Improvements at Hidden Meadow Subdivision

The Hidden Meadows Annexation Resolution (Resolution No. 2-94) established the zoning and development restrictions for 3805 Fox Tail Trail—stating that:

“Upon annexation, the Hidden Meadows property will become subject to the Park City Land Management code, Subdivision Regulations, Sensitive Lands Ordinance, and all other Park City ordinances and building regulations. ... It is understood that the underlying zone for the entire parcel for the purpose of density calculations is Estate (E) and that the open space area will be zoned Recreation Open Space (ROS) to ensure the area remains in open space.”

(Exhibit G).

The Annexation Resolution also establishes the density allocated to the three subdivisions that have come to be located within the Hidden Meadows annexation area— Hidden Meadows Phase I, Royal Oaks Phase II, and the proposed Fox Tail Trail subdivision. Pursuant to the Annexation Resolution:

“The total density on the Hidden Meadows Property shall be 53 lots. Nine of these lots shall be part of Royal Oaks Phase II; the remaining 44 lots shall be Hidden Meadows lots. The density shall comply with the provisions of the Sensitive Lands Ordinance, with the exception of the bonus and Royal Oaks Phase II lots”

However, in May of 1995, an Amendment to the Hidden Meadows Annexation Agreement was adopted and reallocated the density of the subdivisions based on an adjusted affordable housing obligation agreement where the developer paid a fee-in-lieu rather than build affordable housing on-site. With this, the density allocated to Hidden Meadows and the future Fox Tail Trail subdivision became 45 single-family lots:

“The total density on the Hidden Meadows Property shall be ~~53~~ 54 lots. Nine of these lots shall be part of Royal Oaks Phase II; the remaining ~~44~~ 45 lots shall be Hidden Meadows lots. The density shall comply with the provisions of the Sensitive Lands Ordinance with the exception of the bonus and Royal Oaks Phase II lots.”

(¶ 4. C. of Summit County Recorder Entry No. 430356, Exhibit H).

Hidden Meadows Phase I was constructed with 53 lots, leaving one buildable lot allocated to this property in the approved density. The Annexation Agreement also established the obligation for the developer to dedicate trails to Park City on the final plat, for Open Space, areas to be designated as Recreation Open Space on the final plat, and for the Open Space areas to be dedicated to the City in fee simple. The Open Space area is also required to be restricted and preserved in perpetuity in the form of a deed restriction, conservation easement, or similar mechanism.

“The trails shall be dedicated to Park City in the final plat. Park City reserves the right to develop additional trails in any open space areas which are dedicated to Park City. The trails shall be dedicated to Park City in the final plat. Park City reserves the right to develop additional trails in any open space areas which are dedicated to Park City.”

(¶ 6 of [Resolution No. 2-94](#), Exhibit G)

“The open space areas shall be subject to a restriction which will ensure the perpetual preservation of the open space and restrict the uses of the parcels.

This restriction may take the form of a deed restriction, conservation easement, or some other mechanism acceptable to the City Attorney.”

(¶ 7.B. of [Resolution No. 2-94](#), Exhibit G).

The proposed Fox Tail Trail Subdivision complies with the requirements stated above. The single-family residential unit is entitled to the property by nature of the Annexation Resolution and Estate Zoning. The proposed Subdivision dedicates the Open Space parcel to the City (Condition of Approval 20), Condition of Approval 21 requires the Recreation Open Space portion of Lot 1 to be subject to a conservation easement, and Condition of Approval 13 requires trail easements to be dedicated to the City. Additionally, the proposed Subdivision maintains the amount of the property that is in the Recreation Open Space Zoning District.

(II) The proposed Fox Tail Subdivision complies with the purposes of the Estate and Recreation Open Space Zoning Districts.

Of the existing Parcel's 32.73 acres, 10% is in the Estate Zoning District, encompassing 3.27 acres, and the remaining 90% in the Recreation Open Space (ROS) Zoning District, encompassing 29.45 acres. The Property is within the Sensitive Land Overlay.

The purpose of the Estate District is to:

- A. Allow very low density, environmentally sensitive residential development which:
 - 1. Preserves ridge tops, meadows, and visible hillsides,
 - 2. Preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
 - 3. Preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
 - 4. Mitigates geologic and flood hazards,
 - 5. Protects views along the City's entry corridors, and
 - 6. Decreases fire risk by keeping Development out of sensitive wildland interface Areas.¹

The purpose of the ROS District is to:

- A. Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
- B. Permit recreational Uses and preserve recreational Open Space land,
- C. Encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
- D. Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridgelines, meadows, stream corridors, and forests.

¹ LMC [§ 15-2.10-1](#)

E. Encourage sustainability, conservation, and renewable energy.²

The purpose of the Sensitive Land Overlay is to:

- A. Require dedicated Open Space in aesthetically and environmentally sensitive Areas;
- B. Encourage preservation of large expanses of Open Space and wildlife habitat;
- C. Cluster Development while allowing a reasonable use of Property;
- D. Prohibit Development on Ridge Line Areas, Steep Slopes, and wetlands; and
- E. Protect and preserve environmentally sensitive land.³

The proposed Subdivision creates one Lot for development of a Single-Family Dwelling within the Sensitive Land Overlay, including a Ridge Line Area buffer to protect the Site from Ridge Line Area development, and one Parcel to be zoned Recreation Open Space and dedicated to Park City to be protected as Open Space (Condition of Approval 21).

(III) The proposed Fox Tail Subdivision complies with the Lot and Site requirements for the Estate and Recreation Open Space Zoning Districts.

The Applicant is proposing a Subdivision of the Parcel to create one Lot and one Parcel. The Lot for Single-Family Dwelling development meets the Lot and Site Requirements of both the Estate and ROS Zoning Districts.

The portion of the Lot in the Estate Zoning District meets the minimum requirements for a Single-Family Dwelling:

<i>Zone Allowance:</i>	<i>Estate Requirements</i>	<i>Proposed</i>
<i>Min. Lot Size</i>	<i>130,680 sf.</i>	<i>Complies 165,320 sf.</i>
<i>Min. Lot Width</i>	<i>100 ft.</i>	<i>Complies 340 ft.</i>
<i>Min. Front/Rear Setback</i>	<i>30 ft.</i>	<i>New Construction Must Comply</i>
<i>Min. Side Setbacks</i>	<i>30 ft.</i>	<i>New Construction Must Comply</i>
<i>Building Height</i>	<i>28 ft.</i>	<i>Condition of Approval 9</i> <i>New Construction Must Comply and the</i>

² LMC [§ 15-2.7-1](#)

³ LMC [§ 15-2.21-1](#)

		<i>Applicant has agreed that no point of the Building shall exceed an elevation of 7,135'.</i> <i>LMC § 15-2.10-4 establishes a Zone Height of 28' from existing grade. This section also excepts Gable, hip, Barrel, and similar pitched roofs to extend up to 5' above the Zone Height, if the roof pitch is 4:12 or greater. This established a maximum building height of 33' from Existing Grade, which for this property is 7,135'.</i>
<i>Architectural Review</i>	<i>Required</i>	<i>New Construction Must Comply</i>

The Parcel designated to be protected under a conservation easement meets the requirements for the ROS Zoning District, which allows for Conservation Activities as an allowed use, and trail improvements as a Conditional Use.

The property is in the Sensitive Land Overlay. The purposes of the Overlay include protecting and preserving environmentally sensitive land, prohibiting development on Ridge Line Areas, and encouraging the preservation of large expanses of open space.⁴ Significant Ridge-Line Areas must be retained in a natural state and development cannot create a silhouette against the skyline or mountain backdrop when viewed from designated Vantage Points.⁵ The Land Management Code prohibits development within 150 feet of a Ridge Line.⁶

Condition of Approval 21 requires the Applicant to dedicate 28.94 acres to Park City and to record a conservation easement within the Recreation Open Space portion of Lot 1, with the possibility to develop additional public trails within that acreage (Condition of Approval 20). The conservation easement must be completed and recorded prior to recordation of the proposed plat amendment.

⁴ LMC [§ 15-2.21-1](#).

⁵ LMC [§ 15-2.21-5](#).

⁶ LMC [§ 15-15-1](#).

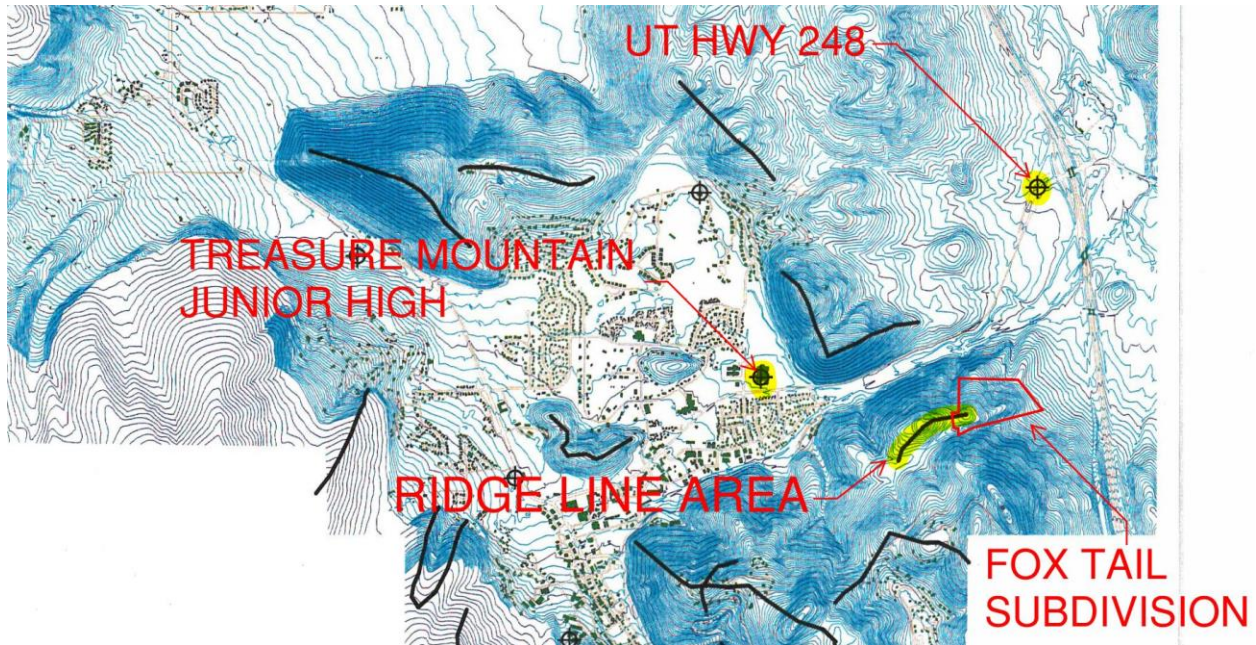


Figure 9: Ridge Line Areas, Designated Entry Corridors, and Vantage Points

The Land Management Code denotes nine (9) typical Vantage Points from which Development should not create a silhouette against the skyline or mountain backdrop.⁷ Additionally, the LMC states that the Applicant may be required to submit a Visual Assessment, which can include identifying the Property from Vantage Points designated by the Planning Department. This Visual Assessment should depict conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.

The cross section below depicts the proposed building envelope Fox Tail Trail Ridge Line and one of the typical Vantage Points from which the project could be visible (Utah Highway 248 at the turn-out one-quarter mile west from U.S. Highway 40).

⁷ LMC [§ 15-2.21-4 \(4\)](#).

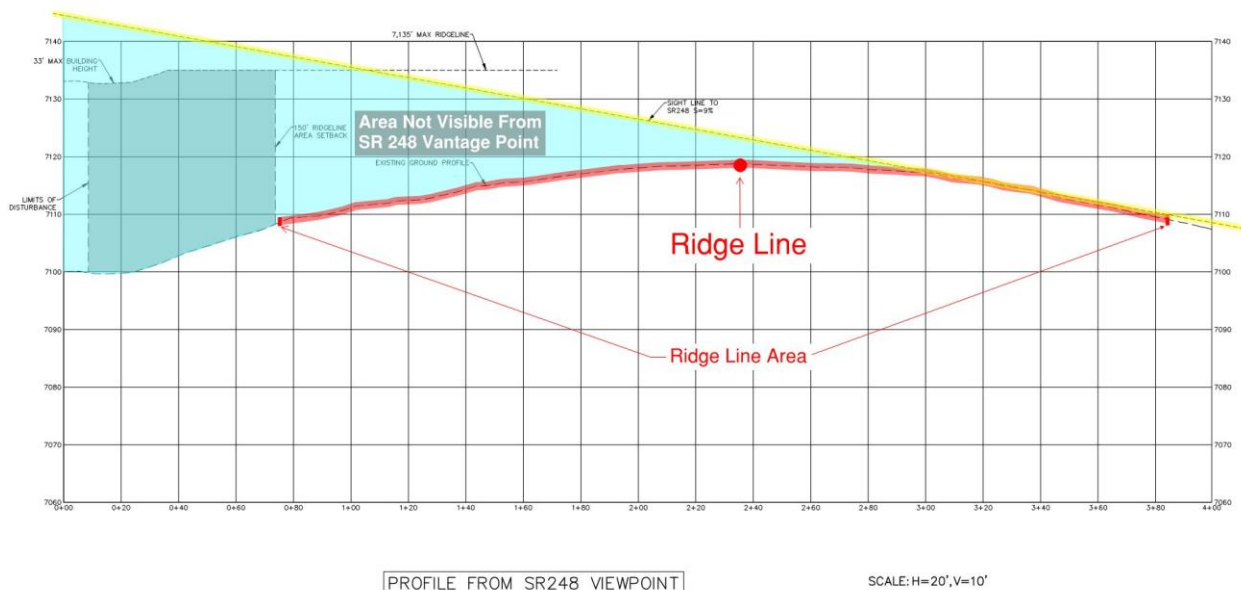


Figure 10: Ridge Line Areas Cross Section
Source: Applicant's submittal. Emphasis added by staff.

The views from the Vantage Points depict the maximum building envelope for the proposed building pad and show that the home would not create a silhouette against the skyline from the SR 248 Vantage Point location. The building would not intrude into any protected Ridge-Line Area. The Applicant submitted a visual analysis of the development from locations along Fox Tail Trail (Exhibit K).

(IV) Staff recommends Conditions of Approval to comply with LMC § 15-7.3-2, General Subdivision Requirements.

The Planning Commission and City Council have the authority to regulate the Subdivision of land and to attach reasonable conditions to the Subdivision.⁸ The Planning Commission also must take into consideration requirements of the Land Management Code, the General Plan, and Sensitive Lands Analysis, including the topography and natural features of the Property. Please see Exhibit D to view the existing conditions for the area.⁹

Land Management Code [§ 15-7.3-2](#) requires the following for Subdivisions:

Requirement	Proposal
The Subdivision name must not duplicate the name of any other Subdivision in Summit County	Complies Staff confirmed with Summit County that Fox Tail Subdivision does not duplicate an existing Subdivision.
Limits of Disturbance	Condition of Approval 7, Condition of Approval 8, Condition of Approval 19

⁸ LMC [§ 15-7-6](#).

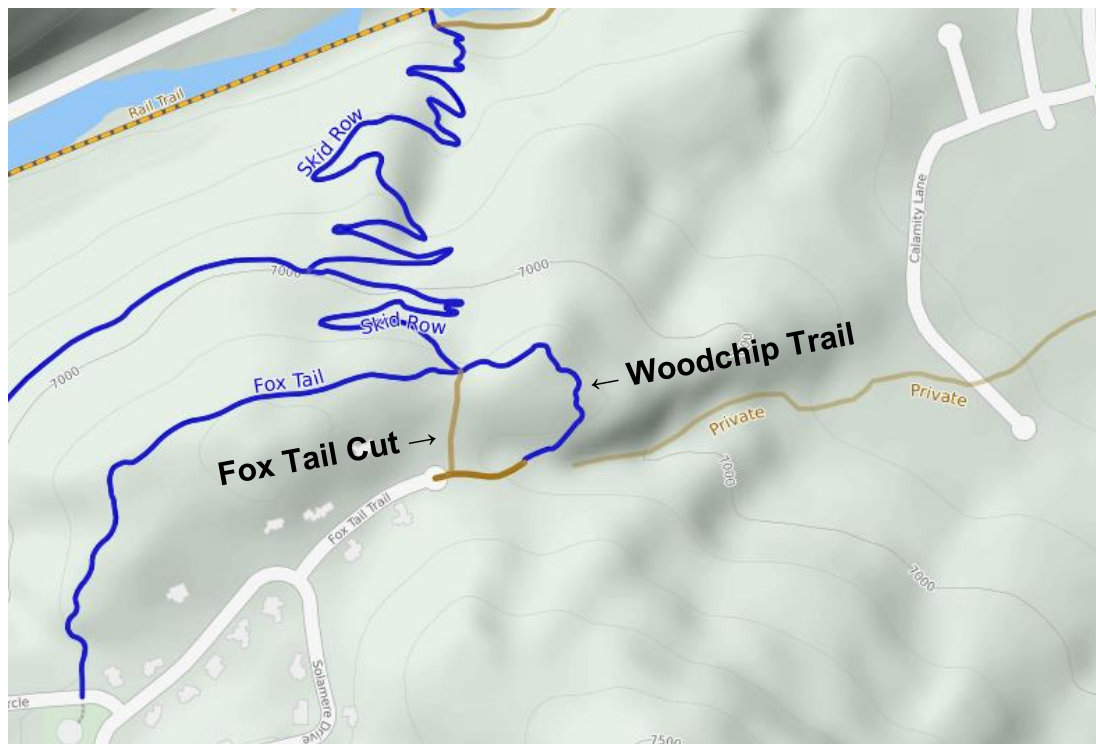
⁹ LMC [§ 15-7.1-6\(C\)](#).

	Staff and the Applicant have determined that there is Significant Vegetation on the Site, defined as large trees of six-inch caliper or greater, groves of five or more smaller trees, or clumps of oak or maple covering an Area of fifty square feet. The Applicant has proposed Limits of Disturbance for the residence of 16,000 square feet shown on the Final Plat that protect Significant Vegetation. The Applicant shall submit a separate plan to address vegetation protection prior to submitting a building permit, pursuant to Analysis V below.
Ridges shall be protected from development that is visible on the skyline from designated Vantage Points in Park City	Condition of Approval 9 Ridge Line Areas, defined as the ridge top and land located within one hundred fifty feet on both sides of the top, crest or ridge, are protected from development. The Applicant shall include the Ridge Line Area and 150-foot buffer prohibiting development on the final plat. Additionally, no point of the Building shall exceed an elevation of 7,135'.
The Unit shall be clustered in the most developable and least visually sensitive portion of the Site	Condition of Approval 9 The final plat will include the Ridge Line Area and 150-foot buffer prohibiting development near the Ridge Line Area.
Driveway and Utility Lines shall work with Existing Grade	Condition of Approval 10 The driveway and utility lines should be designed to work with Existing Grade and cut and fill Slopes should be minimized. The driveway shall be placed so that disturbance of Significant Vegetation is minimized.
Existing natural drainage shall be maintained	Condition of Approval 11
Soil conditions and ground water existence shall be considered	Condition of Approval 5 The property is not within the Soils Ordinance. However, if the property owner encounters mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.
Trails	Condition of Approval 13 Please see analysis below

Limits of Disturbance and Vegetation Protection	Condition of Approval 8 The Applicant shall show Limits of Disturbance on the final plat based on input and direction provided by the Planning Commission pursuant to Analysis V below and identified Significant Vegetation.
Fire Sprinkling	Condition of Approval 12 Interior and exterior fire sprinkler systems may be required by the Park City Fire District at the time of Building Permit review.

Exhibit B, ¶ 6 of [Resolution No. 2-94 Trails and Sidewalks](#), states that trails shall be concurrently reviewed and approved with plats and shall be dedicated to Park City. The Resolution additionally states that “Park City reserves the right to develop additional trails in any open space areas which are dedicated to Park City.”

The Applicant’s Existing Conditions submission identifies two public trails on Parcel PCA-S-98-SEC-11 (Exhibit E). The Fox Tail Trail mountain biking trail forms a loop within the Parcel with two connector points accessed from the Fox Tail Trail cul-de-sac, shown below on an excerpt from the [Park City Interactive Summer Trail Map](#). Additionally, what is identified as “Private” on the map below is within the Recreation Open Space area proposed to be dedicated to Park City and will be relocated as a public trail as part of the Trails Master Plan for the area.



**Figure 3. The trails of the Fox Tail Trail Subdivision.
Source: Park City Interactive Summer Trail Map**

The Applicant proposes removing the Fox Tail Cut trail as it conflicts with the proposed building pad. The Applicant also proposes relocating the Woodchip Trail trailhead to the south and relocating the trail to the south. The Park City Trails and Open Space Manager reviewed the Applicant's proposal on May 6, 2022, and supports the relocation of the trails for the following reasons:

- Maintains public access to and from the public trail system and Solamere neighborhood;
- Provides for improved connections and development of a trail facility through the property, consistent with International Mountain Bike Association trail building guidelines;
- Provides for the continuation of and connection between the Lost Prospector Trail and Park City Heights Trails.

Condition of Approval 13 requires the Applicant to dedicate ten-foot-wide trail easements through the Estate portions of the Lot to provide public trail access from Fox Tail Trail on the plat. Condition of Approval 22 states that the Certificate of Occupancy for the property will not be issued until the dedication of the easements are complete to City trail standards and approved by the Open Space and Trails Manager. The Applicant will be financially responsible for any required relocation of the trails (Condition of Approval 23).

(V) Staff recommends Conditions of Approval to comply with LMC Section 15-7.3-3, *General Lot Design Requirements*.

Land Management Code [§ 15-7.3-3](#) requires the following for Subdivisions:

Requirement	Proposal
The Lot shall be such that there will be no foreseeable difficulties for reasons of topography or other conditions and in providing reasonable driveway access	Complies The proposed Subdivision accommodates an approximately 100' long driveway located in an area of the site that will minimize required grading and allows for construction of a Single-Family Dwelling outside of the Ridge Line Area. Pursuant to LMC Section, 15-3-3 (H), the maximum allowed driveway width is 27'.
The Building envelope shall minimize disturbance of existing vegetation	Condition of Approval 8 The final plat shall include the proposed Limits of Disturbance that preserves Significant Vegetation. Condition of Approval 7

	All Significant Vegetation that is removed shall be replaced in kind.
Square Footage	Condition of Approval 18 Please see the analysis below for the recommended Maximum Floor Area.
In general, lot lines shall be radial to curving street lines	Complies The property is at the Fox Tail Trail cul-de-sac and conforms to the cul-de-sac
Lot drainage shall be laid out to provide positive drainage away from the Single-Family Dwelling in accordance with the International Building Code	Condition of Approval 14
Limits of Disturbance and Vegetation Protection	Condition of Approval 7, Condition of Approval 8, Condition of Approval 15, Condition of Approval 19 A plan for vegetation protection during construction and revegetation after construction and a designated driveway location shall be shown on the final plat, subject to Planning Director, Chief Building Official, and City Engineer review and approval.
Revegetation, Seed, and Sod	Condition of Approval 16 All disturbed areas on the Lot shall be covered with topsoil and revegetated.
Debris and Waste	Condition of Approval 17 No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Lot at the time of a Certificate of Occupancy.

LMC [§ 15-7.3-3\(C\)](#) states that the Planning Commission may recommend maximum dwelling or unit square footage for Subdivisions. While the requested Subdivision is not subject to a Maximum Floor Area under the requirements of the Estate Zoning District, the approved Plat for the adjacent Hidden Meadow Subdivision includes Maximum Floor Area and Maximum Site Disturbance for each lot in the Subdivision (Exhibit C).

As mentioned above, in 1995, the City Council approved the Hidden Meadow Subdivision and Parcel No. PCA-S-98-SEC-11 was not included in the Subdivision (Exhibit C), but the Hidden Meadow CC&Rs outlined a timeline to include Parcel No. PCA-S-98-SEC-11 in the Hidden Meadow Subdivision and Homeowner Association. However, the option expired September 1, 2002.

The proposed Fox Tail Subdivision was originally slated to be a 4.3-acre (43,560 sf) Lot

26 in the Hidden Meadow Subdivision. The recorded Hidden Meadow Subdivision Plat did not include Lot 26. However, the Plat established a 16,000-square-foot Maximum Site Disturbance (8.56% of the 4.3-acre Lot) and a 10,000-square-foot Maximum Floor Area (5.35% of the 4.3-acre Lot) for Lot 26 (Parcel PCA-S-98-SEC-11).

The table below outlines the Lots within the Hidden Meadows Subdivision that exceed 100,000 square feet and compares the Maximum Site Disturbance and Maximum Floor Area percentages:

Lot and Size	Maximum Site Disturbance	% Based on Lot Size	Maximum Floor Area	% Based on Lot Size
5 – 157,921 SF	14,000 SF	8.87%	10,000 SF	6.33%
10 – 281,972 SF	16,000 SF	5.67%	10,000 SF	3.55%
11 – 122,989 SF	16,000 SF	13.01%	10,000 SF	8.13%
20 – 130,330 SF	14,000 SF	10.74%	10,000 SF	7.67%
21 – 129,150 SF	14,000 SF	10.84%	10,000 SF	7.74%
23 – 118,896 SF	14,000 SF	11.77%	10,000 SF	8.41%

The Fox Tail Subdivision is proposed to contain 385,094 square feet total with 207,105 square feet in the Estate Zoning District and the remainder in the Recreation Open Space Zone, pending City Council approval of the rezone application. The Fox Tail Subdivision exceeds the other Lots in the Hidden Meadow Subdivision by over 100,000 square feet. However, to align with the existing Maximum Site Disturbance and Maximum Floor Area established for the Hidden Meadow Subdivision, Staff recommends Condition of Approval 8 to establish the Maximum Site Disturbance of 16,000 square feet and Condition of Approval 18 to establish a Maximum Floor Area of 10,000 square feet.

Lot and Size	Maximum Site Disturbance	% Based on Lot Size	Maximum Floor Area	% Based on Lot Size
Lot 1 – 165,320 SF	16,000 SF	9.67%	10,000 SF	6.04%

In the General Notes of the Hidden Meadow Subdivision (Exhibit G), note 4 states that the area of disturbance for each Lot in the subdivision is exclusive of driveway improvements.

4. The maximum floor area of homes constructed on Hidden Meadow lots shall be governed by the table shown hereon. Additionally, this table establishes the maximum allowable area to be disturbed during construction of home and yard improvements. This area of disturbance is exclusive of the driveway improvements. Any deviations from maximum site disturbance allowed for each lot may and must be reviewed and approved by the Park City Community Development Department and the Hidden Meadows Architectural Committee.

Note 6 of the proposed Fox Tail Subdivision (Attachment 1) is consistent with what was allowed for in the Hidden Meadow Subdivision and states that the maximum allowable

area of disturbance is exclusive of the driveway and sewer improvements. Snyderville Basin Water Reclamation District (SBWRD) has confirmed that no additional easement for the sewer line will be necessary. Because the line will need to be pressurized, there is more flexibility with where the sewer lateral will need to be located so long as it ultimately connects to the lateral stub in the existing private sewer easement. SBWRD indicated that they would defer to engineered drawings to establish limits of disturbance for a sewer lateral, since there may be issues such as grading or vegetation that could impact where it should be located. The Applicant has indicated that the proposed development will accommodate a new location for a low-pressure sewer line that will run from the existing sewer easement and will connect with the proposed driveway and continue to the building pad. The proposed sewer line will disturb an area that is nine feet (9') wide, and the Applicant has agreed to hydroseed the disturbed area with native species immediately follow the sewer installation.

(VI) The Applicant Has Agreed to a Minimum Rental Period of 12 Months.

Since the October 2021 Planning Commission Public Hearing, Staff has received public input from 19 neighbors of the project. The comments have concerned a number of issues, including the provision of whether nightly rentals would be allowed, the relocation of trail segments, the location of the sewer easement, and the visual impact of the residence. Staff has responded to each owner who has submitted comment and forwarded them to the Applicant.



**Figure 6. Map of neighbors who have submitted public input regarding this application.
Source: PCMC staff.**

The Applicant has agreed to Conditions of Approval limiting the property to a minimum of a 12-month rental (Condition of Approval 24).

(VII) There is Good Cause for the Fox Tail Subdivision.

The Planning Commission shall make a finding as to Good Cause prior to making a positive recommendation to City Council.¹⁰ Land Management Code [§ 15-15-1](#) defines *Good Cause* as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and Park City and furthering the health, safety, and welfare of the Park City community.”

Staff finds Good Cause for this Subdivision as it protects the Ridge Line Area, does not increase density, encourages orderly and beneficial Development, and complies with Estate and ROS Zoning District Lot and Site Requirements, and the requirements of the Sensitive Land Overlay.

Also, no Public Street, Right-of-Way, or easement is vacated. Trail easements are amended pursuant to the Trails Master Plan and the Trails & Open Space Department review and approval.

Department Review

The Development Review Committee reviewed this application on May 25, 2021 and on April 19, 2022. No issues were raised. Staff took the Plat Amendment and Rezone Applications to the Neighborhood Traffic Management Program committee on August 26, 2021, and established the criteria that are listed above in Analysis V.

Notice

On July 14, 2021, staff posted the property, mailed notice to property owners within 300 feet, and posted notice to the Utah Public Notice website. The *Park Record* published notice on July 14, 2021. After the July 28, 2021 Planning Commission Public Hearing, the application was continued to August 25, 2021, to September 22, 2021, and again to October 13, 2021. Additional courtesy notices were posted to the property and mailed to property owners within 300 feet on September 29, 2021, and again on April 26, 2022.

On April 26, 2022, staff posted the property, mailed notice to property owners within 300 feet, and posted notice to the Utah Public Notice website. The *Park Record* published notice on April 26, 2022. LMC [§ 15-1-21](#).

Public Input

¹⁰ LMC [§ 15-7.1-6\(C\)](#)

Several public comments were made during the July 28, 2021 Planning Commission Public Hearing, and on the October 13, 2021 Planning Commission Public Hearing. Comments included concerns that the relocation of the trailhead would bring additional traffic to the neighborhood and that the development would change the views that are currently visible from Fox Tail Trail to the east.

Exhibits

Exhibit A: Draft Ordinance and Fox Tail Subdivision (Attachment 1)
Exhibit B: Applicant's Statement
Exhibit C: Fox Tail Height Cap Visual Analysis
Exhibit D: Existing Conditions Survey
Exhibit E: Slope Constraints Map
Exhibit F: Hidden Meadow Annexation Plat
Exhibit G: Hidden Meadows Annexation Resolution, Resolution No. 2-94
Exhibit H: Amendment to the Hidden Meadows Annexation Agreement, Summit County Recorder Entry No. 430356
Exhibit I: Hidden Meadow Subdivision
Exhibit J: Hidden Meadow CC&Rs
Exhibit K: Fox Tail Sight Line Analysis
Exhibit L: Public Comments

Ordinance No. 2022-XX

**AN ORDINANCE APPROVING THE FOX TAIL SUBDIVISION, LOCATED AT
3805 FOX TAIL TRAIL, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 3805 Fox Tail Trail petitioned the City Council for approval of the Fox Tail Trail Subdivision to create an 8.84-acre Lot for a Single-Family Dwelling, and a 23.89-acre Parcel to be dedicated to Park City subject to a conservation easement; and

WHEREAS, on July 14, 2021, the *Park Record* published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on July 14, 2021, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on October 13, 2021, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on October 13, 2021, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on February 9, 2022, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on March 9, 2022, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on May 11, 2022, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on July 13, 2022, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on July 13, 2022, the Planning Commission forwarded a positive recommendation for City Council's consideration on April 7, 2022; and

WHEREAS, on August 11, 2022, the City Council reviewed the Fox Tail Subdivision and held a public hearing; and

WHEREAS, the Fox Tail Subdivision is consistent with the Park City Land Management Code, including Chapters 15-2.7, 15-2.10, and 15-2.21, and Sections 15-7.3-2 and 15-7.3-3.

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

SECTION 1. APPROVAL. The Fox Tail Subdivision is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. In 1995, the City Council adopted Resolution No. 2-94, annexing 227.99 acres of Hidden Meadow.
2. Parcel No. PCA-S-98-SEC-11 was included on the annexation plat.
3. In 1995, the City Council approved the Hidden Meadow Subdivision. Parcel No. PCA-S-98-SEC-11 was not included in the Subdivision.
4. The Hidden Meadow CC&Rs outlined a timeline to include Parcel No. PCA-S-98-SEC-11 in the Hidden Meadow Subdivision and Homeowner Association. However, the option expired.
5. The Applicant proposes the Fox Tail Subdivision to create an 3.8-acre Lot in the Estate Zoning District for a Single-Family Dwelling with a portion of the Ridgeline Area zoned Recreation Open Space, and to create a 28.94-acre Parcel, to be dedicated to Park City Municipal Corporation to retain as Recreation Open Space pursuant to a conservation easement.
6. The proposed Subdivision complies with the purposes of the Estate and Recreation Open Space Zoning Districts, and Sensitive Land Overlay.
7. The proposed Subdivision complies with the Lot and Site requirements for the Estate and Recreation Open Space Zoning Districts.
8. The minimum lot size for the Estate Zoning Districts is 130,680 square feet. The proposed Lot contains 165,320 square feet.
9. The proposed Subdivision complies with Land Management Code Section 15-7.3-2, as outlined in the staff report, and conditioned below.
10. The proposed Subdivision complies with Land Management Code Section 15-7.3-3, as outlined in the staff report, and conditioned below.

Conclusions of Law

1. There is Good Cause for this Subdivision because it protects the Ridge Line Area, encourages orderly and beneficial Development, and complies with the Sensitive Land Overlay.
2. The Subdivision complies with Land Management Code Chapters 15-2.7, 15-2.10, and 15-2.21, as well as Sections 15-7.3-2 and 15-7.3-3.
3. Neither the public nor any person will be materially injured by the proposed Subdivision.
4. Approval of the Subdivision, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval will be void, unless the applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the City Council.
3. The plat shall note that fire sprinklers are required for all new construction, to be approved by the Chief Building Official.
4. A non-exclusive ten-foot public snow storage easement on Fox Tail Trail shall be dedicated on the plat.
5. The property is not located within the Soils Ordinance and therefore it is not regulated by the City for mine-related impacts. However, if the property owner encounters mine waste

or mine waste impacted soils, they must handle the material in accordance with State and Federal law.

6. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
7. All Significant Vegetation that is removed shall be replaced in kind.
8. Limits of Disturbance for the not to exceed 16,000 square feet that protects Significant Vegetation shall be approved by the Planning Director and shown on the final plat.
9. A Ridge Line Area and 150-foot buffer prohibiting development shall be included on the final plat. The Unit shall comply with Estate Zoning District requirements for Maximum Building Height, and no point of the Building shall exceed an elevation of 7,135', which shall be noted on the Plat.
10. The driveway and utility lines should be designed to work with Existing Grade and cut and fill Slopes should be minimized. The driveway shall be placed so that disturbance of Significant Vegetation is minimized.
11. Existing natural drainage shall be maintained.
12. Interior and exterior fire sprinkler systems may be required by the Park City Fire District at the time of Building Permit review.
13. The Applicant shall dedicate ten-foot-wide trail easements to provide public trail access from Fox Tail Trail on the plat.
14. Lot drainage shall be laid out to provide positive drainage away from the Single-Family Dwelling in accordance with the International Building Code.
15. The Applicant shall submit a vegetation protection plan prior to applying for a building permit outlining vegetation protection during construction and revegetation after construction and a designated driveway location shall be shown on the final plat subject to Planning Director, Chief Building Official, and City Engineer review and approval.
16. All disturbed areas on the Lot shall be covered with topsoil and revegetated.
17. No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Lot at the time of a Certificate of Occupancy.
18. The plat notes shall state that the Maximum Floor Area for Fox Tail Subdivision Lot 1 is 10,000 square feet.
19. The plat notes shall state that the Maximum Site Disturbance shall be 16,000 square feet exclusive of area disturbed for driveway and sewer improvements.
20. The Recreation Open Space portion of Lot 1 shall subject to a conservation easement to be recorded prior to the final plat.
21. The Applicant shall dedicate 28.94 acres to Park City Municipal Corporation to be protected as Open Space.
22. The Certificate of Occupancy shall not be issued until the dedication of the easements are complete to City trail standards and approved by the Open Space and Trails Manager.
23. The Applicant shall be financially responsible for any relocation of the trail on both Lot 1 and Parcel A.
24. The property will be limited to a minimum of a 12-month rental, to be noted on the plat.

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

PASSED AND ADOPTED this 11th Day of August, 2022.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, MAYOR

ATTEST:

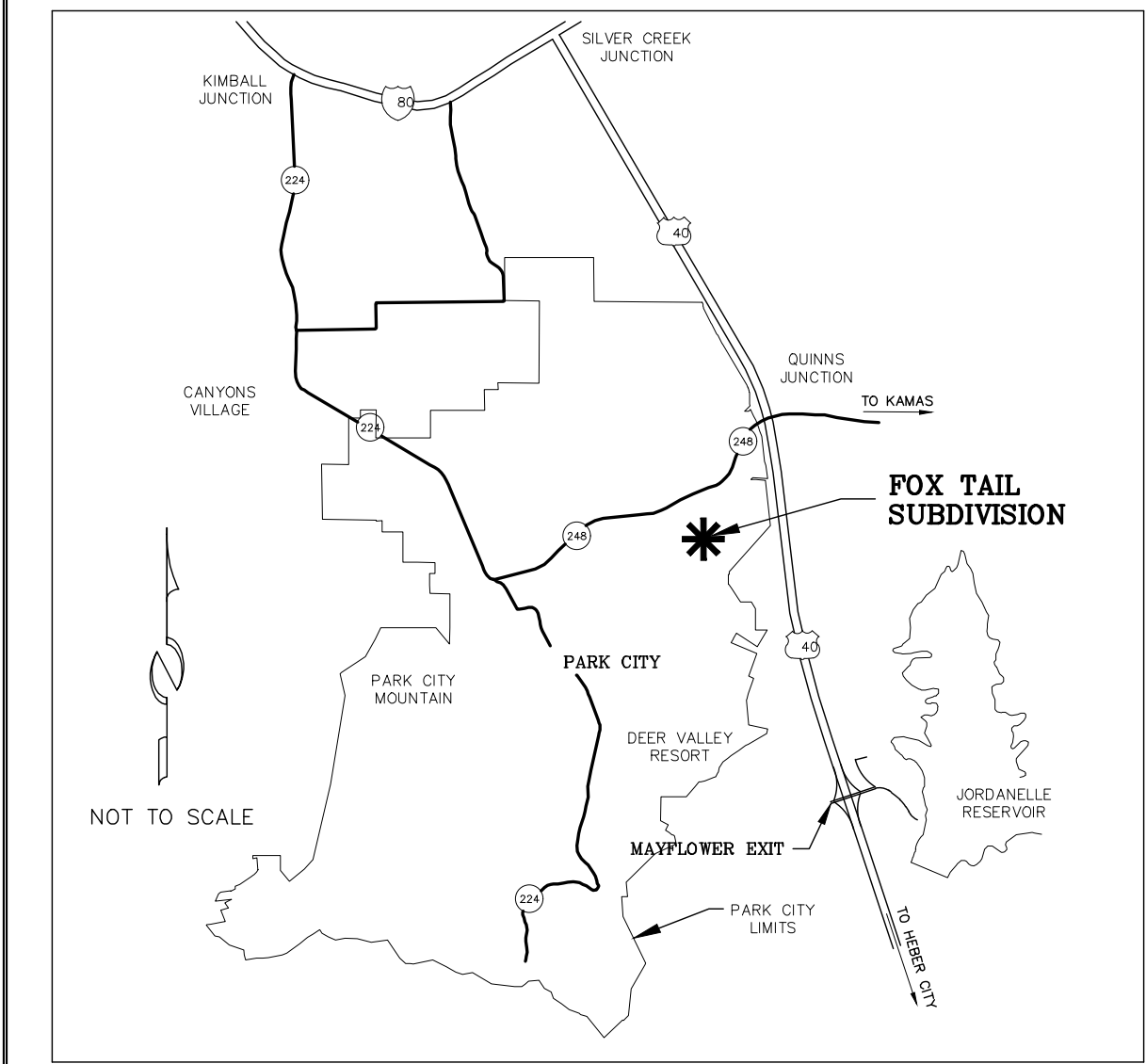
City Recorder

APPROVED AS TO FORM:

City Attorney's Office

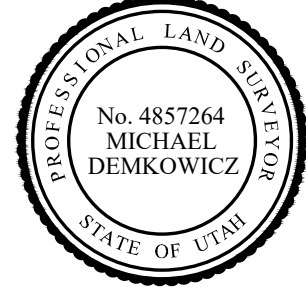
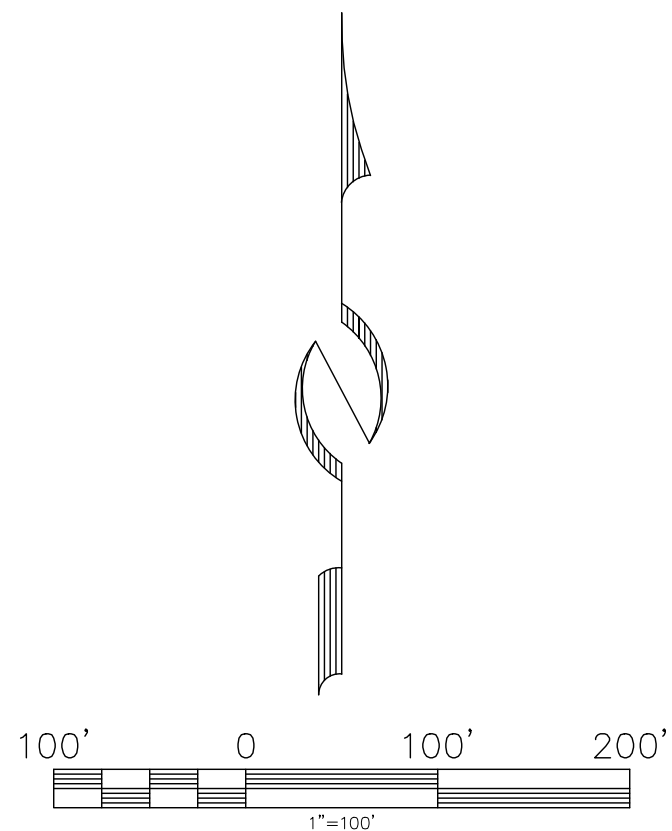
Attachment A: Subdivision Map

DRAFT



VICINITY MAP

HIDDEN MEADOW SUBDIVISION PHASE 1
RECORDED: SEPTEMBER 1, 1995
ENTRY NO.: 436642



SURVEYORS CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the land shown on this plat and described hereon, hereafter to be known as FOX TAIL SUBDIVISION and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

The surface estate of those portions of the Woodrow No. 6, Clegg No. 2 and Clegg No. 3 patented Mining claims situated in the Northeast Quarter of Section 10 and the Northwest Quarter of Section 11, Township 2 South, Range 4 East, SLB&M, Summit County, Utah which real property is more particularly described as follows:

Beginning at the Northwest corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11 South 88°47'03" East 1240.30 feet; thence along the Easterly end line of the Clegg No. 2 Mining claim (Mineral Survey 6792) South 39°40'23" East 215.18 feet; thence along the Easterly end line of the Clegg No. 3 Mining claim South 38°46'13" East 606.70 feet; thence along the Southerly side line of the Clegg No. 3 Mining Claim South 75°52'07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 Mining claim South 63°17'52" West 358.92 feet; thence North 0°57'03" East 142.10 feet to a point of a 675.00 foot radius curve to the left, whose radius point bears South 01°58'05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03°59'53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05°57'58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49°51'38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43°53'40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48°40'36"; thence North 07°11'05" West 317.18 feet; thence North 89°32'18" East 124.80 feet; thence North 70°48'39" East 20.35 feet, thence North 0°57'03" East 714.42 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be unified into one lot of record, together with easements as set forth to be hereafter known as FOX TAIL SUBDIVISION and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over any public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this _____ day of _____, 2022.

REDUS Park City, LLC, a Delaware limited liability company

By: REDUS Properties, Inc.
a Delaware corporation, its Manager

By: _____
David Ash, Sr. Vice President

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

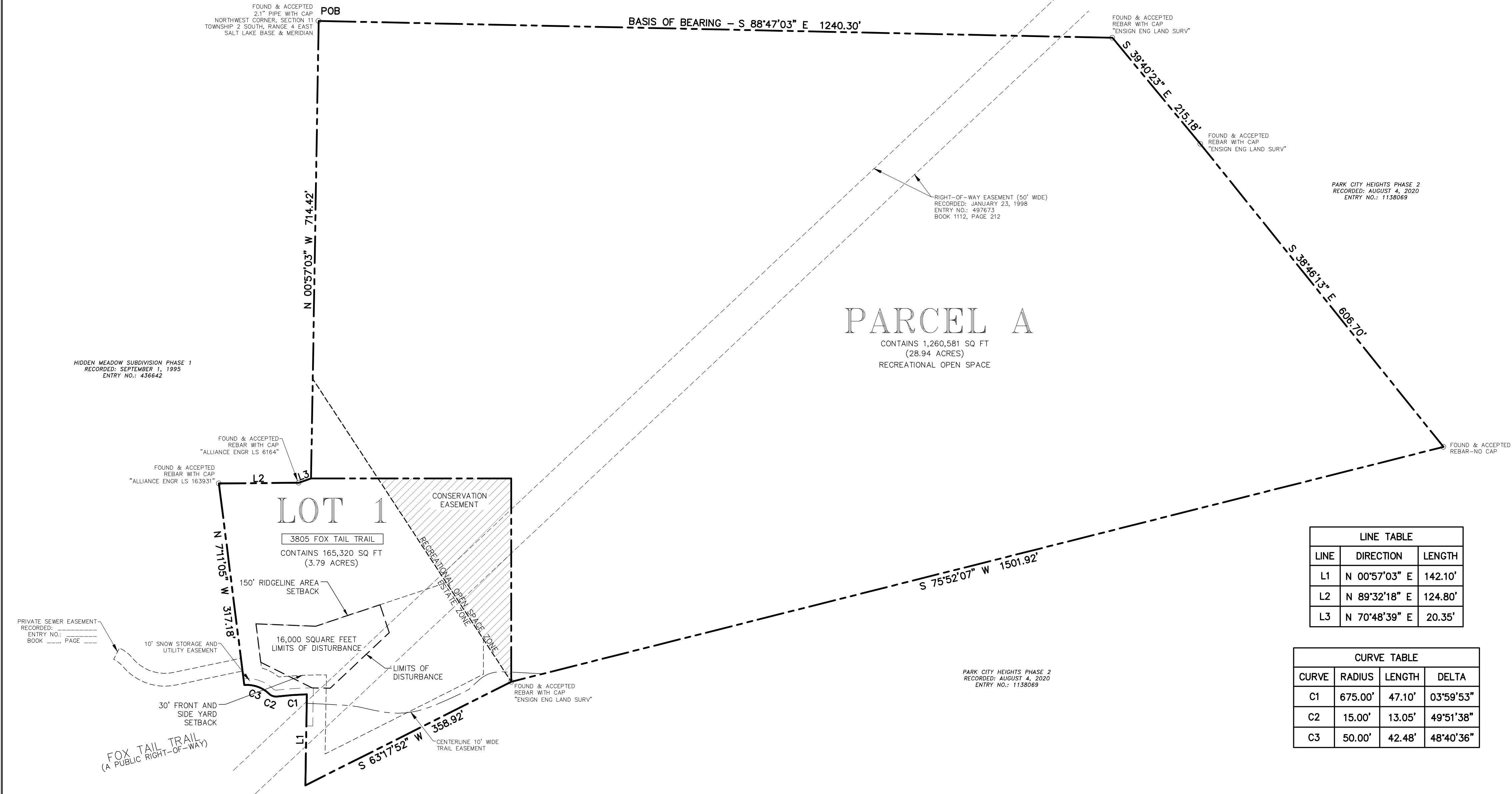
On this _____ day of _____, 2022, David Ash personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Sr. Vice President of REDUS Properties, Inc., a Delaware corporation, and that said document was signed by him on behalf of said corporation by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed FOX TAIL SUBDIVISION.

By: _____
Notary Public

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

NOTES

- This plat amendment is subject to the Conditions of Approval in Ordinance 2022-_____.
- An easement in favor of Mountain States Telephone and Telegraph Co., recorded December 15, 1932, as Entry No. 49018 affects this property. No description is given.
- A privately owned and operated wastewater ejector pump is required for wastewater service.
- Parcel A and the eastern portion of Lot 1 shown, shall be subject to a Conservation Easement.
- The maximum Floor Area of the Single Family Residence shall be 10,000 sf.
- The maximum allowable area of disturbance during home and yard improvements shall be 16,000 sf exclusive of area disturbed for driveway and sewer improvements. Any modification to the limits of disturbance shown shall require approval of the Planning Director.
- A 10' wide utility and snow storage easement is hereby dedicated along the front lot line.
- A 10' wide trail easement is hereby dedicated 5' either side of centerline of existing trail. Trail and easement may be shifted south at Lot 1 owner's expense with maximum 8% grade.
- The lot is to be used for residential housing purposes only, and shall not be used for providing accommodations to travelers. No lease of the lot or dwelling shall be for a period of less than one year. The lot shall not be subjected to time interval ownership.
- Maximum ridge line elevation for Single Family Residence 7,135'.



PARCEL A
CONTAINS 1,260,581 SQ FT
(28.94 ACRES)
RECREATIONAL OPEN SPACE

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 00°57'03" E	142.10'
L2	N 89°32'18" E	124.80'
L3	N 70°48'39" E	20.35'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	675.00'	47.10'	03°59'53"
C2	15.00'	13.05'	49°51'38"
C3	50.00'	42.48'	48°40'36"

(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

FOX TAIL SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10 & THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 2

5/3/22 JOB NO.: 19-11-20 FILE: X:\TheOaks\dwg\src\plat2020\191120-plat.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2022 BY _____ ENGINEERING DEPARTMENT	PLANNING COMMISSION RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2022 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2022 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2022 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2022 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2022 BY _____ PARK CITY RECORDER	PUBLIC SAFETY ANSWERING POINT APPROVAL APPROVED THIS _____ DAY OF _____, 2022 BY _____ SUMMIT COUNTY GIS COORDINATOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
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SURVEYORS CERTIFICATE

3805 Fox Tail Court

- Rezoning
- Plat for Single Family Residence

Follow up to 10/13/21 Planning Commission Meeting and Public Hearing

January 12, 2022

On 10/13/21, Planning Commission held a Public Hearing on the proposed Fox Tail Plat. The Public Hearing was well attended by nearby property owners expressing concerns with certain aspects of the project as discussed below. The Applicant has amended the proposed plat to better respond to neighbors' concerns.

Nightly Rentals

Many neighbors addressed concerns about the lack of a nightly rental restriction. At the time of the last Planning Commission meeting, the Applicant was not aware of the extent of disruption that the recently constructed nightly rental homes on Hidden Oaks are causing. With a better understanding of this impact, the Applicant is now proposing a 12 month minimum rental provision on the proposed plat, consistent with restriction in the Hidden Meadows CCRs. The majority of comments received from neighbors related to nightly rentals. The proposed 12 month restriction has been communicated to neighbors that have commented on the project.

Trail Alignment

The alignment of the Fox Tail Cut trail has been kept as far east as possible while working with a driveway curb cut. The alignment has been tweaked to maintain existing gamble oak on the property.

Sewer Easement

The Applicant has worked with the owner of Lot 25 on a revised sewer alignment that minimizes impact on the gamble oaks on Lots 25 and 26. The Applicant has agreement with the owner of Lot 25 to abandon the existing private sewer easement on Lot 25 and replace with a new private sewer easement in an alignment that works better for both parties.

Visual Impact

One of the neighbors prepared a visual impact study that misrepresented the development potential of the property. The Applicant prepared its own visual impact study. Based on this study, the Applicant has increased the south setback to 100', increased the west setback to 650' and proposed a ridgeline cap at 7,136' to preserve distant views to the Uintas from Fox Tail Court. The Applicant has also amended the proposed driveway alignment to better follow existing topography and use existing gamble oak to better screen the driveway as viewed from Fox Tail Court and adjacent properties. The proposed plat limits the home size to 10,000 sf consistent with the

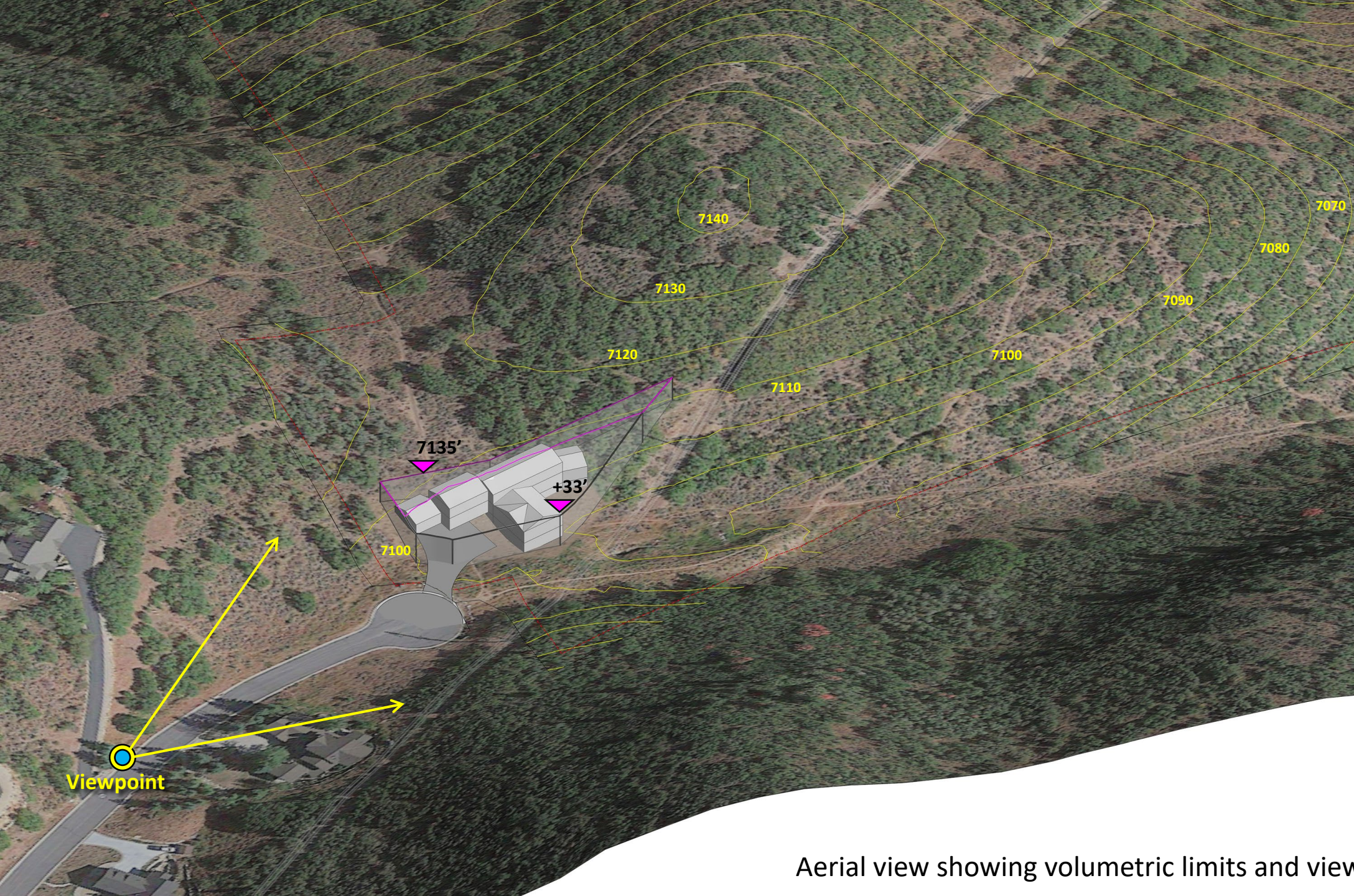
largest homes permitted in the Hidden Meadows subdivision. A visual impact study has been provided showing a conceptual development plan and the maximum possible visual impact as viewed from Fox Tail Court.

Summary

It was always intended that a home be built on the 33 acres now owned by the Applicant. The original homesite is not compatible with the current Sensitive Lands Ordinance, so the Applicant has proposed locating the home further to the east to protect the ridgeline above SR248. Additional setbacks and a ridgeline cap are proposed to reduce visual impact from Fox Tail Court and protect distant views to the Uintas.

Responding to neighborhood concerns with nightly rentals at another property, the Applicant is now proposing a 12 month minimum rental provision.

The Applicant is proposing dedication of ~24 acres of open space to the City. The dedicated land includes opportunities for additional pedestrian and mountain bike trails with panoramic vistas to the north, east and south. The Applicant is also committing to relocation of the Fox Tail Trail to an alternate alignment east and north of the new Lot 1.



Aerial view showing volumetric limits and viewpoint



Existing View



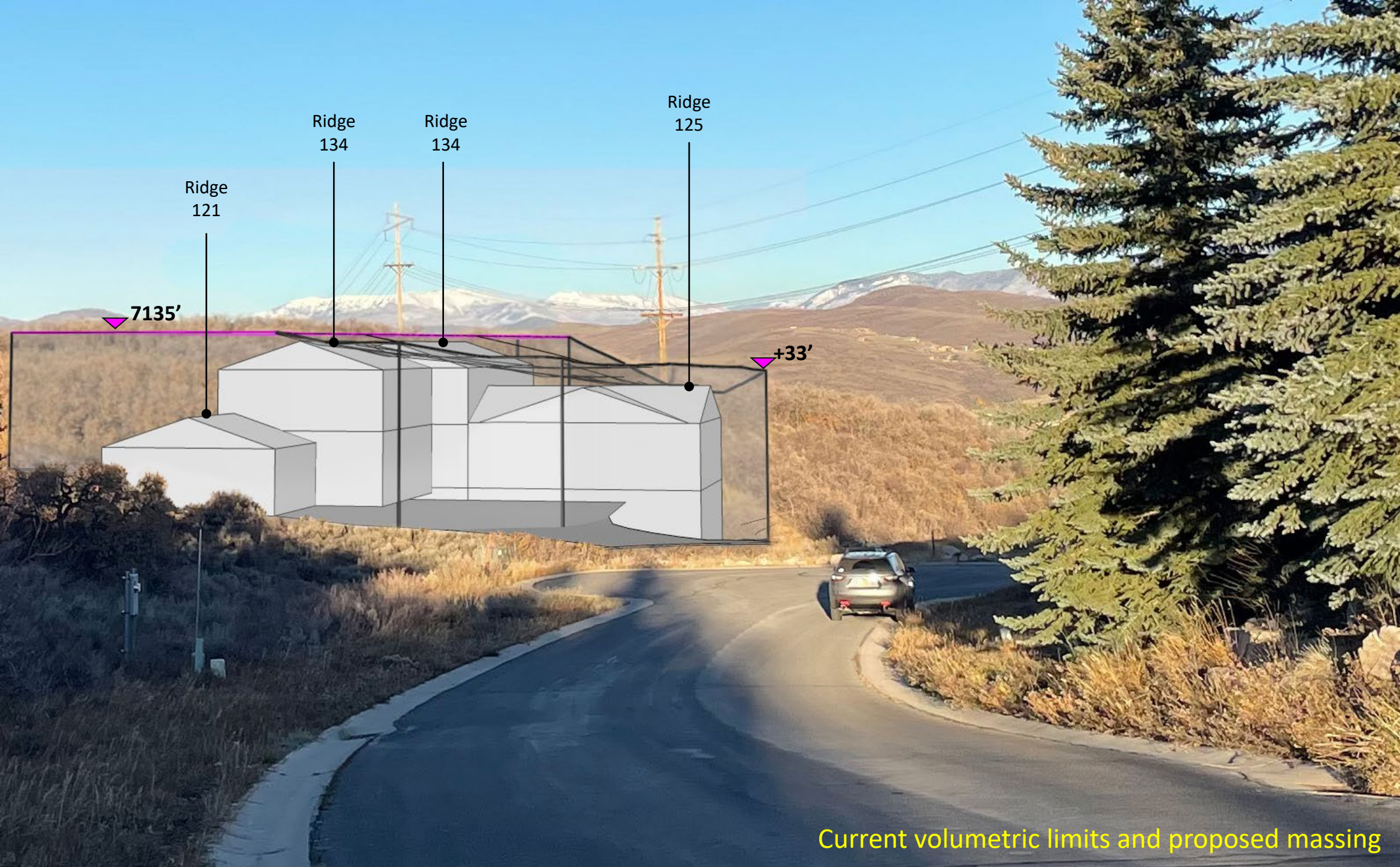
Current volumetric limits and proposed massing



Existing View



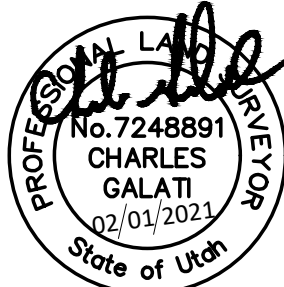
Current volumetric limits and proposed massing



Current volumetric limits and proposed massing

PARCEL
PCA-S-98-SEC-11

LOCATED IN THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

PARK CITY HEIGHTS PHASE 2
RECORDED: AUGUST 4, 2020
ENTRY NO.: 1138069

LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)
- Found Section monument (As-Noted)

NARRATIVE/NOTES

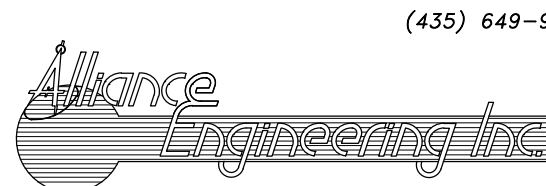
- Basis of Bearing for this survey is between the found section monuments as shown on this plat.
- Field work for this survey was completed December 3, 2020, and is in compliance with generally accepted industry standards for accuracy.
- The purpose of this survey was to perform an Existing Conditions and Topography survey for the possibility of future improvements to the property.
- A Title Report was provided to the surveyor, File No. 27696 Dated November 13, 2018 prepared by Old Republic National Title Insurance Company, and only easements per said title report were located as part of this survey. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
- County tax maps, recorded deeds, Hidden Meadow Subdivision Phase 1 (Entry N.: 436642), Park City Heights Phase 2 (Entry No. 1138069), Park City Heights Phase 3 (Entry No. 1120269), Grant of easement Entry No. 49018, Pole line easement Entry No. 497673, Pole line easement Entry No. 503332, and Record of Surveys S7180, S9447 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were all considered when determining the boundary as shown on this plat.
- Easement Entry No. 49018 is a blanket easement and not addressed on this survey.
- Site Benchmark: Water Valve, Elevation=7104.86' as shown.
- The architect is responsible for verifying building setbacks, zoning requirements and building heights.
- Property corners were found as shown.
- Measured bearings and distances, when different than record, are shown in parenthesis. ()

EXISTING CONDITIONS & TOPOGRAPHIC MAP
HIDDEN MEADOWS PARCELS

FOR: REDUS
JOB NO.: 19-11-20

FILE: X:\TheOaks\dwg\sr\svry2020\191120-Hidden Meadow Survey-Redus\191120-ros.dwg

DATE: 2/1/21



CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

(435) 649-9467

STAFF:
CHARLES GALATI
DUSTIN CARRISH
JASON WYNNE
TIM WILSON

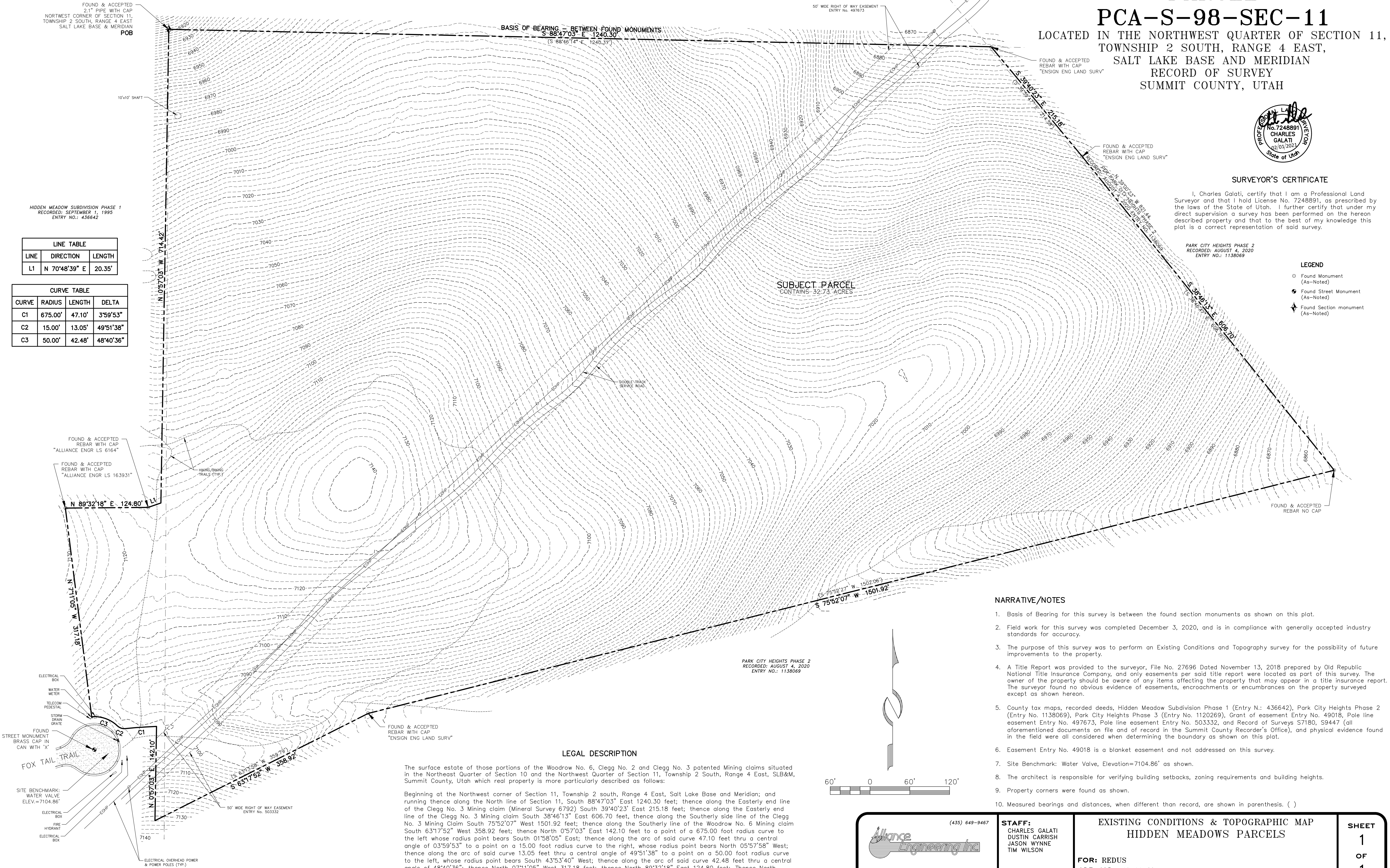
LEGAL DESCRIPTION

The surface estate of those portions of the Woodrow No. 6, Clegg No. 2 and Clegg No. 3 patented Mining claims situated in the Northeast Quarter of Section 10 and the Northwest Quarter of Section 11, Township 2 South, Range 4 East, SLB&M, Summit County, Utah which real property is more particularly described as follows:

Beginning at the Northwest corner of Section 11, Township 2 south, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11, South 88°47'03" East 1240.30 feet; thence along the Easterly end line of the Clegg No. 3 Mining claim (Mineral Survey 6792) South 39°40'23' East 215.18 feet; thence along the Easterly end line of the Clegg No. 3 Mining claim South 38°46'13" East 606.70 feet, thence along the Southerly side line of the Clegg No. 3 Mining Claim South 75°52'07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 Mining claim South 63°17'52" West 358.92 feet; thence North 0°57'03" East 142.10 feet to a point of a 675.00 foot radius curve to the left whose radius point bears South 01°58'05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03°59'53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05°57'58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49°51'38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43°53'40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48°40'36"; thence North 07°11'05" West 317.18 feet; thence North 89°32'18" East 124.80 feet; Thence North 70°48'39" East 20.35 feet, thence North 0°57'03" East 714.42 feet to the point of beginning.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 70°48'39" E	20.35'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	675.00'	47.10'	3°59'53"
C2	15.00'	13.05'	49°51'38"
C3	50.00'	42.48'	48°40'36"



BASIS OF BEARING - BETWEEN FOUND MONUMENTS
S 88°47'03" E 1240.30'
(S 88°46'14" E 1240.37')

50' WIDE RIGHT OF WAY EASEMENT
ENTRY No. 497673

FOUND & ACCEPTED
REBAR WITH CAP
"ENSIGN ENG LAND SURV"

FOUND & ACCEPTED
REBAR WITH CAP
"ENSIGN ENG LAND SURV"

SUBJECT PARCEL
CONTAINS 32.73 ACRES

PARK CITY HEIGHTS PHASE 2
RECORDED: AUGUST 4, 2020
ENTRY NO.: 1138069

FOUND & ACCEPTED
REBAR WITH CAP
"ENSIGN ENG LAND SURV"

FOUND & ACCEPTED
REBAR NO CAP

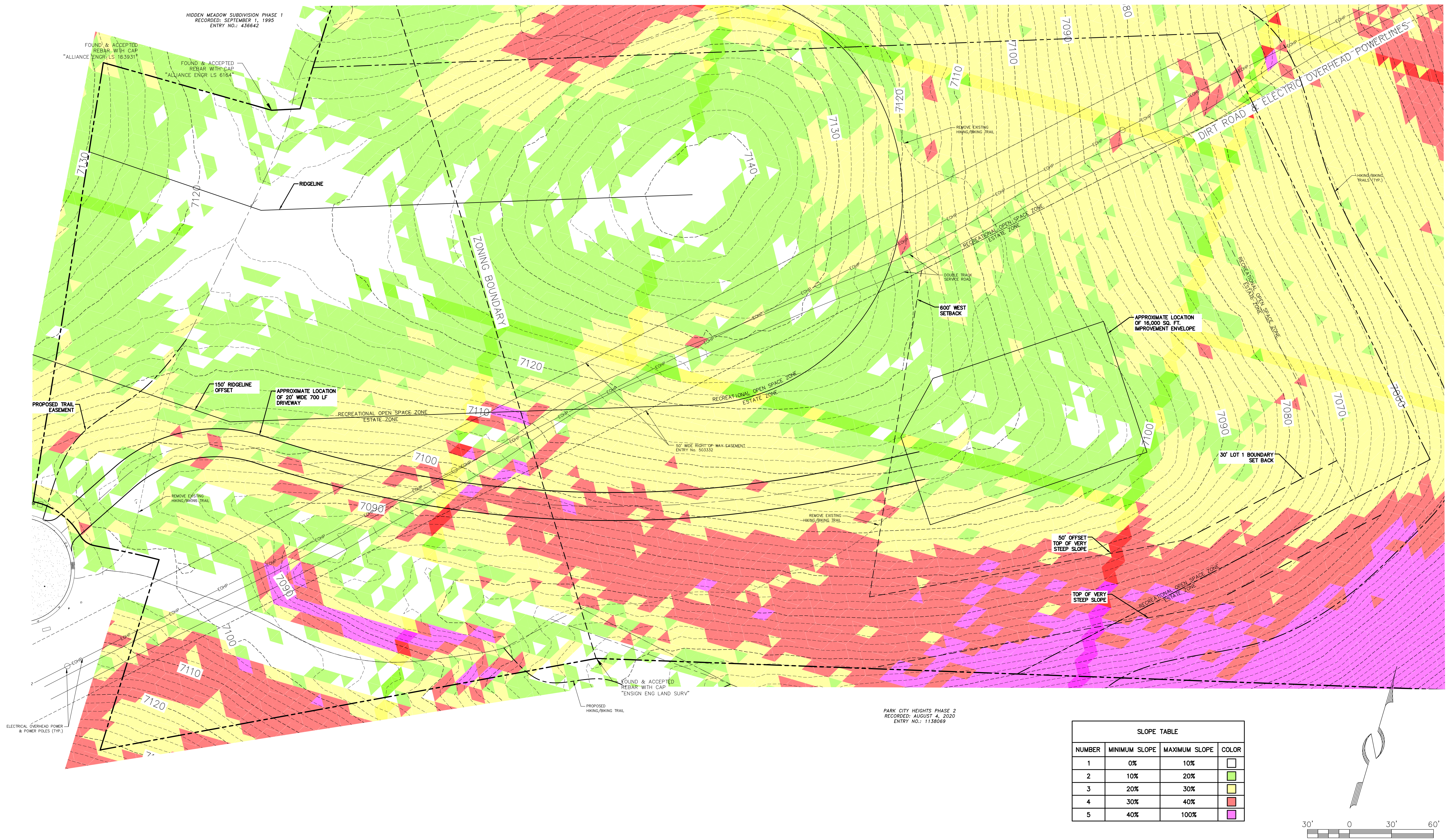
FOUND & ACCEPTED
REBAR WITH CAP
"ALLIANCE ENGR LS 6164"

FOUND & ACCEPTED
REBAR WITH CAP
"ALLIANCE ENGR LS 163931"

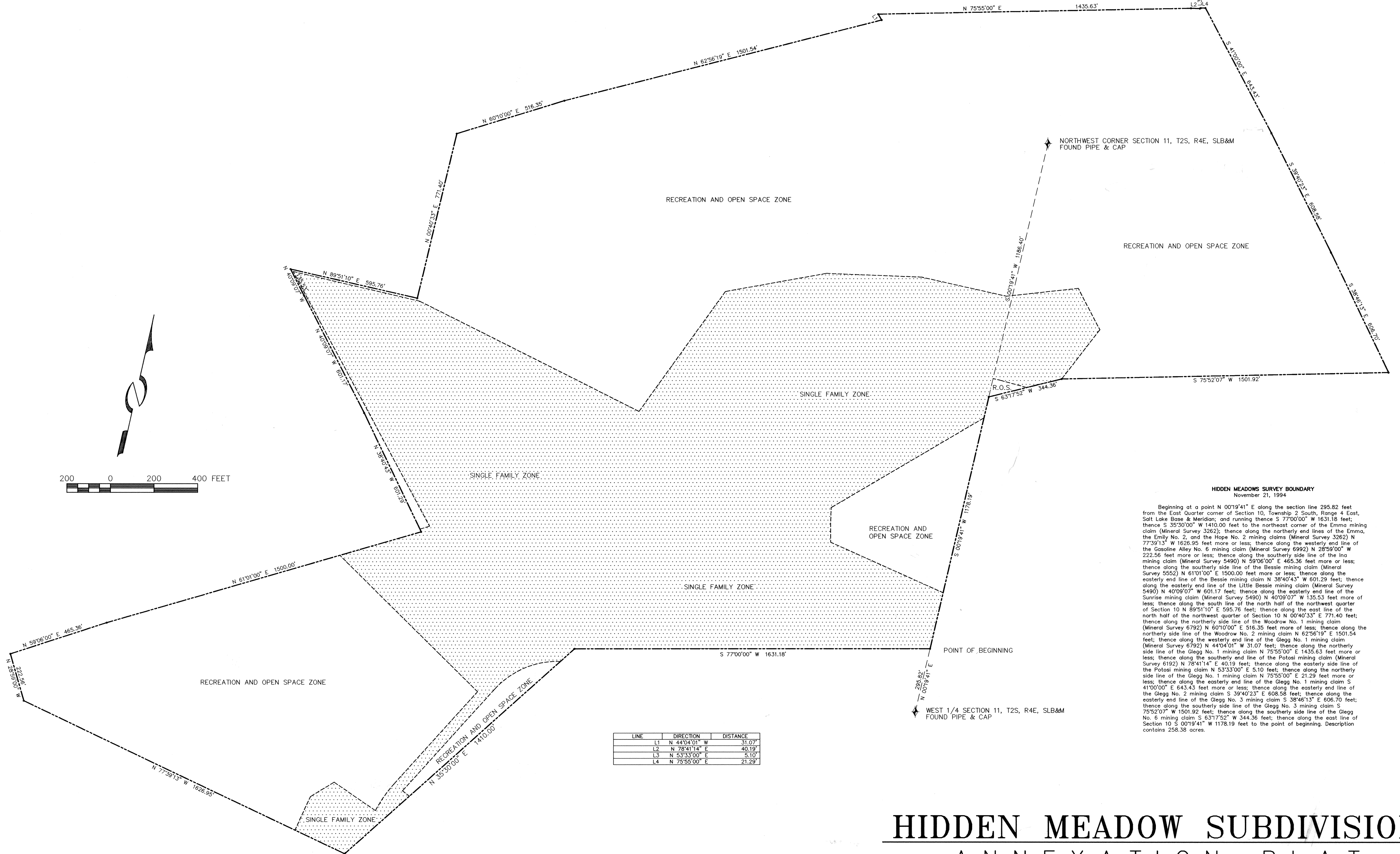
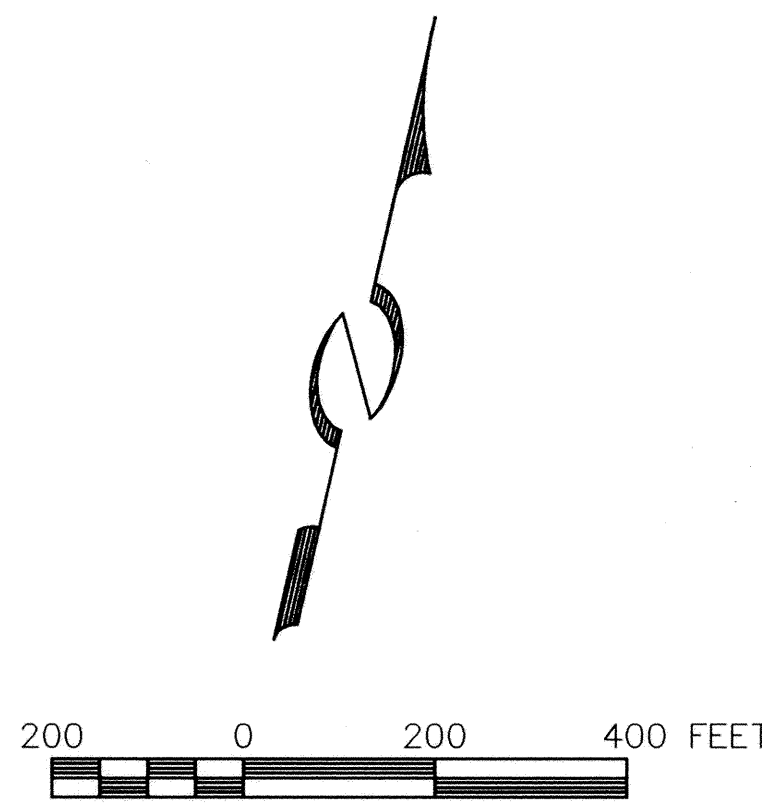
ELECTRICAL BOX
WATER METER
TELECOM PEDESTAL
STORM DRAIN GRATE
FOUND STREET MONUMENT
BRASS CAP IN CAN WITH 'X'
SITE BENCHMARK:
WATER VALVE
ELEV.=7104.86'
ELECTRICAL BOX
FIRE HYDRANT
ELECTRICAL BOX
ELECTRICAL OVERHEAD POWER
& POWER POLES (TYP.)

FOUND & ACCEPTED
2.1" PIPE WITH CAP
NORTHWEST CORNER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
POB

HIDDEN MEADOW SUBDIVISION PHASE 1
RECORDED: SEPTEMBER 1, 1995
ENTRY NO.: 436642



 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: CHARLES GALATI DUSTIN CARRISH BRAYLON ROSE	CONSTRAINTS MAP PARCEL PCA-S-98-SEC-11 FOR: REDUS JOB NO.: 19-11-20 FILE: X:\TheOaks\dwg\srv\srvy2020\191120-Hidden Meadow Survey-Redus	SHEET 1 OF 1
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LINE	DIRECTION	DISTANCE
L1	N 44°04'01" W	31.07'
L2	N 78°41'14" E	40.19'
L3	N 53°33'00" E	5.10'
L4	N 75°55'00" E	21.29'

HIDDEN MEADOWS SURVEY BOUNDARY
November 21, 1994

Beginning at a point N 00°19'41" E along the section line 295.82 feet from the East Quarter corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base & Meridian; and running thence S 77°00'00" W 1631.18 feet; thence S 35°30'00" W 1410.00 feet to the northeast corner of the Emma mining claim (Mineral Survey 3262); thence along the northerly end lines of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) N 77°39'13" W 1626.95 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) N 28°59'00" W 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) N 59°06'00" E 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) N 61°01'00" E 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim N 38°40'43" W 601.29 feet; thence along the easterly end line of the Little Bessie mining claim (Mineral Survey 5490) N 40°09'07" W 601.17 feet; thence along the easterly end line of the Sunrise mining claim (Mineral Survey 5490) N 40°09'07" W 135.53 feet more or less; thence along the south line of the north half of the northwest quarter of Section 10 N 89°51'10" E 595.76 feet; thence along the east line of the north half of the northwest quarter of Section 10 N 00°40'33" E 771.40 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) N 60°10'00" E 516.35 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim N 62°56'19" E 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) N 44°04'01" W 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim N 75°55'00" E 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) N 78°41'14" E 40.19 feet; thence along the easterly side line of the Potosi mining claim N 53°33'00" E 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim N 75°55'00" E 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim S 41°00'00" E 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim S 39°40'23" E 608.58 feet; thence along the easterly end line of the Glegg No. 3 mining claim S 38°46'13" E 606.70 feet; thence along the southerly side line of the Glegg No. 3 mining claim S 75°52'07" W 1501.92 feet; thence along the southerly side line of the Glegg No. 5 mining claim S 63°17'52" W 344.36 feet; thence along the east line of Section 10 S 00°19'41" W 1178.19 feet to the point of beginning. Description contains 258.38 acres.

HIDDEN MEADOW SUBDIVISION

ANNEXATION PLAT

ALLIANCE ENGINEERING INC. P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS <u>3RD</u> DAY OF <u>MARCH</u> , 199 <u>4</u> A.D. BY <u>Alison Chiles</u> CHAIRMAN	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>3RD</u> DAY OF <u>MARCH</u> , 199 <u>4</u> A.D. BY <u>Eric W. DeHaan PE</u> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>3RD</u> DAY OF <u>MARCH</u> , 199 <u>4</u> A.D. BY <u>Mark D. Hye</u> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS <u>3RD</u> DAY OF <u>FEBRUARY</u> , 199 <u>4</u> A.D. BY <u>Antia L. Sheldon</u> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS <u>3RD</u> DAY OF <u>FEBRUARY</u> , 199 <u>4</u> A.D. BY <u>David J. Owen</u> MAYOR	# 425892 RECORDED STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF <u>Park City Municipal Corp.</u> DATE <u>03-01-95</u> TIME <u>08:21 AM</u> BOOK <u> </u> PAGE <u> </u> N/C FEE <u> </u> <u>Deanna M. Dunn - deputy</u> RECORDER
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Recorded at the request of and return to:
Park City Municipal Corporation
P. O. Box 1480
Park City, Utah 84060
Attention: City Recorder

Resolution No. 2-94

00425893 Bk00871 Pg00335-00349
3-13
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1995 MAR 08 08:24 AM FEE \$1.00 BY DNG
REQUEST: PARK CITY MUNICIPAL CORP

**A RESOLUTION ANNEXING 227.99 ACRES OF
HIDDEN MEADOWS
INTO THE CORPORATE LIMITS OF PARK CITY, UTAH**

WHEREAS, a petition was filed by the owners of the land, Blue Ledge Corporation, included within the area described on the attached Annexation Plat, requesting Park City to annex that land to the City, zoned as Resort Open Space (ROS) and Estate (E); and

WHEREAS, the land is included within the City's Annexation Policy Declaration Statement and Annexation Boundary area; and

WHEREAS, public hearings, as required by law, were held before the Planning Commission on September 22, 1993, October 13, 1993, November 17, 1993 and December 15, 1993, and the City Council on January 20, 1994; and

WHEREAS, the attached Annexation Agreement (Exhibit B) was approved by the Planning Commission at its meeting of December 15, 1993, and approved by the City Council at its meeting of February 3, 1994; and

WHEREAS, the land in question is not included within any other municipal jurisdiction, and there have been no protests to the annexation filed by any other jurisdiction;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City, Utah that the land described on Exhibit A is hereby annexed to the corporate limits of Park City, Utah.

SECTION 1. ANNEXATION. The land so annexed shall enjoy the privileges of Park City and be entitled to receive all City services on the same basis as other land within the City except as provision of service is modified by the Annexation Agreement attached as Exhibit B, and shall be subject to all City levies and assessments as described in the terms of the Annexation Agreement attached as Exhibit B.

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

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect upon passage, provided that the annexation shall not be deemed completed until this Resolution is recorded in the Office of the Summit County Recorder together with the Annexation Plat.

PASSED AND ADOPTED 3rd day of February, 1994.

PARK CITY MUNICIPAL CORPORATION

Ruth D. Gezelius

Ruth Gezelius, Mayor Pro Tem

Attest:

Anita L. Sheldon
Anita L. Sheldon, City Recorder

Approved as to form:

Jodi F. Hoffman
Jodi F. Hoffman, City Attorney



00425893 Bk00871 Pg00336

Exhibit A
to
Resolution 2-94

HIDDEN MEADOWS SURVEY BOUNDARY

Beginning at a point North 00°19'41" East along the section line 295.82 feet from the east quarter corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 77°00'00" West 1631.18 feet; thence South 35°30'00" West 1410.00 feet to the northeast corner of the Emma mining claim (Mineral Survey 3262); thence along the northerly end lines of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77°39'13" West 1626.95 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28°59'00" West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North 59°06'00" East 465.36 more or less along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61°01'00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 83°40'43" West 601.29 feet; thence along the easterly end line of the Little Bessie mining claim (Mineral Survey 5490) North 40°09'07" West 601.17 feet; thence along the easterly end line of the Sunrise mining claim (Mineral Survey 5490) North 40°09'07" West 135.53 feet more or less; thence along the south line of the north half of the northwest quarter of Section 10 North 89°51'10" East 595.76 feet; thence along the east line of the north half of the northwest quarter of Section 10 North 00°40'33" East 771.40 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60°10'00" East 516.35 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 62°56'19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44°04'01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75°55'00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78°41'14" East 40.19 feet; thence along the easterly side line of the Potosi mining claim North 53°33'00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75°55'00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41°00'00" East 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim South 39°40'23" East 608.58 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38°46'13" East 606.70 feet; thence along the southerly side line of the Glegg No. 3 mining claim South 75°52'07" West 1501.92 feet; thence along the southerly side line of the Glegg No. 6 mining claim South 63°17'52" West 344.36 feet; thence along the east line of Section 10 South 00°19'41" West 1178.19 feet to the point of beginning. Description contains 258.38 acres.

00425893 Bk00871 Pg00337

Exhibit B

to

Resolution 2-94

HIDDEN MEADOWS ANNEXATION AGREEMENT

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

1. Property. The property to be annexed is described on the attached Exhibit A, and is referred to herein as the Hidden Meadows Property.

2. Zoning. Upon annexation, the Hidden Meadows property will become subject to the Park City Land Management Code, Subdivision Regulations, Sensitive Lands Ordinance, and all other Park City ordinances and building regulations. The property will be zoned in two areas as shown on the annexation plat for the property, which is incorporated into this agreement as Exhibit B. The open hillsides outside of the development area will be zoned RECREATION OPEN SPACE (ROS). The developed area will be zoned ESTATE (E), with maximum density as outlined in Paragraph 4 of this agreement. It is understood that the underlying zone for the entire parcel for the purpose of density calculations is Estate (E) and that the open space areas will be zoned Recreation Open Space (ROS) to ensure the area remains in open space.

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

4. Density.

A. Underlying Density. The underlying density of Hidden Meadows is calculated as if the entire parcel is zoned Estate, with the Sensitive Lands Ordinance applied. The total density without bonuses or Royal Oaks reconfiguration shall be no greater than 35 lots.

B. Royal Oaks Phase II Reconfiguration Bonuses. Park City desires to reduce the visual impacts of Royal Oaks Phase II, as approved in 1991, and to maintain the hillside below the Oaks Clubhouse in as natural a state as possible. In order to achieve this, Park City agrees to grant density bonuses to Blue Ledge on the Hidden Meadows property in consideration for the relocation of the most visually obtrusive Royal Oaks Phase II lots. Nine lots shall be moved from Royal Oaks Phase II to the Hidden Meadows property; an additional nine lots shall be granted to Blue Ledge as a bonus for accommodating the reconfiguration. Reference Exhibit C.

C. Total Density. The total density on the Hidden Meadows Property shall be 53 lots. Nine of these lots shall be part of Royal Oaks Phase II; the remaining 44 lots shall be Hidden Meadows lots. The density shall comply with the provisions of the Sensitive Lands Ordinance, with the exception of the bonus and Royal Oaks Phase II lots.

D. Alternate Density. Hidden Meadows Property shall not receive any plat approvals until the developers of Royal Oaks Phase II have received Planning Commission approval for a final plat to reconfigure the Royal Oaks Phase II deleting nine lots as shown conceptually in Exhibit C. If the developers of Royal Oaks Phase II have not recorded that plat within eighteen months of adoption of this agreement, the underlying zoning of Estate (E) and Recreation Open Space (ROS) shall dictate the density of the Hidden Meadows parcel, with no bonuses granted.

5. Site Planning. The configuration of the Hidden Meadows Property shall be substantially as shown in Exhibit C and as described in the MPD approval.

6. Trails and Sidewalks. A trails plan shall be approved concurrently with the preliminary plat and shall conform to the MPD approval. The trails shall be dedicated to Park City in the final plat. Park City reserves the right to develop additional trails in any open space areas which are dedicated to Park City.

7. Open Space. The Hidden Meadows Property open space shall be as shown in Exhibit C.

A. Ownership. Blue Ledge shall by statutory warranty deed transfer land designated as Recreational Open Space (ROS) to the City in fee simple. Blue Ledge hereby warrants marketable title to the entire area designated ROS in Exhibit C.

B. Use Restrictions and Preservation. The open space areas shall be subject to a restriction which will ensure the perpetual preservation of the open space and restrict the uses of the parcels. This restriction may take the form of a deed restriction, conservation easement, or some other mechanism acceptable to the City Attorney.

C. Maintenance. Open space shall be maintained by the entity holding fee title to the property unless other provisions have been made by agreement or as conditions of plat approval.

8. Fire Safety. Exterior and interior fire sprinklers are required. Wood roofs are prohibited.

9. Affordable Housing. In consideration of the foregoing, Blue Ledge shall provide 4.4 affordable unit equivalents as required by Resolution 8-93 as provided in Exhibit D.

A. Duplex Units. Two affordable rental units shall be provided in duplex configuration in conjunction with the Hidden Meadows project. These units shall comply with Resolution 8-93. Unit size, occupancy and affordable housing restrictions on the units shall be reviewed by the Planning Commission concurrent with final plat approval. The Commission shall make a recommendation to the Park City Housing Authority (Housing Authority) on the general terms of a Moderate Income Rental Program Agreement (MIRPA). The approval of the MIRPA by the Housing Authority is a condition of final plat approval.

B. Remaining Requirement. The remaining affordable housing requirement shall be provided through in-lieu payment or by other methods reviewed and approved by the Housing Authority. The Planning Commission shall review proposals for satisfying the remaining requirement during subdivision review and shall make a recommendation on the method and parameters to the Housing Authority. The Housing Authority shall approve a MIRPA as a condition of final plat approval.

C. Security Required. Security for the entire 4.4 affordable housing unit requirement totalling \$264,000 shall be posted prior to plat recordation.

D. Deadlines.

- i. Duplex Units. The duplex units described in sub-paragraph 9.A. must be one of the first five structures in the subdivision to receive building permits and must be approved for occupancy within 18 months of the building permit issuance for the duplex unit. If the duplex units do not meet these conditions, the security for affordable housing, together with accrued interest, shall be forfeited to the Housing Authority.
- ii. Other Units. The units described in Paragraph 9.B. must be constructed within two years of plat recordation. If this condition is not satisfied, the security for affordable housing, together with accrued interest, shall be paid over to the Housing Authority.
- iii. Security. If all affordable units are built prior to the respective deadlines, the security for affordable housing, together with interest, shall be returned to Blue Ledge.

E. Fee Waivers. Affordable housing fee waivers outlined in Resolution 8-93 (Exhibit D) shall not be available for affordable housing built in conjunction with the requirement for affordable housing set forth in paragraph 9.

10. Roads and Road Design. All streets and roads within the Hidden Meadows property shall be public and public access may not be obstructed. All streets and roads, excluding the cul de sacs and the meadow loop road, must be platted and built in the first phase of the development. Park City agrees to consider road designs submitted by registered engineers on Blue Ledge's behalf, and agrees that roads within the project will be required to meet Park City standards for residential and collector streets, including adequate provisions for construction traffic.

A. The road traversing the hillside below the Oaks Clubhouse shall have a minimum width of twenty-four feet from back of curb to back of curb, with a ten-foot shoulder on each side. The road design will be rigorously reviewed by the staff for retaining walls, landscaping, and irrigation which will minimize the visual impact of the road crossing. This road shall have a very confined limit of disturbance, particularly on the downhill side, in order to retain as much of the natural screening as possible.

11. Future Rights-of-Way. The subdivision plat for the Hidden Meadows Property shall show a right-of-way, of at least fifty feet in width, on the east edge of the property bordering the Gillmor parcel in the general location of the existing dirt road. The right-of-way shall not be improved for public vehicular traffic until a review of the Park City Annexation Declaration Policy and Comprehensive Plan is completed and the use of the right-of-way is determined to be appropriate and desirable as a result of such comprehensive review. Blue Ledge, as the developer, shall have no obligation now or in the future to construct or pay for the construction of this road beyond the cul-de-sac bulb; provided that if Blue Ledge still owns lots at such time as a special improvement district is formed for that purpose, Blue Ledge would be subject to assessment on the same basis as other lot owners.

12. Sanitary Sewer. Alignment of the sanitary sewer through Chatham Crossing is subject to Park City review and approval prior to and after final design. Blue Ledge shall submit a revegetation plan for the disturbance associated with the installation of the sanitary sewer. This plan shall be approved by the staff prior to commencement of sanitary sewer construction.

13. Dedication of Water Rights. In consideration of the benefits incurred to Park City in the January 22, 1992 "Agreement between Park City Municipal Corporation and United Park City Mines Company Consenting to a Sale of Surplus Salt Lake City Water," Park City will not require dedication of water rights by Blue Ledge as a condition of annexation of the Hidden Meadows property.

14. Water Connection and Development Fees and Other Water Costs. As each building permit is obtained for individual houses within the subdivision, the owner shall pay the Park City water connection and development fees as provided by the Park City ordinance in effect at the time of application for building permits. Because there is no longer desirable distribution capacity in the Oaks Tank, Blue Ledge shall be required to pay a City approved portion of the cost of a pump station to send water from the Chatham area to the Solamere area.

15. Homeowners Association. A Homeowners Association shall be formed to maintain trails and any common open space under the ownership of the association.

16. Park Development Fees. Blue Ledge shall pay and agrees not to contest Parks and Recreation fees in the amount of \$1035 per Hidden Meadows lot prior to final plat recordation. However, pursuant to Paragraph 7 of this Agreement, Blue Ledge is dedicating substantial open space to Park City. Accordingly, all or part of the Park and Recreation fees may be waived by Park City in an amount to be determined by the Park City Parks, Recreation and Beautification Board. The potential for a fee waiver shall be scheduled on the first available agenda of the Park City Parks, Recreation and Beautification Board upon the execution of this Agreement. Blue Ledge shall not be responsible for payment of Parks and Recreation fees for the nine Royal Oaks Phase II lots located on Blue Ledge Property.

17. Planning Review Fees. Blue Ledge shall be responsible for all subdivision approval fees as deemed appropriate by the Community Development Director. Blue Ledge shall not be responsible for payment of fees for the nine Royal Oaks lots located on the Hidden Meadows parcel.

18. Impact and Building Fees. Blue Ledge or successor owners of lots will pay and not contest all generally applicable impact (including school facilities impact fees), building permit, and plan check fees due for construction on the annexed land as provided by Park City ordinance in effect at the time of application for building permits.

19. Acceptance of Public Improvements. Park City will accept title to the public improvements within each phase of the project upon final approval of the construction for each phase. Blue Ledge shall pay for the usage of water in each phase sufficient, in the opinion of the Park City Public Works Director, to avoid freezing of water lines until homes have been built on 23 lots (or 50% of the lots) in that phase.

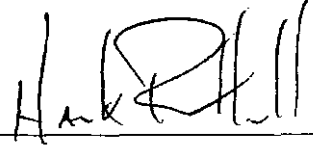
20. Snow Removal and Storage. Park City is not obligated to take over snow removal responsibility on public streets within Hidden Meadows Property until at least 23 lots in the Hidden Meadows Subdivision exclusive of the Nine Royal Oaks Phase II Lots) have been improved by the construction of a house on those lots as evidenced by issuance of a certificate of occupancy on those lots. Until that occurs, snow removal shall be Blue Ledge's responsibility, or that of the homeowners' association. Because of the project location within a drift line and on a north-facing slope, a ten-foot snow storage easement shall be provided on either side of all streets within Hidden Meadows.

21. Governing Law. This agreement shall be governed by the laws of Utah.

22. Full Agreement. This agreement contains the full and complete agreement of the parties regarding the annexation and there are no other agreements in regard to the annexation of the Hidden meadows Property. This agreement may only be modified or varied by in writing signed by the parties.

Dated this 2nd day of March, 1995.

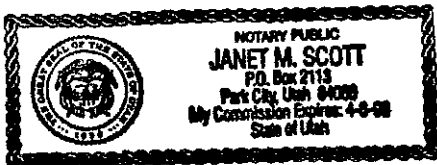
BLUE LEDGE CORPORATION

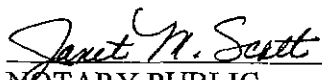

By: _____
Its: President

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
 : SS.
County of Summit)

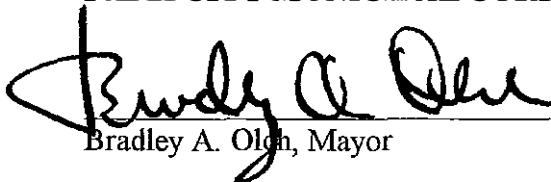
On the 3 day of March, 1995, personally appeared before me
HANK ROTHWELL, who did say that he/she is the
PRESIDENT of Blue Ledge Corporation, and that the foregoing Agreement was
signed in behalf of said corporation by authority of a resolution of its board of directors; and said
person acknowledged to me that said corporation executed the same.





NOTARY PUBLIC

PARK CITY MUNICIPAL CORPORATION



Bradley A. Olson, Mayor

Attest:


Anita Sheldon, City Recorder

Approved as to Form:

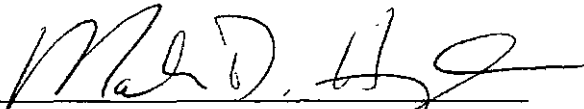

Mark D. Harrington, Asst. City Attorney

Exhibit A - Legal description of property to be annexed

Exhibit B - Annexation plat (estimated reduction - original recorded w/ Summit County Recorder)

Exhibit C - Site plan per approved MPD (reduction)

Exhibit D - Resolution 8-93

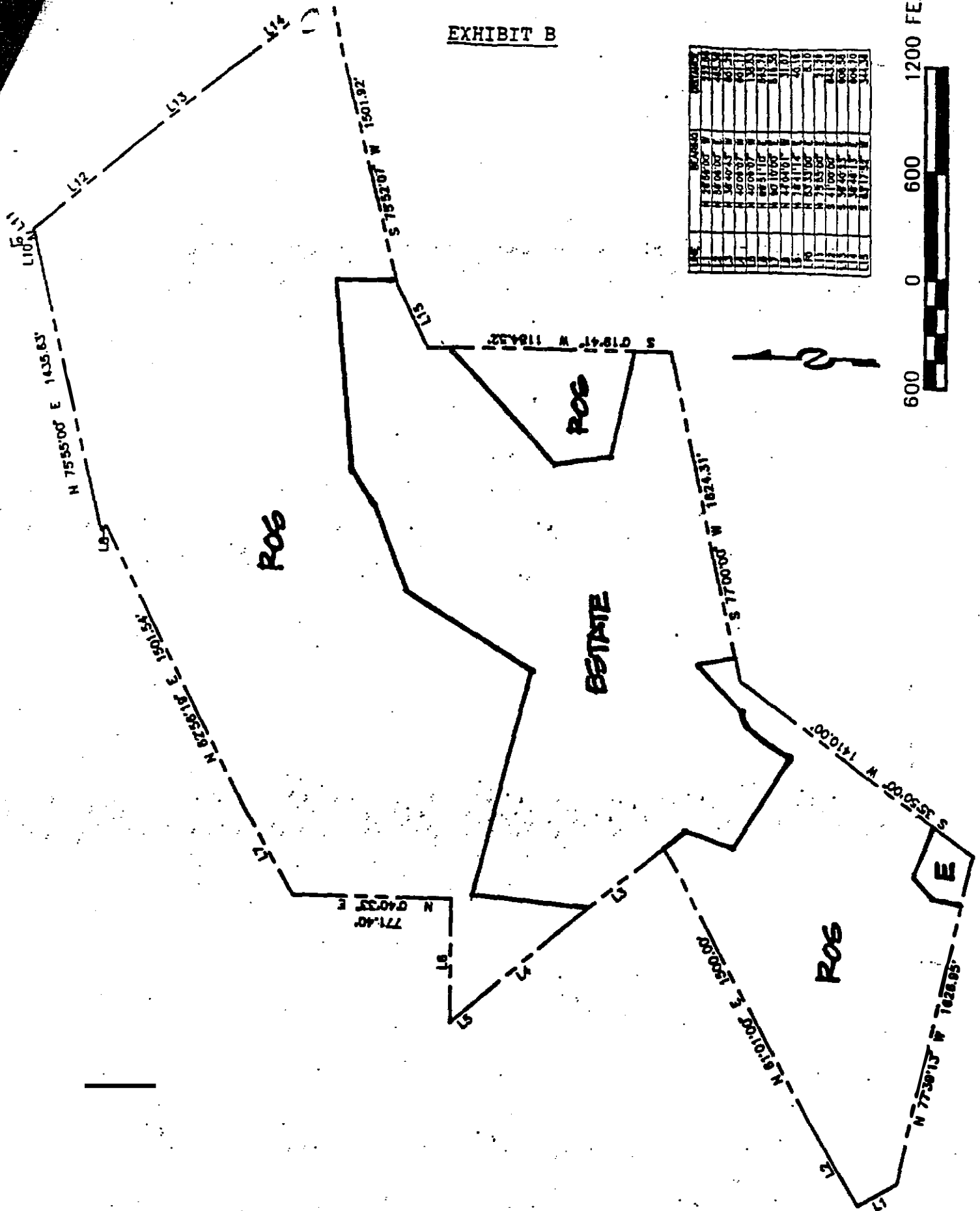
EXHIBIT A

HIDDEN MEADOWS SURVEY BOUNDARY

Beginning at a point North 00°19'41" East along the section line 295.82 feet from the east quarter corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 77°00'00" West 1631.18 feet; thence South 35°30'00" West 1410.00 feet to the northeast corner of the Emma mining claim (Mineral Survey 3262); thence along the northerly end lines of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77°39'13" West 1626.95 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28°59'00" West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North 59°06'00" East 465.36 more or less along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61°01'00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 83°40'43" West 601.29 feet; thence along the easterly end line of the Little Bessie mining claim (Mineral Survey 5490) North 40°09'07" West 601.17 feet; thence along the easterly end line of the Sunrise mining claim (Mineral Survey 5490) North 40°09'07" West 135.53 feet more or less; thence along the south line of the north half of the northwest quarter of Section 10 North 89°51'10" East 595.76 feet; thence along the east line of the north half of the northwest quarter of Section 10 North 00°40'33" East 771.40 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60°10'00" East 516.35 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 62°56'19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44°04'01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75°55'00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78°41'14" East 40.19 feet; thence along the easterly side line of the Potosi mining claim North 53°33'00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75°55'00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41°00'00" East 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim South 39°40'23" East 608.58 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38°46'13" East 606.70 feet; thence along the southerly side line of the Glegg No. 3 mining claim South 75°52'07" West 1501.92 feet; thence along the southerly side line of the Glegg No. 6 mining claim South 63°17'52" West 344.36 feet; thence along the east line of Section 10 South 00°19'41" West 1178.19 feet to the point of beginning. Description contains 258.38 acres.

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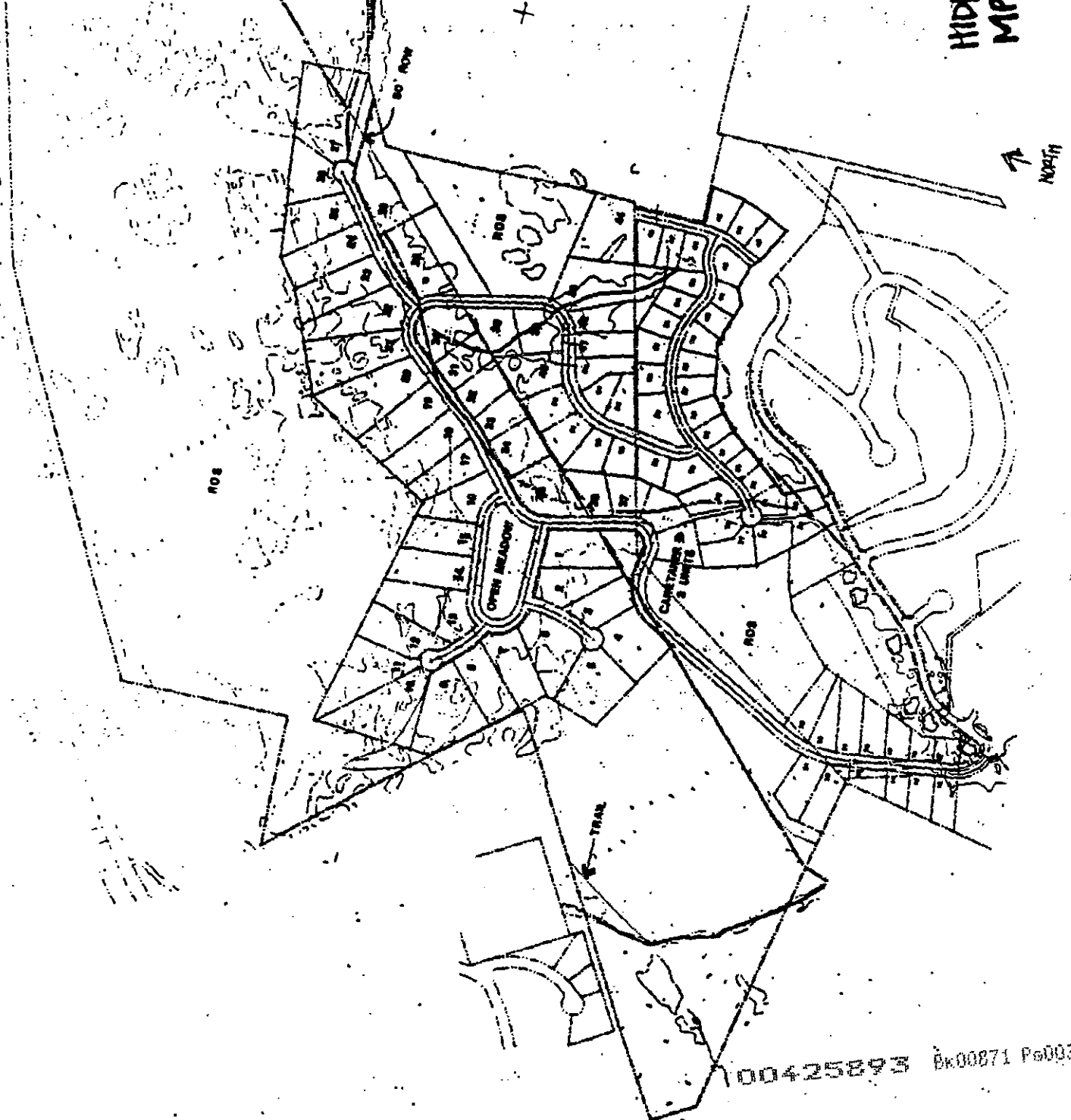
EXHIBIT B



LINE	BEARING	DISTANCE	AREA
L1	N 77°30'13" W	1628.95'	211.24
L2	N 91°10'10" E	1500.00'	48.00
L3	S 35°30'00" W	1410.00'	60.00
L4	S 77°00'00" W	1824.31'	60.11
L5	S 01°18'41" W	1184.52'	138.33
L6	S 15°52'07" W	1501.92'	245.74
L7	N 04°03'35" E	771.40'	81.30
L8	N 62°58'18" E	1595.23'	11.01
L9	S 1°05'10" E	1510.18'	20.18
L10	N 75°55'00" E	1435.63'	81.00
L11	L10.11'		1.11
L12	L12		0.00
L13	L13		0.00
L14	L14		0.00
L15	L15		0.00
TOTAL			608.70

EXHIBIT C

HIDDEN MEADOWS
MPD SITE PLAN



00425893 Bk00871 Pg00347

Exhibit D

Resolution No. 8-93

A RESOLUTION ADOPTING AFFORDABLE HOUSING GUIDELINES AND STANDARDS FOR PARK CITY, UTAH

WHEREAS, the City Council has identified affordable housing as a high priority in its work program for 1993 through 1995; and

WHEREAS, the City Council has adopted Resolution No. 37-91 on December 5, 1991 which established policies to support and increase affordable housing in Park City; and

WHEREAS, it is deemed in the best interest of the community to formulate guidelines and standards so that there are consistent and established criteria for review of project applications, annexation petitions, and other planning actions where affordable housing is an issue; and

WHEREAS, it is appropriate to base the following figures on standards in other resort communities, two Park City studies, HUD standards, and input from the Planning Commission Subcommittee on Affordable Housing;

NOW, THEREFORE BE IT RESOLVED that the City Council adopt the following:

SECTION 1. AFFORDABLE HOUSING STANDARDS AND GUIDELINES ADOPTED.

MINIMUM UNIT SIZE--STANDARD

studio	400 square feet
1 br	550 square feet
2 br	750 square feet
3 br	950 square feet
4 br	1,100 square feet

MAXIMUM RENT--GUIDELINE

studio	\$400
1 br	500
2 br	650
3 br	800
4 br	950

It is assumed that the affordable units will be in multifamily configuration. Modifications to the maximum rent guidelines may be made based upon such factors as housing configuration (detached), provision of a public benefit, or project amenities. These numbers will be adjusted annually in consideration of the CPI and rental

rates. The City Council will reevaluate the rent maximums every three years.

MAXIMUM CITY ASSISTANCE--STANDARD

\$5,000 regardless of unit size or configuration.

LIMITATION PERIOD--GUIDELINE

15 years regardless of unit size.

The limitation period may be varied based upon provision of a public benefit or other factors as negotiated by the City Council or Housing Authority.

ANNEXATION REQUIREMENTS--STANDARDS

10% minimum percent affordable housing.

2 bedroom standard unit size.

UNIT EQUIVALENTS FOR AFFORDABLE HOUSING--STANDARDS

studio	.50
1 br	.75
2 br	1.00
3 br	1.25
4 br	1.50

IN LIEU PAYMENTS FOR ANNEXATION AFFORDABLE HOUSING
REQUIREMENT

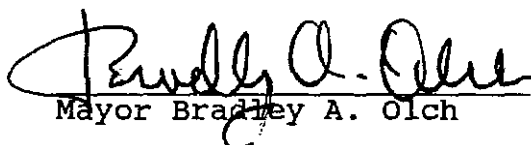
studio	\$30,000
1 br	45,000
2 br	60,000
3 br	75,000
4 br	90,000

The in lieu payment figures were derived from a recent estimate of the cost of providing one unit of affordable housing. The estimate of \$60,000 includes financing and title costs, construction costs, and contingency costs for a two bedroom unit. All other in lieu payments (for other sizes of units) are based upon the unit equivalents. These numbers will be adjusted annually in consideration of the CPI and estimates of affordable housing development costs. The City Council will reevaluate the in lieu amounts every three years.

SECTION 2. EFFECTIVE DATE. This Resolution shall become effective immediately.

PASSED AND ADOPTED this 18th day of March, 1993.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

2 of 2

00425893 Bk00871 Pg00349

ADDRESS:

Park City Affordable Housing Project.

Doc Type:



Application



Plan



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PARK CITY PLANNING DEPARTMENT
MEMORANDUM

TO: PLANNING COMMISSION SUBCOMMITTEE ON AFFORDABLE HOUSING
FROM: SUSAN LYKES, PLANNER II *SL*
DATE: 5 AUGUST 1993
RE: CORNER PARCEL/HIDDEN MEADOWS ANNEXATION PETITION

As you know, the applicants for the Hidden Meadows Annexation have included the "Corner Parcel" in their annexation petition as an option for development of affordable housing, deferring to the city the decision on the inclusion of parcel in the annexation request. If annexed, the parcel would be the site of a dense, small-lot, single-family subdivision geared toward providing affordable housing for the area's "middle class." Otherwise, the applicants would pursue alternative options (which have not been specified) for provision of their eight-unit affordable housing requirement. The applicants' preferred option is the annexation of the Corner Parcel.

When the Hidden Meadows application was first received, the city was planning to move forward on the "East Corridor" Area Plan. The staff indicated that the city was not inclined to consider annexation of the Corner Parcel until such time as the area plan was completed. The area plan would determine if the affordable housing use is compatible within the context of the east corridor. Since that time, however, the Planning Commission has stated a priority of reviewing and revising the Comprehensive Plan. In addition, the Council has directed the staff to revise the Annexation Policy Declaration. The East Corridor Plan was therefore postponed because of a lack of staff time. Because of this, the staff is no longer requesting the deferral of the Corner Parcel annexation and master planning.

Up to this point, the Planning Commission review of Hidden Meadows has focused primarily on the basic question of annexation. Little emphasis has been placed upon other issues which will be important *if the project is to be annexed* but which are currently secondary to the annexation question. The staff would like the Affordable Housing Subcommittee to discuss the Corner Parcel in order to provide recommendations to the Planning Commission on the appropriateness of annexation of that parcel. The AHSC should discuss the following questions.

PLANNING ISSUES.

- The Corner Parcel has one tip adjacent to the city limits. However, the parcel is somewhat in the middle of nowhere in terms of development: the adjacent property within Park City is composed of a long strip of ROS property. Is this an appropriate place to encourage new development, particularly dense, single-family development?
- The provision of services to the Corner Parcel will imply that the city is willing to consider annexation and/or development in the east corridor area. At this time, development in that area has been stemmed by that fact that the city currently has no services extended to that area and has no plans to do so. Annexation of the Corner Parcel and extension of services could very well open Pandora's box. Is the affordable housing development worth the extension of services and the attendant development implications?
- Should the Commission consider an option whereby the Corner Parcel is annexed but may not be developed for a certain number of years? The timing of development could be dictated by the annexation agreement.

AFFORDABLE HOUSING ISSUES.

- While it may be unrealistic to expect to develop single-family affordable housing within the current city limits because of land prices, is it appropriate to be placing affordable housing on the fringes of the urban area?
- Is this type of affordable housing appropriately used to satisfy an annexation requirement?
- Will this type of housing just attract more Salt Lake families rather than provide for Park City needs? How can this be avoided?
- Should the city provide fee waivers for the development?
- Applicant Hank Rothwell argues that the size of the lots would be a natural restriction on the price of the lots and homes. Is the AHSC comfortable with this notion or should there be sales restrictions on the lots?
- Is this type of housing needed? (I believe that the AHSC has already determined that it is.)

This topic may be too extensive to resolve in one meeting; if this is the case, another meeting may be scheduled. If the AHSC feels that the Corner Parcel should be annexed concurrently with Hidden Meadows, the recommendation will be passed on the Planning Commission for their consideration.

The staff has asked applicants Hank Rothwell and Liz Josephson to attend the meeting in order to participate in the Corner Parcel discussion.

When recorded mail to:

Anita Sheldon, City Recorder
P.O. Box 1480
Park City, UT 84060

AMENDMENT TO THE HIDDEN MEADOWS ANNEXATION AGREEMENT

Whereas, the City Council has determined that it is in the best interest of the City to accept a payment in-lieu of the affordable housing requirement because the money will be used to facilitate the construction of a greater number of affordable housing units in other projects; and

Whereas, Blue Ledge has agreed to give to the City approximately fifty percent of the sale price of one lot as consideration for release of the obligation to build an affordable housing duplex on Lot 45;

NOW THEREFORE, this Agreement is made by and between Park City Municipal Corporation ("Park City") and Blue Ledge Corporation, a Utah corporation, (Blue Ledge) to amend the Hidden Meadows Annexation Agreement entered into on March 2, 1995 regarding the property more particularly described in "Exhibit A". In consideration of Park City's agreement to annex Blue Ledge's property and in consideration of the mutual promises contained herein, the parties agree that the terms and conditions of Hidden Meadows Annexation Agreement shall be amended to read as follows:

01430356 8000395 P000169-00172
5-30 C.C. 2.3.104 11 T21 R48
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1995 MAY 24 09:39 AM FEE \$1.00 BY OMS
REQUEST: PARK CITY MUNICIPAL CORP

4. Density.

A. Underlying Density. The underlying density of Hidden Meadows is calculated as if the entire parcel is zoned Estate, with the Sensitive Lands Ordinance applied. The total density without bonuses or Royal Oaks reconfiguration shall be no greater than 35 lots.

B. Royal Oaks Phase II Reconfiguration Bonuses. Park City desires to reduce the visual impacts of Royal Oaks Phase II, as approved in 1991, and to maintain the hillside below the Oaks Clubhouse in as natural a state as possible. In order to achieve this, Park City agrees to grant density bonuses to Blue Ledge on the Hidden Meadows property in consideration for the relocation of the most visually obtrusive Royal Oaks Phase II lots. Nine lots shall be moved from Royal Oaks Phase II to the Hidden Meadows property; an additional nine lots shall be granted to Blue Ledge as a bonus for accommodating the reconfiguration. Reference Exhibit C.

C. Total Density. The total density on the Hidden Meadows Property shall be ~~53~~ ⁵⁴ lots. Nine of these lots shall be part of Royal Oaks Phase II; the remaining ~~44~~ ⁴⁵ lots shall be Hidden

Meadows lots. The density shall comply with the provisions of the Sensitive Lands Ordinance, with the exception of the bonus and Royal Oaks Phase II lots.

D. Alternate Density. Hidden Meadows Property shall not receive any plat approvals until the developers of Royal Oaks Phase II have received Planning Commission approval for a final plat to reconfigure the Royal Oaks Phase II deleting nine lots as shown conceptually in Exhibit C. If the developers of Royal Oaks Phase II have not recorded that plat within eighteen months of adoption of this agreement, the underlying zoning of Estate (E) and Recreation Open Space (ROS) shall dictate the density of the Hidden Meadows parcel, with no bonuses granted.

9. Affordable Housing. In consideration of the foregoing, Blue Ledge shall pay Park City \$364,000 as follows: provide 4.4 affordable unit equivalents as required by Resolution 8-93 as provided in Exhibit D

A. Payment in Lieu. Prior to final plat recordation, Blue Ledge shall pay \$264,000 to Park City which shall satisfy its affordable housing obligation for 4.4 affordable unit equivalents.

B. Lot 45. Blue Ledge shall pay \$100,000 to Park City within 2 years of Phase I final plat recordation as consideration for retaining ownership and single-family use of Lot 45. Blue Ledge shall execute and record a lien and promissory note on Lot 45 to Park City's satisfaction. Blue Ledge hereby grants to Park City a right of first refusal to purchase Lot 45 at the price of \$215,000. Such right shall expire 30 days after Blue Ledge provides written notice to Park City of the first bona fide offer of purchase for Lot 45 which culminates in a sale at or near appraised value.

A. Duplex Units. Two affordable rental units shall be provided in duplex configuration in conjunction with the Hidden Meadows project. These units shall comply with Resolution 8-93. Unit size, occupancy and affordable housing restrictions on the units shall be reviewed by the Planning Commission concurrent with final plat approval. The Commission shall make a recommendation to the Park City Housing Authority (Housing Authority) on the general terms of a Moderate Income Rental Program Agreement (MIRPA). The approval of the MIRPA by the Housing Authority is a condition of final plat approval.

B. Remaining Requirement. The remaining affordable housing requirement shall be provided through in-lieu payment or by other methods reviewed and approved by the Housing Authority. The Planning Commission shall review proposals for satisfying the remaining requirement during subdivision review and shall make a recommendation on the method and parameters to the Housing Authority. The Housing Authority shall approve a MIRPA as a condition of final plat approval.

C. Security Required. Security for the entire 4.4 affordable housing unit requirement totalling \$264,000 shall be posted prior to plat recordation.

~~D. Deadlines.~~

- ~~i. Duplex Units. The duplex units described in sub-paragraph 9.A. must be one of the first five structures in the subdivision to receive building permits and must be approved for occupancy within 18 months of the building permit issuance for the duplex unit. If the duplex units do not meet these conditions, the security for affordable housing, together with accrued interest, shall be forfeited to the Housing Authority.~~
- ~~ii. Other Units. The units described in Paragraph 9.B. must be constructed within two years of plat recordation. If this condition is not satisfied, the security for affordable housing, together with accrued interest, shall be paid over to the Housing Authority.~~
- ~~iii. Security. If all affordable units are built prior to the respective deadlines, the security for affordable housing, together with interest, shall be returned to Blue Ledge.~~

~~E. Fee Waivers. Affordable housing fee waivers outlined in Resolution 8-93 (Exhibit D) shall not be available for affordable housing built in conjunction with the requirement for affordable housing set forth in paragraph 9.~~

Dated this 16th day of May, 1995.

BLUE LEDGE CORPORATION

By: Hank Rothwell
Its: President

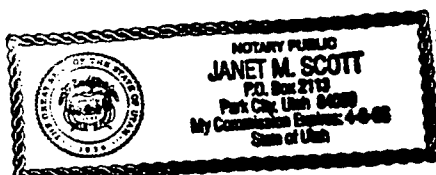
CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)

: ss.

County of Summit)

On the 16 day of May, 1995, personally appeared before me HANK ROTHWELL, who did say that he/she is the PRESIDENT of Blue Ledge Corporation, and that the foregoing Agreement was signed in behalf of said corporation by authority of a resolution of its board of directors; and said person acknowledged to me that said corporation executed the same.



Janet M. Scott
NOTARY PUBLIC

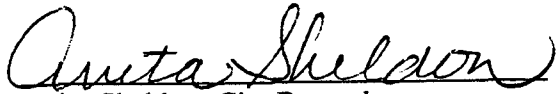
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PARK CITY MUNICIPAL CORPORATION


Bradley A. Orr, Mayor

Attest:


Anita Sheldon, City Recorder

Approved as to Form:

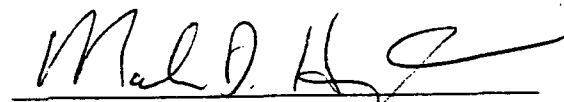

Mark D. Harrington, Asst. City Attorney

EXHIBIT A

HIDDEN MEADOWS SURVEY BOUNDARY

Beginning at a point North $00^{\circ}19'41''$ East along the section line 295.82 feet from the east quarter corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South $77^{\circ}00'00''$ West 1631.18 feet; thence South $35^{\circ}30'00''$ West 1410.00 feet to the northeast corner of the Emma mining claim (Mineral Survey 3262); thence along the northerly end lines of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North $77^{\circ}39'13''$ West 1626.95 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North $28^{\circ}59'00''$ West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North $59^{\circ}06'00''$ East 465.36 more or less along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North $61^{\circ}01'00''$ East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North $83^{\circ}40'43''$ West 601.29 feet; thence along the easterly end line of the Little Bessie mining claim (Mineral Survey 5490) North $40^{\circ}09'07''$ West 601.17 feet; thence along the easterly end line of the Sunrise mining claim (Mineral Survey 5490) North $40^{\circ}09'07''$ West 135.53 feet more or less; thence along the south line of the north half of the northwest quarter of Section 10 North $89^{\circ}51'10''$ East 595.76 feet; thence along the east line of the north half of the northwest quarter of Section 10 North $00^{\circ}40'33''$ East 771.40 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North $60^{\circ}10'00''$ East 516.35 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North $62^{\circ}56'19''$ East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North $44^{\circ}04'01''$ West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North $75^{\circ}55'00''$ East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North $78^{\circ}41'14''$ East 40.19 feet; thence along the easterly side line of the Potosi mining claim North $53^{\circ}33'00''$ East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North $75^{\circ}55'00''$ East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South $41^{\circ}00'00''$ East 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim South $39^{\circ}40'23''$ East 608.58 feet; thence along the easterly end line of the Glegg No. 3 mining claim South $38^{\circ}46'13''$ East 606.70 feet; thence along the southerly side line of the Glegg No. 3 mining claim South $75^{\circ}52'07''$ West 1501.92 feet; thence along the southerly side line of the Glegg No. 6 mining claim South $63^{\circ}17'52''$ West 344.36 feet; thence along the east line of Section 10 South $00^{\circ}19'41''$ West 1178.19 feet to the point of beginning. Description contains 258.38 acres.

00430356 Bk00825 Pg00172

When recorded mail to:
Anita Sheldon, City Recorder
P.O. Box 1480
Park City, UT 84060

HIDDEN MEADOWS ANNEXATION AGREEMENT

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

1. Property. The property to be annexed is described on the attached Exhibit A, and is referred to herein as the Hidden Meadows Property.

2. Zoning. Upon annexation, the Hidden Meadows property will become subject to the Park City Land Management Code, Subdivision Regulations, Sensitive Lands Ordinance, and all other Park City ordinances and building regulations. The property will be zoned in two areas as shown on the annexation plat for the property, which is incorporated into this agreement as Exhibit B. The open hillsides outside of the development area will be zoned RECREATION OPEN SPACE (ROS). The developed area will be zoned ESTATE (E), with maximum density as outlined in Paragraph 4 of this agreement. It is understood that the underlying zone for the entire parcel for the purpose of density calculations is Estate (E) and that the open space areas will be zoned Recreation Open Space (ROS) to ensure the area remains in open space.

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

4. Density.

A. Underlying Density. The underlying density of Hidden Meadows is calculated as if the entire parcel is zoned Estate, with the Sensitive Lands Ordinance applied. The total density without bonuses or Royal Oaks reconfiguration shall be no greater than 35 lots.

B. Royal Oaks Phase II Reconfiguration Bonuses. Park City desires to reduce the visual impacts of Royal Oaks Phase II, as approved in 1991, and to maintain the hillside below the Oaks Clubhouse in as natural a state as possible. In order to achieve this, Park City agrees to grant density bonuses to Blue Ledge on the Hidden Meadows property in consideration for the relocation of the most visually obtrusive Royal Oaks Phase II lots. Nine lots shall be moved from Royal Oaks Phase II to the Hidden Meadows property; an additional nine lots shall be granted to Blue Ledge as a bonus for accommodating the reconfiguration. Reference Exhibit C.

C. Total Density. The total density on the Hidden Meadows Property shall be 53 lots. Nine of these lots shall be part of Royal Oaks Phase II; the remaining 44 lots shall be Hidden Meadows lots. The density shall comply with the provisions of the Sensitive Lands Ordinance, with the exception of the bonus and Royal Oaks Phase II lots.

D. Alternate Density. Hidden Meadows Property shall not receive any plat approvals until the developers of Royal Oaks Phase II have received Planning Commission approval for a final plat to reconfigure the Royal Oaks Phase II deleting nine lots as shown conceptually in Exhibit C. If the developers of Royal Oaks Phase II have not recorded that plat within eighteen months of adoption of this agreement, the underlying zoning of Estate (E) and Recreation Open Space (ROS) shall dictate the density of the Hidden Meadows parcel, with no bonuses granted.

5. Site Planning. The configuration of the Hidden Meadows Property shall be substantially as shown in Exhibit C and as described in the MPD approval.

6. Trails and Sidewalks. A trails plan shall be approved concurrently with the preliminary plat and shall conform to the MPD approval. The trails shall be dedicated to Park City in the final plat. Park City reserves the right to develop additional trails in any open space areas which are dedicated to Park City.

7. Open Space. The Hidden Meadows Property open space shall be as shown in Exhibit C.

A. Ownership. Blue Ledge shall by statutory warranty deed transfer land designated as Recreational Open Space (ROS) to the City in fee simple. Blue Ledge hereby warrants marketable title to the entire area designated ROS in Exhibit C.

B. Use Restrictions and Preservation. The open space areas shall be subject to a restriction which will ensure the perpetual preservation of the open space and restrict the uses of the parcels. This restriction may take the form of a deed restriction, conservation easement, or some other mechanism acceptable to the City Attorney.

C. Maintenance. Open space shall be maintained by the entity holding fee title to the property unless other provisions have been made by agreement or as conditions of plat approval.

8. Fire Safety. Exterior and interior fire sprinklers are required. Wood roofs are prohibited.

9. Affordable Housing. In consideration of the foregoing, Blue Ledge shall provide 4.4 affordable unit equivalents as required by Resolution 8-93 as provided in Exhibit D.

A. Duplex Units. Two affordable rental units shall be provided in duplex configuration in conjunction with the Hidden Meadows project. These units shall comply with Resolution 8-93. Unit size, occupancy and affordable housing restrictions on the units shall be reviewed by the Planning Commission concurrent with final plat approval. The Commission shall make a recommendation to the Park City Housing Authority (Housing Authority) on the general terms of a Moderate Income Rental Program Agreement (MIRPA). The approval of the MIRPA by the Housing Authority is a condition of final plat approval.

B. Remaining Requirement. The remaining affordable housing requirement shall be provided through in-lieu payment or by other methods reviewed and approved by the Housing Authority. The Planning Commission shall review proposals for satisfying the remaining requirement during subdivision review and shall make a recommendation on the method and parameters to the Housing Authority. The Housing Authority shall approve a MIRPA as a condition of final plat approval.

C. Security Required. Security for the entire 4.4 affordable housing unit requirement totalling \$264,000 shall be posted prior to plat recordation.

D. Deadlines.

- i. Duplex Units. The duplex units described in sub-paragraph 9.A. must be one of the first five structures in the subdivision to receive building permits and must be approved for occupancy within 18 months of the building permit issuance for the duplex unit. If the duplex units do not meet these conditions, the security for affordable housing, together with accrued interest, shall be forfeited to the Housing Authority.
- ii. Other Units. The units described in Paragraph 9.B. must be constructed within two years of plat recordation. If this condition is not satisfied, the security for affordable housing, together with accrued interest, shall be paid over to the Housing Authority.
- iii. Security. If all affordable units are built prior to the respective deadlines, the security for affordable housing, together with interest, shall be returned to Blue Ledge.

E. Fee Waivers. Affordable housing fee waivers outlined in Resolution 8-93 (Exhibit D) shall not be available for affordable housing built in conjunction with the requirement for affordable housing set forth in paragraph 9.

10. Roads and Road Design. All streets and roads within the Hidden Meadows property shall be public and public access may not be obstructed. All streets and roads, excluding the cul de sacs and the meadow loop road, must be platted and built in the first phase of the development. Park City agrees to consider road designs submitted by registered engineers on Blue Ledge's behalf, and agrees that roads within the project will be required to meet Park City standards for residential and collector streets, including adequate provisions for construction traffic.

A. The road traversing the hillside below the Oaks Clubhouse shall have a minimum width of twenty-four feet from back of curb to back of curb, with a ten-foot shoulder on each side. The road design will be rigorously reviewed by the staff for retaining walls, landscaping, and irrigation which will minimize the visual impact of the road crossing. This road shall have a very confined limit of disturbance, particularly on the downhill side, in order to retain as much of the natural screening as possible.

11. Future Rights-of-Way. The subdivision plat for the Hidden Meadows Property shall show a right-of-way, of at least fifty feet in width, on the east edge of the property bordering the Gillmor parcel in the general location of the existing dirt road. The right-of-way shall not be improved for public vehicular traffic until a review of the Park City Annexation Declaration Policy and Comprehensive Plan is completed and the use of the right-of-way is determined to be appropriate and desirable as a result of such comprehensive review. Blue Ledge, as the developer, shall have no obligation now or in the future to construct or pay for the construction of this road beyond the cul-de-sac bulb; provided that if Blue Ledge still owns lots at such time as a special improvement district is formed for that purpose, Blue Ledge would be subject to assessment on the same basis as other lot owners.

12. Sanitary Sewer. Alignment of the sanitary sewer through Chatham Crossing is subject to Park City review and approval prior to and after final design. Blue Ledge shall submit a revegetation plan for the disturbance associated with the installation of the sanitary sewer. This plan shall be approved by the staff prior to commencement of sanitary sewer construction.

13. Dedication of Water Rights. In consideration of the benefits incurred to Park City in the January 22, 1992 "Agreement between Park City Municipal Corporation and United Park City Mines Company Consenting to a Sale of Surplus Salt Lake City Water," Park City will not require dedication of water rights by Blue Ledge as a condition of annexation of the Hidden Meadows property.

14. Water Connection and Development Fees and Other Water Costs. As each building permit is obtained for individual houses within the subdivision, the owner shall pay the Park City water connection and development fees as provided by the Park City ordinance in effect at the time of application for building permits. Because there is no longer desirable distribution capacity in the Oaks Tank, Blue Ledge shall be required to pay a City approved portion of the cost of a pump station to send water from the Chatham area to the Solamere area.

15. Homeowners Association. A Homeowners Association shall be formed to maintain trails and any common open space under the ownership of the association.

16. Park Development Fees. Blue Ledge shall pay and agrees not to contest Parks and Recreation fees in the amount of \$1035 per Hidden Meadows lot prior to final plat recordation. However, pursuant to Paragraph 7 of this Agreement, Blue Ledge is dedicating substantial open space to Park City. Accordingly, all or part of the Park and Recreation fees may be waived by Park City in an amount to be determined by the Park City Parks, Recreation and Beautification Board. The potential for a fee waiver shall be scheduled on the first available agenda of the Park City Parks, Recreation and Beautification Board upon the execution of this Agreement. Blue Ledge shall not be responsible for payment of Parks and Recreation fees for the nine Royal Oaks Phase II lots located on Blue Ledge Property.

17. Planning Review Fees. Blue Ledge shall be responsible for all subdivision approval fees as deemed appropriate by the Community Development Director. Blue Ledge shall not be responsible for payment of fees for the nine Royal Oaks lots located on the Hidden Meadows parcel.

18. Impact and Building Fees. Blue Ledge or successor owners of lots will pay and not contest all generally applicable impact (including school facilities impact fees), building permit, and plan check fees due for construction on the annexed land as provided by Park City ordinance in effect at the time of application for building permits.

19. Acceptance of Public Improvements. Park City will accept title to the public improvements within each phase of the project upon final approval of the construction for each phase. Blue Ledge shall pay for the usage of water in each phase sufficient, in the opinion of the Park City Public Works Director, to avoid freezing of water lines until homes have been built on 23 lots (or 50% of the lots) in that phase.

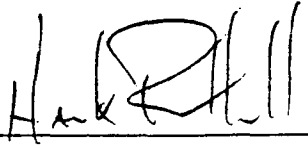
20. Snow Removal and Storage. Park City is not obligated to take over snow removal responsibility on public streets within Hidden Meadows Property until at least 23 lots in the Hidden Meadows Subdivision exclusive of the Nine Royal Oaks Phase II Lots) have been improved by the construction of a house on those lots as evidenced by issuance of a certificate of occupancy on those lots. Until that occurs, snow removal shall be Blue Ledge's responsibility, or that of the homeowners' association. Because of the project location within a drift line and on a north-facing slope, a ten-foot snow storage easement shall be provided on either side of all streets within Hidden Meadows.

21. Governing Law. This agreement shall be governed by the laws of Utah.

22. Full Agreement. This agreement contains the full and complete agreement of the parties regarding the annexation and there are no other agreements in regard to the annexation of the Hidden meadows Property. This agreement may only be modified or varied by in writing signed by the parties.

Dated this 2nd day of March, 1995.

BLUE LEDGE CORPORATION


By: _____
Its: President

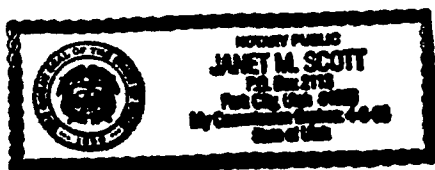
CORPORATE ACKNOWLEDGMENT

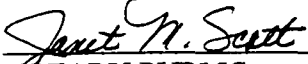
STATE OF UTAH)

: ss.

County of Summit)

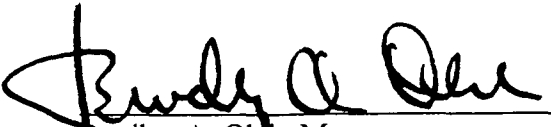
On the 3 day of March, 1995, personally appeared before me
HANK ROTHWELL who did say that he/she is the
PRESIDENT of Blue Ledge Corporation, and that the foregoing Agreement was
signed in behalf of said corporation by authority of a resolution of its board of directors; and said
person acknowledged to me that said corporation executed the same.





NOTARY PUBLIC

PARK CITY MUNICIPAL CORPORATION



Bradley A. Olson, Mayor

Attest:

Anita Sheldon
Anita Sheldon, City Recorder

Approved as to Form:

Mark D. Harrington
Mark D. Harrington, Asst. City Attorney

Exhibit A - Legal description of property to be annexed

Exhibit B - Annexation plat (estimated reduction - original recorded w/ Summit County Recorder)

Exhibit C - Site plan per approved MPD (reduction)

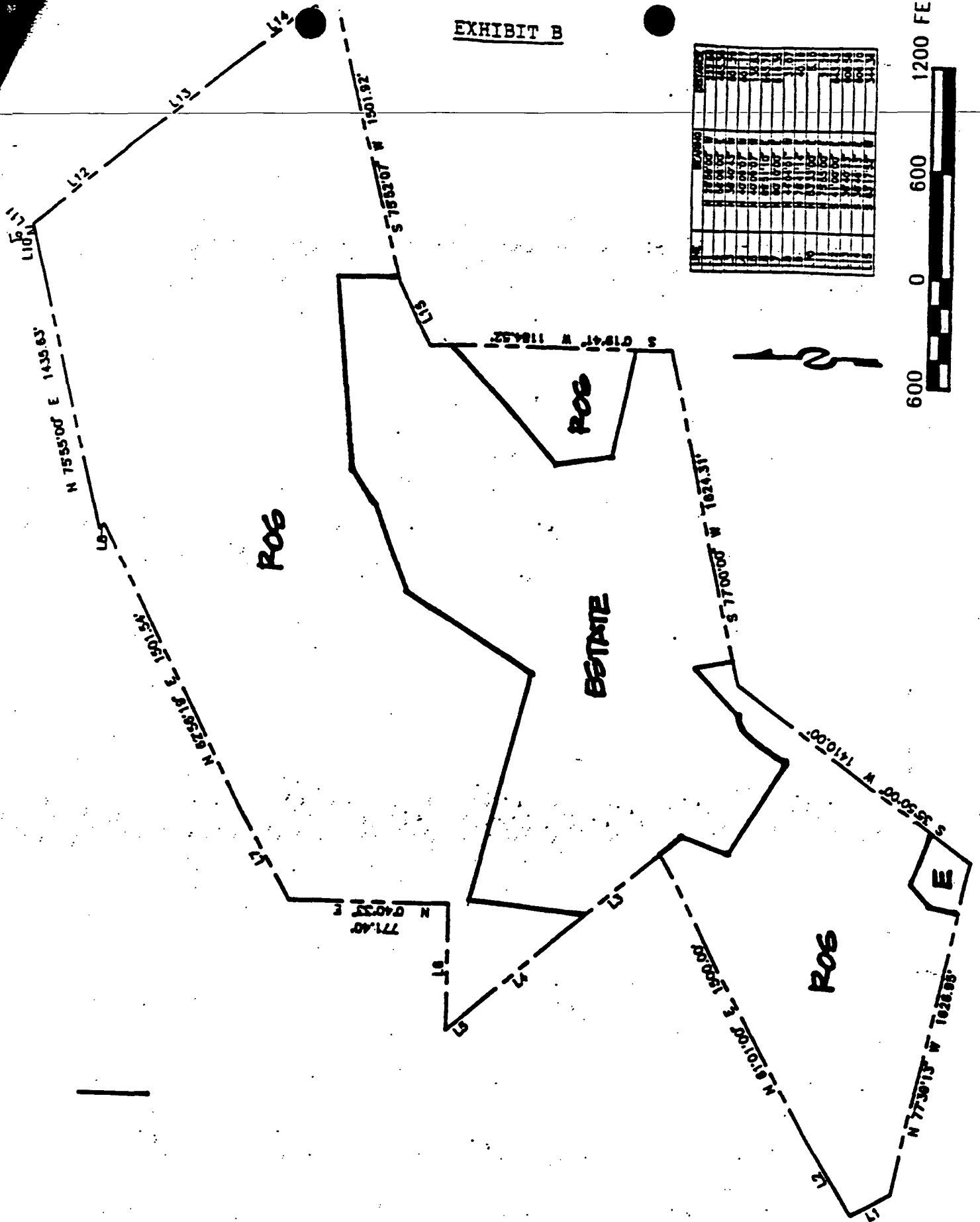
Exhibit D - Resolution 8-93

EXHIBIT A

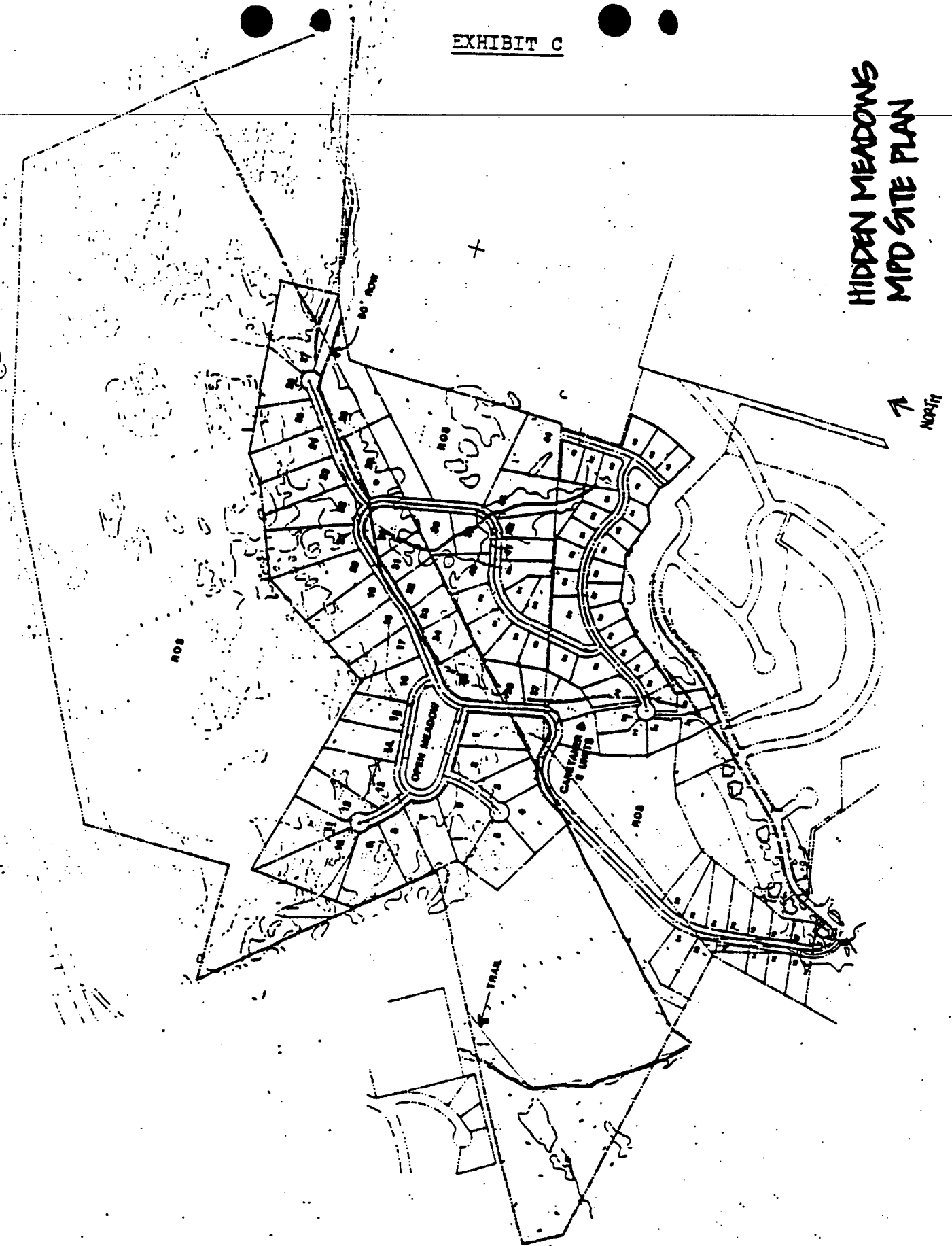
HIDDEN MEADOWS SURVEY BOUNDARY

Beginning at a point North 00°19'41" East along the section line 295.82 feet from the east quarter corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 77°00'00" West 1631.18 feet; thence South 35°30'00" West 1410.00 feet to the northeast corner of the Emma mining claim (Mineral Survey 3262); thence along the northerly end lines of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77°39'13" West 1626.95 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28°59'00" West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North 59°06'00" East 465.36 more or less along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61°01'00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 83°40'43" West 601.29 feet; thence along the easterly end line of the Little Bessie mining claim (Mineral Survey 5490) North 40°09'07" West 601.17 feet; thence along the easterly end line of the Sunrise mining claim (Mineral Survey 5490) North 40°09'07" West 135.53 feet more or less; thence along the south line of the north half of the northwest quarter of Section 10 North 89°51'10" East 595.76 feet; thence along the east line of the north half of the northwest quarter of Section 10 North 00°40'33" East 771.40 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60°10'00" East 516.35 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 62°56'19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44°04'01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75°55'00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78°41'14" East 40.19 feet; thence along the easterly side line of the Potosi mining claim North 53°33'00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75°55'00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41°00'00" East 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim South 39°40'23" East 608.58 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38°46'13" East 606.70 feet; thence along the southerly side line of the Glegg No. 3 mining claim South 75°52'07" West 1501.92 feet; thence along the southerly side line of the Glegg No. 6 mining claim South 63°17'52" West 344.36 feet; thence along the east line of Section 10 South 00°19'41" West 1178.19 feet to the point of beginning. Description contains 258.38 acres.

EXHIBIT B



HIDDEN MEADOWS
MPD SITE PLAN



Resolution No. 8-93

**A RESOLUTION ADOPTING AFFORDABLE HOUSING
GUIDELINES AND STANDARDS FOR
PARK CITY, UTAH**

WHEREAS, the City Council has identified affordable housing as a high priority in its work program for 1993 through 1995; and

WHEREAS, the City Council has adopted Resolution No. 37-91 on December 5, 1991 which established policies to support and increase affordable housing in Park City; and

WHEREAS, it is deemed in the best interest of the community to formulate guidelines and standards so that there are consistent and established criteria for review of project applications, annexation petitions, and other planning actions where affordable housing is an issue; and

WHEREAS, it is appropriate to base the following figures on standards in other resort communities, two Park City studies, HUD standards, and input from the Planning Commission Subcommittee on Affordable Housing;

NOW, THEREFORE BE IT RESOLVED that the City Council adopt the following:

SECTION 1. AFFORDABLE HOUSING STANDARDS AND GUIDELINES
ADOPTED.

MINIMUM UNIT SIZE--STANDARD

studio	400 square feet
1 br	550 square feet
2 br	750 square feet
3 br	950 square feet
4 br	1,100 square feet

MAXIMUM RENT--GUIDELINE

studio	\$400
1 br	500
2 br	650
3 br	800
4 br	950

It is assumed that the affordable units will be in multifamily configuration. Modifications to the maximum rent guidelines may be made based upon such factors as housing configuration (detached), provision of a public benefit, or project amenities. These numbers will be adjusted annually in consideration of the CPI and rental

rates. The City Council will reevaluate the rent maximums every three years.

MAXIMUM CITY ASSISTANCE--STANDARD

\$5,000 regardless of unit size or configuration.

LIMITATION PERIOD--GUIDELINE

15 years regardless of unit size.

The limitation period may be varied based upon provision of a public benefit or other factors as negotiated by the City Council or Housing Authority.

ANNEXATION REQUIREMENTS--STANDARDS

10% minimum percent affordable housing.

2 bedroom standard unit size.

UNIT EQUIVALENTS FOR AFFORDABLE HOUSING--STANDARDS

studio	.50
1 br	.75
2 br	1.00
3 br	1.25
4 br	1.50

IN LIEU PAYMENTS FOR ANNEXATION AFFORDABLE HOUSING
REQUIREMENT

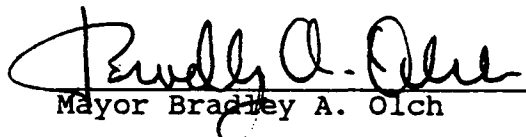
studio	\$30,000
1 br	45,000
2 br	60,000
3 br	75,000
4 br	90,000

The in lieu payment figures were derived from a recent estimate of the cost of providing one unit of affordable housing. The estimate of \$60,000 includes financing and title costs, construction costs, and contingency costs for a two bedroom unit. All other in lieu payments (for other sizes of units) are based upon the unit equivalents. These numbers will be adjusted annually in consideration of the CPI and estimates of affordable housing development costs. The City Council will reevaluate the in lieu amounts every three years.

SECTION 2. EFFECTIVE DATE. This Resolution shall become effective immediately.

PASSED AND ADOPTED this 18th day of March, 1993.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 163931 as prescribed under the laws of the State of Utah. I have made a survey of the tract of land shown on this map and described herein and subdivided said tract of land into lots, public easements, ROS parcels and public right-of-ways to be hereafter known as HIDDEN MEADOW SUBDIVISION PHASE 1 and that the same has been correctly surveyed on the ground as shown on this plat.

John Demkowicz
JOHN DEMKOWICZ L.S. NO. 163931

8-24-95
DATE



BOUNDARY DESCRIPTION

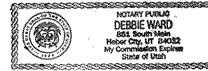
Beginning at a point on the northerly end line of the Emma mining claim North 77° 39' 13" West 251.53 feet from the Northeast corner of the Emma mining claim, said point is located North 4133.38 feet and East 2713.23 feet from the East Quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the northerly end of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77° 39' 13" West 1375.42 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28° 58' 00" West 222.56 feet more or less; thence along the southerly side line of the Emma mining claim (Mineral Survey 5490) North 59° 06' 00" East 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61° 01' 00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 38° 40' 43" West 14.26 feet; thence along the Chatham Crossing Subdivision boundary (Recorded Instrument Number 179465 in the Office of the Summit County Recorder) the following four courses: 1) North 61° 10' 55" East (Plot North 61° 05' 56" East) 48.56 feet; thence 2) North 41° 14' 05" West (Plot North 41° 19' 02" West) 1317.38 feet; thence 3) South 89° 55' 03" East (Plot East) 595.29 feet; thence 4) North 0° 04' 57" East (Plot North) 785.35 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60° 10' 00" East 509.54 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 52° 55' 19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44° 04' 01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78° 41' 14" East 40.19 feet; thence along easterly side line of the Potosi mining claim North 53° 33' 00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41° 00' 00" East 158.14 feet more or less; thence along the west line of the east half of the southwest quarter of the southwest quarter of section 2 South 00° 29' 39" West 656.87 feet more or less; thence along the North line of Section 11 North 88° 47' 03" West 664.97 feet more or less to the Northwest corner of Section 11; thence South 0° 57' 03" West 714.42 feet; thence South 70° 48' 36" West 20.35 feet; thence South 89° 32' 18" West 124.80 feet; thence South 07° 11' 05" East 317.18 feet to a point on a 50.00 foot radius curve to the right, whose radius point bears South 04° 46' 56" East, thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36" to a point on a 15.00 foot radius curve to the left, whose radius point bears North 43° 53' 40" East; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 675.00 foot radius curve to the right, whose radius point bears South 05° 57' 58" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53"; thence South 0° 57' 03" West 1415.52 feet to a point on a 50.00 foot radius curve to the left, whose radius point bears North 89° 02' 57" West; thence along the arc of said curve 73.52 feet thru a central angle of 84° 14' 57"; thence North 10° 48' 33" West 34.02 feet; thence South 80° 37' 22" West 628.64 feet; thence North 16° 28' 35" West 238.32 feet; thence North 13° 36' 27" West 50.00 feet; thence South 76° 23' 33" West 64.47 feet to a point on a 290.15 foot radius curve to the left, whose radius point bears South 13° 36' 27" East; thence along the arc of said curve 48.67 feet thru a central angle 09° 36' 38"; thence North 31° 57' 40" West 225.19 feet; thence South 46° 41' 39" West 377.59 feet; thence South 07° 56' 32" East 319.08 feet; thence South 10° 24' 24" West 233.92 feet; thence South 41° 50' 49" West 137.01 feet; thence South 67° 45' 45" West 221.74 feet; thence South 14° 25' 20" East 246.82 feet; thence South 38° 35' 36" East 164.61 feet to the northeast corner of Phase 1, Parcel 1 of Royal Oaks Subdivision Phase 1 (Recorded Instrument No. 352414 in the Office of the Summit County Recorder); thence along the north line of said Parcel 1 South 79° 34' 34" West (Plot South 79° 36' 44" West) 160.00 feet; thence along the north line of said Parcel 1 South 69° 24' 48" West (Plot South 69° 26' 58" West) 65.28 feet; thence along the Oaks at Deer Valley (Recorded Instrument No. 311418 in the Office of the Summit County Recorder) boundary line South 68° 57' 50" West (Plot South 69° 00' 00" West) 59.25 feet; thence along the Oaks at Deer Valley boundary line South 48° 57' 50" West (Plot South 49° 00' 00" West) 500.00 feet; thence North 65° 36' 22" West 331.48 feet to a point on a 536.60 foot radius curve to the left, whose radius point bears South 69° 33' 01" East; thence along the arc of said curve 335.95 feet thru a central angle of 35° 44' 16"; thence South 06° 17' 17" East 477.78 feet to a point on a 125.00 foot radius curve to the left, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 18.63 feet thru a central angle of 08° 32' 16"; thence along the Oaks at Deer Valley boundary line South 81° 46' 37" West (Plot South 81° 48' 47" West) 50.24 feet to a point on a 175.00 foot radius curve to the right, whose radius point bears North 77° 03' 57" East; thence along the arc of said curve 20.30 feet thru a central angle of 06° 38' 46"; thence North 06° 17' 17" West 477.78 feet to a point on a 588.60 foot radius curve to the right, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 214.78 feet thru a central angle of 20° 54' 26"; thence North 68° 29' 02" West 229.73 feet; thence South 48° 04' 16" West 126.36 feet; thence South 11° 47' 28" West 170.03 feet to the point of beginning. Description contains 222.03 acres more or less. The Basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That the undersigned is the owner of the herein described tract of land, having caused the same to be subdivided into lots, ROS parcels and public right-of-ways, together with easements as set forth on this Record of Survey Plat to be known hereafter as HIDDEN MEADOW SUBDIVISION, does hereby dedicate for the perpetual use of the public, all parcels of land as intended for public use and further consents to the recordation of this Record of Survey Plat in accordance with Utah Law. ALSO, the owner hereby dedicates to Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement. The owner, or his representative, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this 24th day of August, 1995.

BLUE LEDGE CORPORATION
A Delaware Corporation
[Signature]
Hank Rothwell
Its President

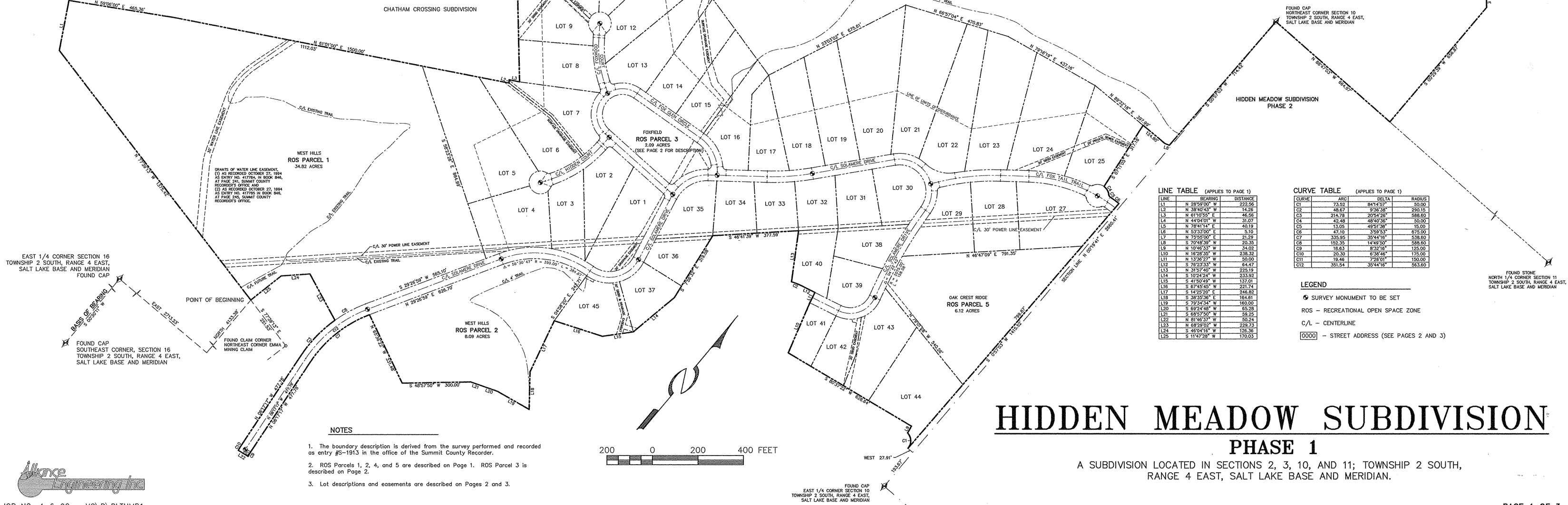


ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT)
On the 24 day of August, 1995, Hank Rothwell, appeared before me and acknowledged that he is the President of Blue Ledge Corporation, A Delaware Corporation, and that he executed the same on behalf of the Corporation with proper authority.
[Signature]
Notary Public
Residing at: *[Signature]*
Commission Expires: May 30, 1999

TABLE B

LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F.
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F.
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F.
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F.
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F.
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F.
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F.
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F.
LOT 9	81,383 S.F.	8,500 S.F.	12,000 S.F.
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F.
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F.
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F.
LOT 13	81,383 S.F.	7,250 S.F.	12,000 S.F.
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F.
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F.
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F.
LOT 17	49,336 S.F.	7,250 S.F.	10,000 S.F.
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F.
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F.
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F.
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F.
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F.
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F.
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F.
LOT 25	89,976 S.F.	8,500 S.F.	12,000 S.F.
LOT 26	186,994 S.F.	10,000 S.F.	16,000 S.F.
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F.
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F.
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F.
LOT 30	46,547 S.F.	7,250 S.F.	10,000 S.F.
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F.
LOT 32	39,186 S.F.	6,000 S.F.	10,000 S.F.
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F.
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F.
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F.
LOT 36	37,772 S.F.	6,000 S.F.	10,000 S.F.
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F.
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F.
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F.
LOT 40	44,468 S.F.	7,250 S.F.	10,000 S.F.
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F.
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F.
LOT 43	75,033 S.F.	8,500 S.F.	12,000 S.F.
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F.
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F.



LINE TABLE (APPLIES TO PAGE 1)

LINE	BEARING	DISTANCE
L1	N 28°59'00" W	222.56
L2	N 38°40'33" W	14.26
L3	N 61°10'55" E	46.56
L4	N 44°04'01" W	31.07
L5	N 78°41'14" E	40.19
L6	N 53°33'00" E	5.10
L7	N 75°55'00" E	21.29
L8	S 70°48'36" W	20.35
L9	N 10°48'33" W	34.02
L10	N 18°28'35" W	238.32
L11	N 13°36'27" W	50.00
L12	S 76°23'33" W	64.47
L13	N 31°57'40" W	225.19
L14	S 10°24'24" W	233.92
L15	S 41°50'49" W	137.01
L16	S 67°45'45" W	221.74
L17	S 14°25'20" E	246.82
L18	S 38°35'36" E	164.61
L19	S 73°04'34" W	160.00
L20	S 69°24'48" W	65.28
L21	S 68°57'50" W	59.25
L22	N 61°46'37" W	50.24
L23	N 68°29'02" W	229.73
L24	S 48°04'16" W	126.36
L25	S 11°47'28" W	170.03

CURVE TABLE (APPLIES TO PAGE 1)

CURVE	ARC	DELTA	RADIUS
C1	73.52	84°14'57"	50.00
C2	48.67	92°51'38"	20.35
C3	214.78	20°54'26"	588.60
C4	42.48	48°40'36"	50.00
C5	13.05	49°51'38"	15.00
C6	47.10	3°59'53"	675.00
C7	335.95	35°44'16"	536.60
C8	192.35	14°48'59"	588.60
C9	18.63	8°32'16"	125.00
C10	20.30	6°38'46"	175.00
C11	19.46	7°29'01"	150.00
C12	351.54	35°44'16"	583.60

LEGEND

- ☉ SURVEY MONUMENT TO BE SET
- ROS - RECREATIONAL OPEN SPACE ZONE
- C/L - CENTERLINE
- 00000 - STREET ADDRESS (SEE PAGES 2 AND 3)

HIDDEN MEADOW SUBDIVISION PHASE 1

A SUBDIVISION LOCATED IN SECTIONS 2, 3, 10, AND 11; TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

NOTES

- The boundary description is derived from the survey performed and recorded as entry #S-1913 in the office of the Summit County Recorder.
- ROS Parcels 1, 2, 4, and 5 are described on Page 1. ROS Parcel 3 is described on Page 2.
- Lot descriptions and easements are described on Pages 2 and 3.



JOB NO. 4-6-92 VCD,PLTHMP1

ALLIANCE ENGINEERING INC.

P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(801) 649-9467

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 30th DAY OF August, 1995 A.D.
BY *James R. Baird*
S.B.S.I.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 30th DAY OF August, 1995 A.D.
BY *[Signature]*
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 30th DAY OF August, 1995 A.D.
BY *Eric W. Oetken*
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 1st DAY OF September, 1995 A.D.
BY *Maeda H*
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 31st DAY OF August, 1995 A.D.
BY *Julia L. Sheldon*
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 31st DAY OF September, 1995 A.D.
BY *[Signature]*
MAYOR

RECORDED

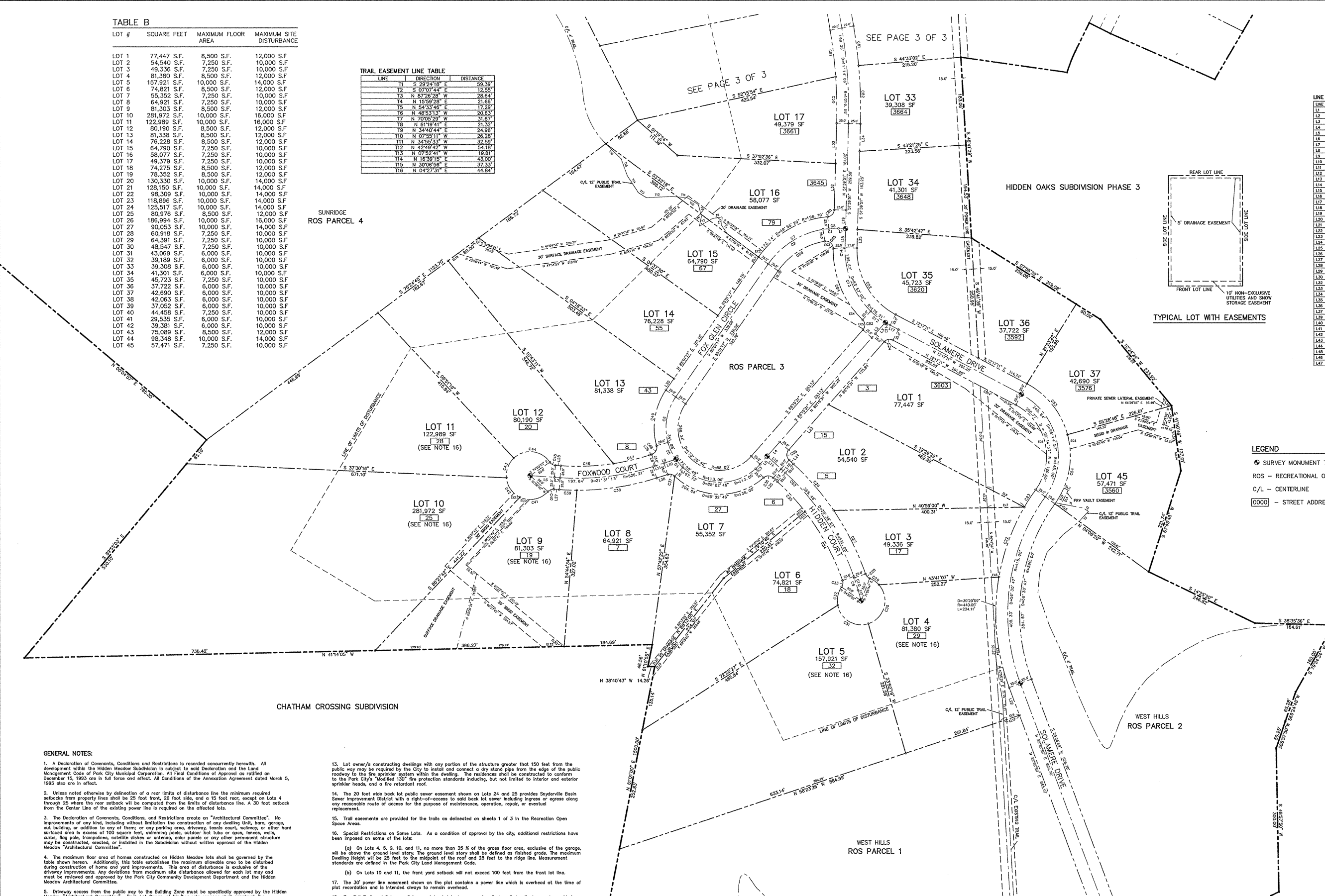
436442
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF COALITION TITLE Co.
DATE 9-1-95 TIME 17:00 PM BOOK PAGE
139.00 FEE *Alan Spriggs* RECORDER

LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
-------	-------------	--------------------	--------------------------

LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F.
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F.
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F.
LOT 4	81,580 S.F.	8,500 S.F.	12,000 S.F.
LOT 5	157,934 S.F.	10,000 S.F.	14,000 S.F.
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F.
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F.
LOT 8	64,949 S.F.	7,250 S.F.	10,000 S.F.
LOT 9	81,003 S.F.	8,500 S.F.	12,000 S.F.
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F.
LOT 11	122,998 S.F.	10,000 S.F.	16,000 S.F.
LOT 12	81,580 S.F.	8,500 S.F.	12,000 S.F.
LOT 13	81,338 S.F.	8,500 S.F.	12,000 S.F.
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F.
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F.
LOT 16	58,477 S.F.	7,250 S.F.	10,000 S.F.
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F.
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F.
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F.
LOT 20	133,320 S.F.	10,000 S.F.	14,000 S.F.
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F.
LOT 22	98,399 S.F.	10,000 S.F.	14,000 S.F.
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F.
LOT 24	68,118 S.F.	7,250 S.F.	10,000 S.F.
LOT 25	20,976 S.F.	8,500 S.F.	12,000 S.F.
LOT 26	186,994 S.F.	10,000 S.F.	16,000 S.F.
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F.
LOT 28	64,318 S.F.	7,250 S.F.	10,000 S.F.
LOT 29	64,351 S.F.	7,250 S.F.	10,000 S.F.
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F.
LOT 31	43,089 S.F.	6,000 S.F.	10,000 S.F.
LOT 32	37,228 S.F.	6,000 S.F.	10,000 S.F.
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F.
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F.
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F.
LOT 36	37,228 S.F.	6,000 S.F.	10,000 S.F.
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F.
LOT 38	42,663 S.F.	6,000 S.F.	10,000 S.F.
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F.
LOT 40	37,228 S.F.	6,000 S.F.	10,000 S.F.
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F.
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F.
LOT 43	43,089 S.F.	6,000 S.F.	10,000 S.F.
LOT 44	98,348 S.F.	10,000 S.F.	12,000 S.F.
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F.

LINE	DIRECTION	DISTANCE
T1	S 29°24'18" E	59.39'
T2	S 07°07'44" E	12.55'
T3	N 87°26'28" W	28.64'
T4	N 15°59'28" E	21.66'
T5	N 54°33'46" E	17.29'
T6	N 48°53'13" W	20.83'
T7	N 70°05'29" W	31.67'
T8	N 61°19'41" E	21.32'
T9	N 34°40'44" E	24.96'
T10	N 07°55'11" W	26.28'
T11	N 34°55'33" W	32.59'
T12	N 42°49'42" W	54.18'
T13	N 07°52'41" W	19.81'
T14	N 16°39'15" E	43.00'
T15	N 30°06'56" E	37.33'
T16	N 04°27'31" E	44.84'

LINE	DIRECTION	DISTANCE
T1	S 29°24'18" E	59.39'
T2	S 07°07'44" E	12.55'
T3	N 87°26'28" W	28.64'
T4	N 15°59'28" E	21.66'
T5	N 54°33'46" E	17.29'
T6	N 48°53'13" W	20.83'
T7	N 70°05'29" W	31.67'
T8	N 61°19'41" E	21.32'
T9	N 34°40'44" E	24.96'
T10	N 07°55'11" W	26.28'
T11	N 34°55'33" W	32.59'
T12	N 42°49'42" W	54.18'
T13	N 07°52'41" W	19.81'
T14	N 16°39'15" E	43.00'
T15	N 30°06'56" E	37.33'
T16	N 04°27'31" E	44.84'



LINE	BEARING	DISTANCE
11	N 30°29'00"E	15.00
12	S 88°51'30"E	26.64
13	N 88°51'30"E	26.64
14	N 88°51'30"E	20.31
15	S 88°51'30"E	20.31
16	S 34°02'00"E	61.23
17	S 34°02'00"E	11.53
18	S 34°02'00"E	61.23
19	S 57°52'31"E	45.14
20	S 57°52'31"E	24.06
21	N 33°50'51"E	22.88
22	N 33°50'51"E	10.19
23	N 22°13'17"E	39.93
24	S 22°13'17"E	10.19
25	N 13°17'11"E	20.31
26	N 18°50'51"E	40.50
27	N 18°50'51"E	26.64
28	N 36°54'07"E	25.56
29	N 36°54'07"E	13.48
30	N 36°54'07"E	25.56
31	N 88°51'30"E	126.46
32	S 22°13'17"E	10.19
33	N 22°13'17"E	39.93
34	S 57°52'31"E	24.06
35	N 38°50'56"E	11.53
36	N 38°50'56"E	61.23
37	N 30°29'00"E	15.00
38	N 30°29'00"E	66.64
39	N 51°40'07"E	84.38
40	N 51°40'07"E	11.74
41	S 51°40'07"E	38.85
42	N 42°05'45"E	11.74
43	N 42°05'45"E	66.64
44	N 51°40'07"E	11.74
45	N 51°40'07"E	26.21
46	N 51°40'07"E	86.36
47	N 51°40'07"E	17.70
48	N 51°40'07"E	59.60
49	N 51°40'07"E	11.74
50	N 79°23'37"E	69.88
51	N 42°05'45"E	104.99
52	N 42°05'45"E	11.74

LINE	BEARING	DISTANCE
L11	N 30°29'00"E	15.00
L12	S 88°01'30"E	27.64
L13	N 88°51'30"E	21.64
L14	N 88°51'30"E	20.31
L15	S 88°51'30"E	20.31
L16	S 34°02'00"E	21.23
L17	S 34°02'00"E	11.53
L18	S 34°02'00"E	11.53
L19	S 57°32'31"E	45.14
L20	S 57°32'31"E	45.14
L21	N 33°50'51"E	22.88
L22	N 33°50'51"E	22.88
L23	N 22°13'17"E	10.19
L24	S 22°13'17"E	10.19
L25	S 22°13'17"E	39.31
L26	N 13°17'11"E	19.31
L27	N 13°17'11"E	19.31
L28	N 13°17'11"E	26.23
L29	N 13°17'11"E	40.50
L30	N 13°17'11"E	40.50
L31	N 58°50'47"E	13.48
L32	N 58°50'47"E	13.48
L33	N 58°50'47"E	15.26
L34	S 22°13'17"E	10.19
L35	S 22°13'17"E	10.19
L36	S 22°13'17"E	10.19
L37	N 57°32'31"E	24.06
L38	N 57°32'31"E	24.06
L39	N 57°32'31"E	11.53
L40	N 57°32'31"E	11.53
L41	N 30°29'00"E	15.00
L42	N 30°29'00"E	15.00
L43	N 30°29'00"E	15.00
L44	N 30°29'00"E	15.00
L45	N 30°29'00"E	15.00
L46	N 30°29'00"E	15.00
L47	N 30°29'00"E	15.00
L48	N 30°29'00"E	15.00
L49	N 30°29'00"E	15.00
L50	N 30°29'00"E	15.00
L51	N 30°29'00"E	15.00
L52	N 30°29'00"E	15.00
L53	N 30°29'00"E	15.00
L54	N 30°29'00"E	15.00
L55	N 30°29'00"E	15.00
L56	N 30°29'00"E	15.00
L57	N 30°29'00"E	15.00
L58	N 30°29'00"E	15.00
L59	N 30°29'00"E	15.00
L60	N 30°29'00"E	15.00
L61	N 30°29'00"E	15.00
L62	N 30°29'00"E	15.00
L63	N 30°29'00"E	15.00
L64	N 30°29'00"E	15.00
L65	N 30°29'00"E	15.00
L66	N 30°29'00"E	15.00
L67	N 30°29'00"E	15.00
L68	N 30°29'00"E	15.00
L69	N 30°29'00"E	15.00
L70	N 30°29'00"E	15.00
L71	N 30°29'00"E	15.00
L72	N 30°29'00"E	15.00
L73	N 30°29'00"E	15.00
L74	N 30°29'00"E	15.00
L75	N 30°29'00"E	15.00
L76	N 30°29'00"E	15.00
L77	N 30°29'00"E	15.00
L78	N 30°29'00"E	15.00
L79	N 30°29'00"E	15.00
L80	N 30°29'00"E	15.00
L81	N 30°29'00"E	15.00
L82	N 30°29'00"E	15.00
L83	N 30°29'00"E	15.00
L84	N 30°29'00"E	15.00
L85	N 30°29'00"E	15.00
L86	N 30°29'00"E	15.00
L87	N 30°29'00"E	15.00
L88	N 30°29'00"E	15.00
L89	N 30°29'00"E	15.00
L90	N 30°29'00"E	15.00
L91	N 30°29'00"E	15.00
L92	N 30°29'00"E	15.00
L93	N 30°29'00"E	15.00
L94	N 30°29'00"E	15.00
L95	N 30°29'00"E	15.00
L96	N 30°29'00"E	15.00
L97	N 30°29'00"E	15.00
L98	N 30°29'00"E	15.00
L99	N 30°29'00"E	15.00
L100	N 30°29'00"E	15.00

CURVE	ARC	DELTA	RADIUS
C1	39.65	16.9416"	173.78
C2	134.07	42.5736"	113.78
C3	13.57	124.37"	113.00
C4	22.20	116.21"	113.00
C5	14.98	10.4536"	113.78
C6	99.30	54.9256"	113.00
C7	91.36	49.3236"	173.78
C8	14.37	24.5326"	113.78
C9	30.01	214.74"	253.08
C10	26.81	236.44"	253.08
C11	11.38	7.9344"	176.71
C12	16.60	12.5356"	176.71
C13	14.89	4.79636"	176.71
C14	3.82	0.5372"	176.71
C15	3.27	12.9523"	146.00
C16	81.73	320.036"	146.00
C17	90.78	36.5649"	146.00
C18	189.37	92.0943"	117.73
C19	15.40	0.39436"	850.00
C20	53.80	423.04"	850.00
C21	87.21	7.915"	850.00
C22	44.48	42.5224"	850.00
C23	45.39	5.936"	440.00
C24	18.81	76.932"	15.00
C25	12.38	89.1716"	15.00
C26	128.88	131.7144"	508.08
C27	149.10	15.7144"	508.08
C28	1.02	86.9536"	508.08
C29	23.94	27.2636"	508.08
C30	99.95	113.5736"	508.08
C31	14.88	86.9536"	508.08
C32	39.83	43.0435"	50.00
C33	14.54	5.422236"	50.00
C34	16.57	18.3936"	506.08
C35	85.35	9.394"	506.08
C36	15.40	0.75636"	506.08
C37	15.88	81.10312"	15.00
C38	170.01	17.4617"	253.21
C39	126.03	20.636"	253.21
C40	13.62	50.5012"	15.00
C41	64.59	72.5249"	50.00
C42	16.88	92.7277"	50.00
C43	45.44	50.5333"	50.00
C44	86.51	99.018"	50.00
C45	1.82	92.7277"	50.00
C46	110.55	12.3818"	50.21
C47	72.10	8.6252"	50.21
C48	12.98	8.74636"	50.21
C49	121.57	50.2056"	186.00
C50	96.79	4.35834"	186.00
C51	87.66	6.5854"	186.00
C52	168.77	6.57529"	15.21
C53	10.00	4.711036"	15.21
C54	15.51	5.10332"	15.21
C55	11.48	4.23737"	185.00
C56	120.44	4.23737"	185.00
C57	44.88	0.2936"	1054.33
C58	158.86	6.5758"	1054.33
C59	123.07	22.0327"	1054.33
C60	118.94	10.9546"	675.00
C61	13.05	49.3536"	15.00
C62	20.20	52.94836"	50.00
C63	42.88	44.6736"	15.00
C64	13.05	49.3536"	15.00
C65	13.95	7.5736"	15.00
C66	32.02	3.2928"	635.00
C67	14.24	54.2320"	15.00
C68	14.79	97.2274"	15.00
C69	14.24	54.2320"	15.00
C70	132.14	32.3618"	1054.33
C71	74.9358	1.3636"	1054.33
C72	20.20	77.0937"	15.00
C73	156.40	3.3648"	2075.00
C74	156.58	4.22243"	2075.00
C75	156.62	13.6209"	2075.00
C76	124.13	14.312"	2075.00
C77	114.38	45.0503"	142.73
C78	144.89	87.29343"	92.73
C79	132.31	3.3648"	2075.00
C80	93.31	3.37038"	2125.00
C81	82.79	42.5314"	104.68
C82	12.02	4.76253"	104.68
C83	22.97	87.4452"	15.00
C84	185.45	47.7047"	20.21
C85	121.39	52.0786"	20.21
C86	119.55	43.5218"	148.70
C87	45.83	412.08"	635.00
C88	78.18	87.81556"	635.00
C89	78.77	412.082"	1059.33
C90	29.58	2.27746"	650.00
C91	29.58	2	

CURVE	ARC	DELTA	RADIUS
C1	39.65	16.9416"	173.78
C2	134.07	42.5736"	113.78
C3	13.57	11.2421"	113.00
C4	22.50	9.6437"	113.00
C5	14.98	10.4538"	113.78
C6	99.30	5.9250"	113.00
C7	91.36	4.9329"	173.78
C8	14.37	9.4357"	113.78
C9	30.01	2.1474"	253.08
C10	26.81	2.9844"	173.78
C11	11.38	7.3954"	176.71
C12	16.60	12.5305"	176.71
C13	14.89	4.7967"	176.71
C14	18.02	3.9377"	176.71
C15	30.37	12.5923"	146.00
C16	81.73	3.3202"	146.00
C17	90.28	36.5649"	146.00
C18	180.37	92.0943"	117.73
C19	15.40	1.3945"	850.00
C20	53.80	423.04"	850.00
C21	87.21	7.9175"	850.00
C22	44.48	47.5224"	850.00
C23	45.39	5.9366"	440.00
C24	18.91	76.9327"	15.00
C25	12.38	80.1717"	15.00
C26	128.88	13.1144"	506.08
C27	149.10	15.2144"	506.08
C28	1.02	80.2658"	506.08
C29	23.94	27.2638"	506.08
C30	99.95	113.5732"	506.08
C31	14.88	86.4838"	50.00
C32	39.83	43.4315"	50.00
C33	14.54	5.422233"	50.00
C34	16.57	18.3936"	506.08
C35	85.65	9.3946"	506.08
C36	15.40	1.756370"	506.08
C37	15.88	6.10312"	15.00
C38	170.01	17.4617"	253.21
C39	126.03	16.0038"	253.21
C40	13.62	50.5012"	15.00
C41	14.65	72.5249"	15.00
C42	16.88	92.2777"	15.00
C43	45.44	10.5313"	50.00
C44	86.51	99.0186"	50.00
C45	14.82	92.7777"	50.00
C46	110.55	12.3818"	50.21
C47	72.10	8.8257"	50.21
C48	12.98	8.74658"	136.00
C49	121.57	50.2704"	136.00
C50	96.79	4.38534"	189.69
C51	87.66	4.38534"	189.69
C52	168.77	6.35729"	15.21
C53	110.00	4.71149"	15.21
C54	15.51	5.10330"	20.00
C55	11.48	4.92377"	165.00
C56	120.44	4.20304"	165.00
C57	44.88	0.29307"	1054.33
C58	158.86	6.5738"	1054.33
C59	123.07	2.12327"	1054.33
C60	118.94	10.9054"	675.00
C61	13.05	49.3518"	15.00
C62	120.20	59.4847"	50.00
C63	42.88	44.6740"	15.00
C64	13.05	49.3518"	15.00
C65	13.95	73.9738"	15.00
C66	32.02	3.29298"	635.00
C67	14.24	54.2320"	15.00
C68	14.79	97.2274"	15.00
C69	14.24	54.2320"	15.00
C70	132.14	3.26148"	1054.33
C71	74.9158	3.26148"	1054.33
C72	20.20	77.0937"	15.00
C73	156.40	3.38489"	2075.00
C74	156.68	4.22243"	2075.00
C75	156.52	13.9209"	2075.00
C76	124.13	14.3121"	143.73
C77	114.38	4.95051"	143.73
C78	144.09	87.0943"	92.73
C79	132.31	87.0943"	92.73
C80	93.31	3.70358"	2125.00
C81	82.79	4.53141"	1041.68
C82	120.20	4.76253"	1041.68
C83	22.97	87.4452"	15.00
C84	185.45	4.70647"	20.21
C85	121.39	4.70647"	20.21
C86	119.55	4.35218"	148.70
C87	45.83	412.06"	635.00
C88	78.18	8.71855"	635.00
C89	78.77	4.13624"	1059.33
C90	29.58	2.27748"	850.00
C91	29		850.00
C92	28.72	28.7232"	531.06
C93	73.52	84.1538"	50.00
C94	136.37	2.9637"	50.00

SURVEY MONUMENT TO BE SET
 ROS - RECREATIONAL OPEN SPACE ZONE
 C/L - CENTERLINE
 0000 - STREET ADDRESS

4. A Declaration of Covenants, Conditions and Restrictions is recorded concurrently herewith. All development within the Hidden Meadow Subdivision is subject to said Declaration and the Land Management Ordinance of the City of Park City Municipal Corporation. All final Conditions of Approval as ratified on December 15, 1993 are in full force and effect. All Conditions of the Annexation Agreement dated March 5, 1994 are hereby incorporated by reference.
5. Unless noted otherwise by delineation of a rear limits of disturbance line the minimum required setbacks from property lines shall be 25 feet front, 20 foot side, and a 15 foot rear, except on Lots 4 through 25 where the rear setback will be computed from the limits of disturbance line. A 30 foot setback from the limits of disturbance line shall be required for all other lots.
6. The Declaration of Covenants, Conditions, and Restrictions covear on "Architectural/Condition". No improvements of any kind, including without limitation the construction of any dwelling unit, barn, garage, shed, or other structure, or any driveway, entrance, driveway, tennis court, walkway, or other surface area is exempt from existing local rules, swimming pools, outdoor hot tubs or spas, fences, walls, or other structures, additions, modifications, or alterations to existing structures, or any other structure may be constructed, erected, or installed in the Subdivision without written approval of the Hidden Meadow "Architectural/Condition".
7. A the maximum floor area of homes constructed on Hidden Meadow lots shall be governed by the table shown hereinafter. Additionally, this table establishes the minimum allowable area to be disturbed during construction of home and yard improvements. This area of disturbance is exclusive of the area disturbed for the construction of any driveway, entrance, driveway, tennis court, walkway, or other surface area. The area of disturbance shall be determined by the Planning Department and must be released and approved by the Park City Community Development Department and the Hidden Meadow "Architectural/Condition".
8. Driveway access from the public way to the Building Zone must be specifically approved by the Hidden Meadow "Architectural/Condition". Each Lot owner, at his/her sole expense shall construct the driveway/drop/curb intersection to comply with applicable Park City Municipal Corporation Specifications.
9. Unless noted otherwise a 10 foot wide non-exclusive public utility and snow storage easement is hereby dedicated along all front Lot lines. A five foot wide driveway easement is hereby dedicated along all front Lot lines.
10. The Limits of Disturbance line shown on Lots 4 through 25 indicates a non-disturbance zone within the lots which expressly prohibits the construction of pools, tennis courts, gazebos, or any other structures or facilities.
11. Park City ordinances in effect at the time of approval of Hidden Meadow Subdivision require payment of a fee to the City of Park City for the installation of a water meter on each lot. The City of Park City does not place snow until such time as 50% of the lots have legally occupied single family dwellings.
12. The City of Park City requires that a minimum of 150 feet of front yard be maintained on all lots.
13. Owners of downwell Lots may encounter difficulty in designing a home with gravity flow to the sanitary sewer lines. Owners of such lots at their sole expense, will be required to install private individual ejector systems. Lots 25 will require an ejector system.
14. The Lot owner shall identify and maintain historic drainage channels (if any) in conjunction with the development of the property.
15. The maximum Floor Area for Dwellings in the Subdivision, including the area of any Accessory Dwelling Unit, is set forth in the Declaration of Covenants, Conditions, and Restrictions and on the table herein.
16. The City requires that a modified type 150 fire sprinkler system on per Park City's Modifications be installed on all lots constructed in the Hidden Meadow Subdivision.
17. The City requires that a modified type 150 fire sprinkler system on per Park City's Modifications be installed on all lots constructed in the Hidden Meadow Subdivision.

13. Plot owner/s constructing dwellings with any portion of the structure greater than 150 feet from the lot line may be required by the City to install and connect a dry stand pipe from the edge of the public right-of-way to the fire hydrant system within the subdivision. The dry stand pipe must be constructed to conform to the Park City's "Modified 130" fire protection standards including, but not limited to interior and exterior sprinkler heads, and a fire retardant roof.
14. The 20 foot wide back lot public sewer easement shown on Lots 24 and 25 provides Snyderline Basin access to the City's sewer system within the subdivision. The easement shall be constructed to provide any reasonable route of access for the purpose of maintenance, operation, repair, or eventual replacement.
15. Trawl easements are provided for the trawls as delineated on sheets 1 of 3 in the Recreation Open Space Areas.
16. Special Restrictions on Some Lots. As a condition of approval by the city, additional restrictions have been imposed on some of the lots:
 - (a) On Lots 4, 5, 9, 10, and 11, no more than 30 % of the gross floor area, exclusive of the garage and detached structures, may be used for the ground level story shall be defined as finished grade. The maximum finished grade shall be defined as the finished grade as indicated on the subdivision plat.
 - (b) On Lots 10 and 11, the front yard setback will not exceed 100 feet from the front lot line.
17. The 30' power line easement shown on the plat contains a power line which is overhead at the time of plat recording and is not intended to be removed.
18. The Fox Tail and Salsmore Drive are intended to become a heavily traveled collector road, provided lands to the East are duly annexed.
19. No building permits will be issued until roads are paved.

LINE	DIRECTION	DISTANCE
EL1	S 76°24'45" E	17.33
EL2	N 85°01'17" E	15.90
EL3	S 12°58'30" E	10.32
EL4	S 77°03'40" W	16.40
EL5	N 04°08'20" W	14.25
EL6	N 12°29'22" E	90.67
EL7	N 40°59'00" W	77.94
EL8	N 43°41'07" E	16.73
EL9	N 58°23'56" E	43.83
EL10	S 80°37'22" W	28.75
EL11	S 80°37'22" E	16.75
EL12	S 62°06'37" E	18.41
EL13	N 48°50'55" W	12.37
EL14	N 48°41'08" E	16.25
EL15	N 00°57'03" E	8.92
EL16	S 88°00'50" E	8.16
EL17	N 58°32'26" E	45.61
EL18	S 76°24'45" E	21.33
EL19	S 61°01'00" W	25.88
EL20	N 38°46'43" W	12.37
EL21	N 48°48'19" E	39.84
EL22	N 41°14'05" E	36.94
EL23	S 70°05'00" E	16.75

LINE	DIRECTION	DISTANCE
EL1	S 76°24'45" E	17.33
EL2	N 85°01'17" E	15.90
EL3	S 12°58'30" E	10.32
EL4	S 77°03'40" W	16.40
EL5	N 04°08'20" W	14.25
EL6	N 12°29'22" E	90.67
EL7	N 40°59'00" W	77.94
EL8	N 43°41'07" E	16.73
EL9	N 58°23'56" E	43.83
EL10	S 80°37'22" W	28.75
EL11	S 80°37'22" E	16.75
EL12	S 62°06'37" E	18.41
EL13	N 48°50'55" W	12.37
EL14	N 48°41'08" E	16.75
EL15	N 00°57'03" E	8.92
EL16	S 88°00'50" E	8.16
EL17	N 58°32'26" E	45.61
EL18	S 76°24'45" E	21.33
EL19	S 61°01'00" W	25.88
EL20	N 38°46'43" W	12.37
EL21	N 48°48'19" E	39.84
EL22	N 41°14'05" E	36.94
EL23	S 70°05'00" E	16.75

CURVE	RADIUS	LENGTH	DELTA
EC1	50.00	20.99	24'02.51"
EC2	198.70	15.00	04'19"
EC3	15.00	20.81	26'42"
EC4	201.21	41.26	11'45.00"
EC5	15.00	21.31	81'23.26"
EC8	120.00	49.42	23'35.55"
EC9	170.00	30.67	12'53.49"
EC9	170.00	30.18	10'10.14"
EC8	142.73	24.30	09'45.13"
EC10	142.73	17.44	07'00.01"
EC11	142.73	10.00	07'11.46"
EC12	506.08	10.00	01'07.55"
EC13	506.08	10.01	01'07.58"
EC14	403.72	10.71	15'20.00"
EC15	50.00	10.71	17'22.58"

CURVE	RADIUS	LENGTH	DELTA
EC1	50.00	20.99	24'02.51"
EC2	198.70	15.00	04'19"
EC3	15.00	20.81	26'42"
EC4	201.21	41.26	11'45.00"
EC5	15.00	21.31	81'23.26"
EC8	120.00	49.42	23'35.55"
EC9	170.00	30.67	12'53.49"
EC9	170.00	30.18	10'10.14"
EC8	142.73	24.30	09'45.13"
EC10	142.73	17.44	07'00.01"
EC11	142.73	17.44	07'11.46"
EC12	506.08	10.00	01'07.55"
EC13	506.08	10.01	01'07.58"
EC14	403.72	10.71	15'20.00"
EC15	50.00	10.71	17'22.58"

A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH,
RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

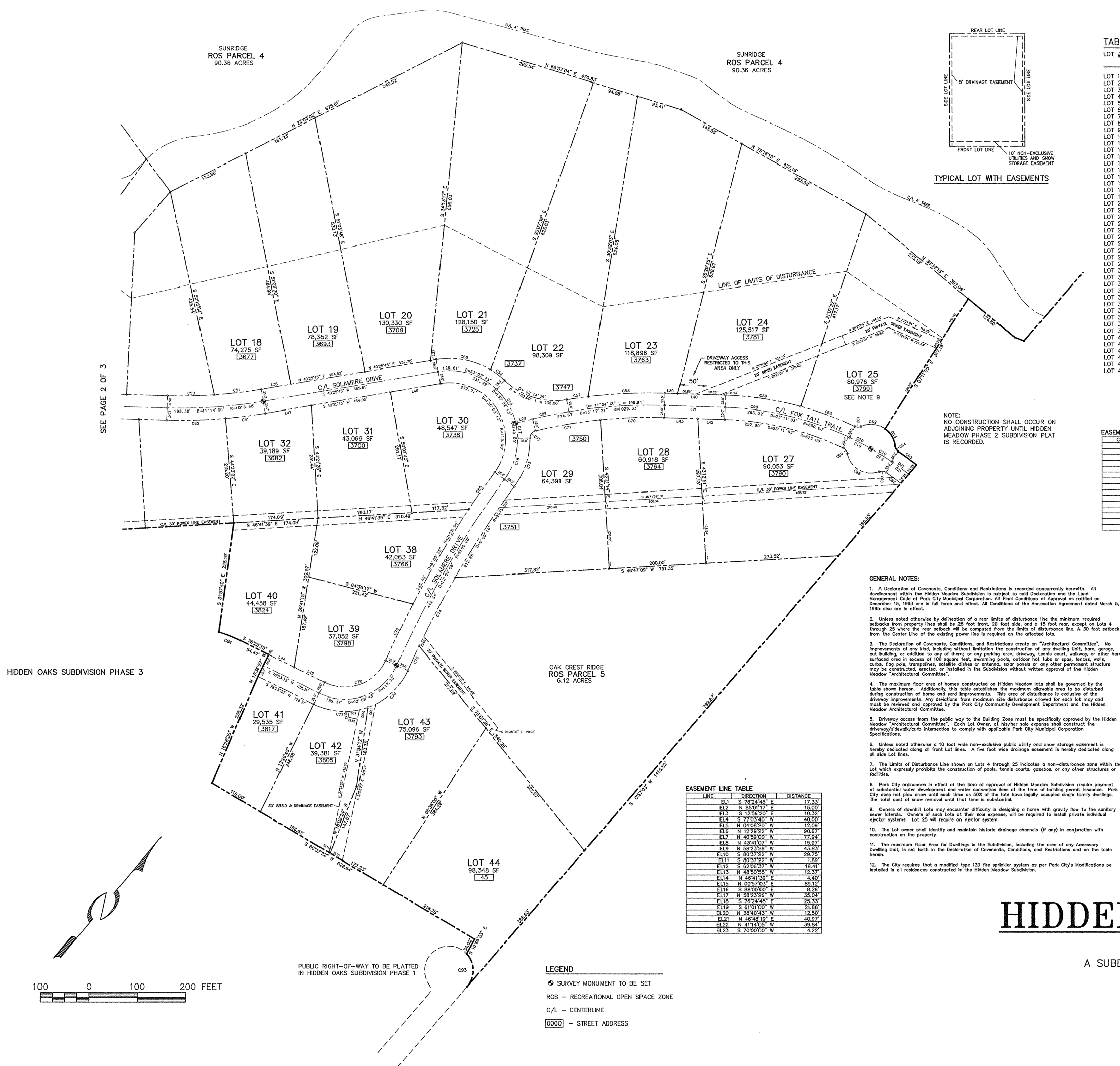


TABLE B			
LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F.
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F.
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F.
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F.
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F.
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F.
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F.
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F.
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F.
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F.
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F.
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F.
LOT 13	81,338 S.F.	8,500 S.F.	12,000 S.F.
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F.
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F.
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F.
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F.
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F.
LOT 19	76,392 S.F.	8,500 S.F.	12,000 S.F.
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F.
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F.
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F.
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F.
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F.
LOT 25	80,976 S.F.	8,500 S.F.	12,000 S.F.
LOT 26	186,984 S.F.	10,000 S.F.	16,000 S.F.
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F.
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F.
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F.
LOT 30	48,547 S.F.	6,000 S.F.	10,000 S.F.
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F.
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F.
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F.
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F.
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F.
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F.
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F.
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F.
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F.
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F.
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F.
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F.
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F.
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F.
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 38°09'00" E	13.00
L2	S 88°19'31" W	43.67
L3	N 88°19'31" W	21.64
L4	N 88°19'31" W	39.51
L5	N 88°19'31" W	22.43
L6	S 36°02'08" E	61.23
L7	S 36°02'08" E	11.53
L8	S 73°32'21" E	5.06
L9	S 73°32'21" E	45.14
L10	N 5°32'52" W	26.14
L11	N 5°32'52" W	24.98
L12	N 33°59'31" E	23.88
L13	N 22°13'17" E	12.59
L14	N 22°13'17" E	39.43
L15	S 23°13'17" W	29.51
L16	S 23°13'17" W	13.11
L17	N 12°17'11" W	19.83
L18	N 8°19'31" E	40.00
L19	N 8°19'31" E	26.53
L20	N 36°30'47" E	35.50
L21	N 36°30'47" E	124.46
L22	N 22°02'09" E	61.81
L23	N 88°19'31" W	126.38
L24	S 22°13'17" W	12.11
L25	N 23°13'17" E	12.19
L26	N 57°32'21" W	24.09
L27	N 36°02'08" E	11.53
L28	S 36°02'08" E	61.23
L29	S 73°32'21" E	5.06
L30	N 88°19'31" E	39.51
L31	S 8°19'31" E	26.53
L32	N 8°19'31" E	40.00
L33	N 36°30'47" E	35.50
L34	N 22°02'09" E	61.81
L35	N 88°19'31" W	126.38
L36	S 22°13'17" W	12.11
L37	N 23°13'17" E	12.19
L38	N 57°32'21" W	24.09
L39	N 36°02'08" E	11.53
L40	S 36°02'08" E	61.23
L41	S 73°32'21" E	5.06
L42	N 88°19'31" E	39.51
L43	S 8°19'31" E	26.53
L44	N 8°19'31" E	40.00
L45	N 36°30'47" E	35.50
L46	N 22°02'09" E	61.81
L47	N 88°19'31" W	126.38

CURVE TABLE			
CURVE	ARC	DELTA	RADIUS
C1	39.65	10°46'16"	173.79
C2	138.07	43°30'18"	173.79
C3	13.37	6°48'37"	113.00
C4	167.73	89°02'46"	113.00
C5	22.80	11°26'34"	113.00
C6	28.96	19°45'58"	113.00
C7	99.30	56°29'56"	113.00
C8	151.36	49°53'09"	113.00
C9	29.37	6°43'09"	173.79
C10	30.01	2°14'16"	503.06
C11	29.91	2°54'07"	503.06
C12	11.26	2°38'44"	176.31
C13	38.60	12°33'58"	176.31
C14	144.89	47°08'17"	176.31
C15	1.92	0°37'37"	176.31
C16	80.73	33°03'39"	140.00
C17	31.37	12°59'23"	140.00
C18	90.28	36°56'49"	140.00
C19	52.80	13°39'48"	650.00
C20	52.80	43°30'44"	650.00
C21	40.92	2°36'55"	650.00
C22	198.49	29°22'47"	440.00
C23	43.36	5°38'58"	440.00
C24	41.91	7°03'07"	15.00
C25	23.38	8°17'16"	15.00
C26	128.88	13°18'44"	558.06
C27	149.10	10°27'44"	558.06
C28	13.07	49°55'56"	15.00
C29	23.34	27°29'52"	50.00
C30	89.48	11°02'13"	50.00
C31	64.49	96°46'16"	50.00
C32	39.83	42°45'15"	50.00
C33	14.24	5°22'33"	15.00
C34	164.67	18°36'36"	506.08
C35	85.35	5°39'48"	506.08
C36	137.87	8°28'07"	15.00
C37	15.98	61°03'12"	15.00
C38	170.01	17°40'17"	301.31
C39	37.93	8°17'16"	15.00
C40	13.82	5°01'12"	15.00
C41	44.05	7°23'40"	50.00
C42	51.86	59°27'07"	50.00
C43	45.44	52°03'33"	50.00
C44	80.38	89°07'48"	50.00
C45	13.82	52°01'12"	15.00
C46	110.56	12°38'18"	501.21
C47	77.79	12°37'17"	501.21
C48	22.98	87°46'18"	15.00
C49	121.27	50°29'58"	150.00
C50	90.79	2°39'33"	991.68
C51	97.66	5°38'14"	991.68
C52	188.77	83°57'52"	151.31
C53	140.06	47°11'05"	170.00
C54	151.51	51°03'52"	170.00
C55	118.33	42°23'27"	165.00
C56	36.44	12°39'19"	165.00
C57	44.88	02°29'50"	1504.33
C58	159.66	63°37'06"	1504.33
C59	157.47	12°22'00"	675.00
C60	118.94	10°05'46"	675.00
C61	13.05	49°51'06"	15.00
C62	52.30	59°48'48"	30.00
C63	45.48	48°40'36"	30.00
C64	13.05	49°51'06"	15.00
C65	47.10	35°53'33"	675.00
C66	39.02	42°29'58"	675.00
C67	11.24	5°27'58"	15.00
C68	86.79	96°27'04"	50.00
C69	14.24	5°23'07"	15.00
C70	130.14	7°31'18"	1004.33
C71	130.86	7°49'33"	1004.33
C72	30.20	7°18'37"	15.00
C73	106.40	36°56'49"	185.00
C74	159.58	42°22'43"	2075.00
C75	56.82	13°09'00"	2075.00
C76	115.19	46°14'35"	142.73
C77	114.39	45°53'10"	142.73
C78	149.16	81°08'43"	82.73
C79	129.31	32°27'35"	2125.00
C80	81.31	2°37'58"	2125.00
C81	82.79	43°31'14"	1041.68
C82	121.47	6°40'53"	1041.68
C83	33.93	87°46'18"	15.00
C84	165.45	47°08'17"	201.31
C85	28.22	10°05'46"	15.00
C86	119.65	42°57'16"	143.79
C87	43.83	41°26'06"	625.00
C88	21.80	82°16'50"	15.00
C89	75.77	4°17'02"	1009.33
C90	286.18	23°27'48"	650.00
C91	44.08	33°33'04"	650.00
C92	262.32	28°18'52"	51.68
C93	73.52	84°14'57"	50.00
C94	45.67	5°38'58"	201.31

EASEMENT CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
EC1	50.00	20.39	24°02'51"
EC2	158.70	15.00	04°19'31"
EC3	15.00	20.61	78°42'31"
EC4	207.21	41.28	11°43'00"
EC5	15.00	21.31	81°23'29"
EC6	120.00	49.42	23°35'55"
EC7	70.00	38.27	12°53'49"
EC8	170.00	30.18	10°10'14"
EC9	142.73	24.30	09°45'13"
EC10	142.73	14.44	07°00'01"
EC11	142.73	17.93	07°11'46"
EC12	506.08	10.00	01°07'26"
EC13	101.01	10.00	01°07'26"
EC14	403.72	107.11	15°12'01"
EC15	50.00	15.27	17°29'36"

GENERAL NOTES:

- A Declaration of Covenants, Conditions and Restrictions is recorded concurrently herewith. All development within the Hidden Meadow Subdivision is subject to said Declaration and the Land Management Code of Park City Municipal Corporation. All Final Conditions of Approval as rolled on December 15, 1993 are in full force and effect. All Conditions of the Annexation Agreement dated March 5, 1995 also are in effect.
- Unless noted otherwise by delineation of a rear limits of disturbance line the minimum required setbacks from property lines shall be 25 foot front, 20 foot side, and a 15 foot rear, except on Lots 4 through 25 where the rear setback will be computed from the limits of disturbance line. A 30 foot setback from the Center Line of the existing power line is required on the affected lots.
- The Declaration of Covenants, Conditions, and Restrictions create an "Architectural Committee". No improvements of any kind, including without limitation the construction of any dwelling unit, barn, garage, out building, or addition to any of them; or any parking area, driveway, tennis court, walkway, or other hard surfaced area in excess of 100 square feet, swimming pools, outdoor hot tubs or spas, fences, walls, curbs, flag poles, trampolines, satellite dishes or antennas, solar panels or any other permanent structure may be constructed, erected, or installed in the Subdivision without written approval of the Hidden Meadow Architectural Committee.
- The maximum floor area of homes constructed on Hidden Meadow lots shall be governed by the table shown herein. Additionally, this table establishes the maximum allowable area to be disturbed during construction of home and yard improvements. This area of disturbance is exclusive of the driveway improvements. Any deviations from maximum site disturbance allowed for each lot may and must be reviewed and approved by the Park City Community Development Department and the Hidden Meadow Architectural Committee.
- Driveway access from the public way to the Building Zone must be specifically approved by the Hidden Meadow Architectural Committee. Each Lot Owner, at his/her sole expense shall construct the driveway/sidewalk/curb intersection to comply with applicable Park City Municipal Corporation Specifications.
- Unless noted otherwise a 10 foot wide non-exclusive public utility and snow storage easement is hereby dedicated along all front lot lines. A five foot wide drainage easement is hereby dedicated along all side lot lines.
- The Limits of Disturbance Line shown on Lots 4 through 25 indicates a non-disturbance zone within the Lot which expressly prohibits the construction of pools, tennis courts, gazebos, or any other structures or facilities.
- Park City ordinances in effect at the time of approval of Hidden Meadow Subdivision require payment of substantial water development and water connection fees at the time of building permit issuance. Park City does not allow snow until such time as 50% of the lots have legally occupied single family dwellings. The total cost of snow removal until that time is substantial.
- Owners of downhill Lots may encounter difficulty in designing a home with gravity flow to the sanitary sewer laterals. Owners of such Lots at their sole expense, will be required to install private individual ejector systems. Lot 25 will require an ejector system.
- The Lot owner shall identify and maintain historic drainage channels (if any) in conjunction with construction on the property.
- The maximum Floor Area for Dwellings in the Subdivision, including the area of any Accessory Dwelling Unit, is set forth in the Declaration of Covenants, Conditions, and Restrictions and on the table herein.
- The City requires that a modified type 130 fire sprinkler system as per Park City's Modifications be installed in all residences constructed in the Hidden Meadow Subdivision.
- Lot owner's constructing dwellings with any portion of the structure greater than 150 feet from the public way may be required by the City to install and connect a dry stand pipe from the edge of the public roadway to the fire sprinkler system within the dwelling. The residences shall be constructed to conform to the Park City's "Modified 130" fire protection standards including, but not limited to interior and exterior sprinkler heads, and a fire retardant roof.
- The 20 foot wide back lot public sewer easement shown on Lots 24 and 25 provides Snyderville Basin Sewer Improvement District with a right-of-access to said back lot sewer including ingress or egress along any reasonable route of access for the purpose of maintenance, operation, repair, or eventual replacement.
- Trail easements are provided for the trails as delineated on sheets 1 of 3 in the Recreation Open Space Areas.
- Special Restrictions on Some Lots. As a condition of approval by the city, additional restrictions have been imposed on the lots:
 - (a) On Lots 4, 5, 9, 10, and 11, no more than 35 % of the gross floor area, exclusive of the garage, will be above the ground level story. The ground level story shall be defined as finished grade. The maximum Dwelling Height will be 25 feet to the midpoint of the roof and 28 feet to the ridge line. Measurement standards are defined in the Park City Land Management Code.
 - (b) On Lots 10 and 11, the front yard setback will not exceed 100 feet from the front lot line.
- The 30' power line easement shown on the plat contains a power line which is overhead at the time of plot recordation and is intended to remain overhead.
- Fox Tail Trail and Solomere Drive are intended to become a heavily traveled collector road, provided lands to the East are duly annexed.
- No building permits will be issued until roads are paved.

HIDDEN MEADOW SUBDIVISION

PHASE 1

A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED
436442
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF COALITION TITLE Co.
DATE 9-1-95 TIME 1:00 PM BOOK PAGE
139.00
FEE
RECORDER

When Recorded, Mail to:

Blue Ledge Corporation
P.O. Box 1450
Park City, Utah 84060

**DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
HIDDEN MEADOWS SUBDIVISION
PARK CITY, UTAH**

**Blue Ledge Corporation
PARK CITY, UTAH**

MARCH 1995

00436643 Bk00905 Pg00449-00484

**ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1995 SEP 01 17:00 PM FEE \$125.00 BY DMG
REQUEST: COALITION TITLE**

125.00

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**DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
HIDDEN MEADOWS SUBDIVISION
PARK CITY, UTAH**

THIS DECLARATION IS MADE THIS 17th July, 1995, by Blue Ledge Corporation, a Delaware corporation, referred to below as "Declarant:"

RECITALS:

A. Declarant is the owner of the following described real Property located in Park City, Summit County, Utah:

See the attached Exhibit A

B. Declarant intends to develop a residential subdivision on the Property. Declarant will develop and convey all of the Lots and other land within the Property subject to a general plan of development, and subject to certain protective covenants, conditions and restrictions all as set forth in this Declaration, and which are deemed to be covenants running with the land mutually burdening and benefiting each of the Lots and the other Property conveyed.

C. Declarant hereby declares that all of the Lots, Open Space Parcels, and the Amenity Parcel shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to the protective covenants, conditions, restrictions and equitable servitudes, all of which are created for the mutual benefit of the Owners of the Lots. It is the intention of the Declarant in imposing these covenants, conditions and restrictions to create a generally uniform pattern of development, to protect and enhance the property values and aesthetic values of the Lots by eliminating inconsistent uses or improvements, all for the mutual protection and benefit of the Owners of the Lots. The covenants, conditions and restrictions are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assigns, heirs, lien holders, and any other person holding any interest in the Lots, and shall inure to the benefit of all other Lots in the Subdivision. The covenants, conditions and restrictions shall be binding upon the Declarant as well as its successors in interest, and may be enforced by the Declarant, while it is an Owner, the Association, or by any Owner.

Notwithstanding the foregoing, no provisions of this Declaration shall prevent the Declarant from completing the Subdivision Improvements, or from using any Lot owned by the Declarant as a model home, temporary construction or sales office, nor limit Declarant's right to post signs incidental to sales or construction which are in compliance with applicable City ordinances.

ARTICLE I
DEFINITIONS

1. Unless the context clearly requires the application of a more general meaning, the following terms, when used in this Declaration, shall have the following meanings:

1.1. "Accessory Dwelling" shall mean a separate, self-contained dwelling unit complete with cooking, sleeping, and sanitary facilities, and accessible without entering the Primary Dwelling. Fire separations, independent ventilation systems, and other building code requirements for separate, attached dwelling units must be complied with.

1.2. "Amenity Parcel" shall mean that parcel of land within the Subdivision designated as the Amenity Parcel on the Plat.

1.3. "Architectural Committee" shall mean the design review committee created under this Declaration.

1.4. "Association" shall mean the Hidden Meadows Subdivision Homeowners Association, whether incorporated or not, and as the context requires, the officers and directors of that Association.

1.5. "City" shall mean the City of Park City, Utah, and its appropriate departments, officials, and boards. Although the City will be conveyed title to the Open Space Parcels, and those Parcels will be subject to these covenants, the City is not an Owner for purposes of this Declaration, and no voting rights in the Association will be appurtenant to the Open Space Parcels.

1.6. "Declarant" shall mean and refer to Blue Ledge Corporation, a Delaware corporation having its principal place of business in Park City, Utah.

1.7. "Declaration" shall mean this Declaration of covenants, conditions and restrictions, together with any subsequent amendments or additions. The Subdivision Plat for Hidden Meadows, limits of disturbance, easements and other matters shown on that Plat, are also incorporated into this Declaration by reference.

1.8. "Dwelling" shall mean the primary single family residence built or to be built on any Lot.

1.9. "Floor Area" shall mean the total of the horizontal floor surfaces within the Dwelling, including bathrooms and mechanical areas, and decks, courtyards, or balconies that are under roof and enclosed by walls on three or more sides. Floor Area shall not include basements as defined by the Uniform Building Code or the first 600 square feet of any garage space.

1.10. "Improvement" shall mean all structures and appurtenances of every type and kind, including but not limited to buildings, Dwellings, Accessory Apartments, garages, storage buildings, and additions to them; walkways, retaining walls, gazebos, fences, driveways, landscaping, pools, decks, tennis courts, hard surfaced areas, stairs,

poles, lighting, signs, satellite dishes or other antennas, and any mechanical equipment located on the exterior or any building.

1.11. "Lot" shall mean any building Lot shown on the official plat of the Hidden Meadows Subdivision.

1.12. "Open Space Parcels" shall mean those areas designated on the plat as Open Space which will be conveyed to the City subject to the covenants contained in this Declaration. The Open Space Parcels are not subject to assessments by the Association.

1.13. "Owner" shall mean the person or persons having title to any Lot. Owner shall mean the person holding fee simple title, including the Declarant, and buyers under any contract for deed, but shall exclude any person or entity holding title only for purposes of securing performance of an obligation, unless that entity has taken possession. "Owner" shall not include the City or any other person or entity having an interest in the Open Space or Amenity Parcels.

1.14. "Person" shall mean a natural person or any legal entity with a right to hold title to real property in its own name in the State of Utah.

1.15. "Plat" shall mean the official subdivision plat of the Hidden Meadows Subdivision as approved by the City of Park City and recorded in the office of the Summit County Recorder, as it may be amended from time to time.

1.16. "Site Disturbance Area" means the portion of a Lot which may be disturbed by construction activity, including the physical limits of the Dwelling or any other Structure. The area allowable for each Lot is shown on Exhibit B.

1.17. "Subdivision" shall mean the Hidden Meadows Subdivision, and all Lots, Open Space Parcels and Amenity Parcel within the Subdivision as shown on the Plat.

1.18. "Trustees" shall mean the duly elected and acting board of trustees of the Hidden Meadows Homeowners Association.

ARTICLE II

HOMEOWNERS ASSOCIATION

2. To effectively enforce these Covenants, the Declarant has created a Utah Non-Profit corporation called Hidden Meadows Homeowners Association. The Association shall be comprised of the Owners of Lots within the Hidden Meadows Subdivision, and is established to perform the following functions and exercise the following rights and powers for the benefit of the Owners and the enforcement of these covenants. Membership in the Association is deemed an appurtenance to the Lot, and is transferrable only in conjunction with the transfer of the title to the Lot. The Association shall have and exercise, as necessary, the following powers:

2.1. Enforcement Powers. The Association shall have the power to enforce these covenants by actions in law or equity brought in its own name, the power to retain professional services needed for the enforcement of these covenants and to incur expenses for that purpose. The Trustees of the Association shall have the authority to compromise claims and litigation on behalf of the Association resulting from the enforcement of these covenants. The Trustees shall have the exclusive right to initiate enforcement actions in the name of the Association, however this shall not limit the individual rights of Lot Owners to personally enforce these Covenants in their own name. The Association may appear and represent the interests of the Subdivision at all public meetings concerning zoning, variances, or other matters of general application and interest to the Owners. Owners may appear individually.

2.2. Management of Open Space. Following the conveyance from Declarant to the Association, the Association shall have ownership and control over the Amenity Parcel, and be responsible for its maintenance, insurance, property taxes, and, consistent with the terms of this Declaration, be able to determine the nature of any Improvements made to the Amenity Parcel by the Association, and at its expense, as provided in Article VIII of this Declaration. The Trustees of the Association may also grant utility or similar easements through the Amenity Parcel.

2.3. Snow Removal. The ordinances of Park City require the Association to provide snow removal service within the Subdivision until 50% of the Lots in the Subdivision have been improved by the construction of a completed Dwelling. Because of the length of road outside the boundaries of the Subdivision that serves only this Subdivision, and will have to be plowed at Association expense, this will be a substantial annual expense to the Association. Until such time as the snow removal service has been assumed by the City, the Association shall be responsible for the costs of private snow removal service, and shall have the power to make assessments against the Owners, including the Owners of unimproved Lots, for purposes of providing this service.

2.4. Indemnity of Association Trustees and Officers. The Association will indemnify the officers, agents and trustees of the association against any and all claims arising against them personally which are a result of the good faith exercise of the powers, duties and responsibilities of their office under this Declaration. To the extent the Association deems it appropriate, it may purchase liability insurance covering the Trustees with Association funds.

2.5. Assessments. The Association has the power to levy Assessments against each Lot as necessary to carry out these functions. Assessments will be equal on all Lots, whether vacant or improved. Assessments will be made annually to meet the anticipated and recurring expenses of the Association including, but not limited to, the costs of snow removal (until assumed by the City), insurance, property taxes on the Amenity Parcel, reimbursement of expenses incurred by the Trustees and Architectural Committee in performance of their obligations, enforcement of these covenants, and the initial construction costs, maintenance and operation of any Improvements made by the Association on the Amenity Parcel. Notice of the Assessment and the proposed amount of the annual Assessment will be given in advance with the notice of the annual meeting of the Association, provided that the amount of the proposed Assessment may be increased or decreased at the meeting in which it is approved by the Owners. The Association may also levy special Assessments to cover unanticipated expenses or shortfalls. No special Assessment will be levied without approval of the Owners in a

meeting called for that purpose. The Trustees will provide the Owners with an annual accounting of Assessments collected and expenditures.

2.6. Assessments Constitute Lien, Mortgagee Protection. Any validly imposed Assessment by the Association shall constitute a lien against the Lots in the Subdivision. The Association shall have the right to foreclose on that lien when any Assessment remains unpaid for a period of more than 90 days from the date the Assessment was levied, but if the lien is not foreclosed upon, it may be renewed from year to year by recording a new notice of the lien, together with accumulated interest. The lien of the Association against any Lot shall have priority from the date that the first Notice of Lien on a specific Lot is recorded in the office of the Summit County Recorder, and is subordinate to any previously recorded liens or encumbrances filed against that Lot, specifically including any purchase money mortgage or trust deed. Notwithstanding the lien rights of the Association, the obligation to pay Assessments is a personal obligation of the Owner of each Lot, and the Association may proceed to collect against the Owner, or the prior Owner of any Lot in the event of a sale. No Mortgagee or Beneficiary under a Trust Deed who takes title by foreclosure or non-judicial sale, or accepts in lieu of foreclosure or non-judicial sale, shall be held liable for the unpaid Assessments of the Owner whose Lot was acquired by the Mortgagee or Beneficiary under a Trust Deed. Delinquent Assessments will bear interest at the highest lawful consumer credit rate permitted under Utah law until paid.

2.7. Statement of Account. Any Owner may request the Association to provide a statement of his account to any lender or prospective buyer of that Lot showing the Assessments to be paid in full, or the amount of any past due Assessments and interest charges. The Buyer or lender for whom such a statement was prepared will be entitled to rely on its accuracy, and will not be held liable for any amounts not shown on the statement. The Association may charge a fee of \$25 or less for each such statement.

2.8. By-Laws. The day to day administration of the Association's affairs, including the manner in which Trustees are elected and their terms of office are set forth in the By-Laws of the Association, which may be amended from time to time by the Association as provided in those by-laws. No amendment of the By-Laws shall have the effect of releasing or amending these covenants, conditions, or restrictions.

2.9. Voting Rights. There shall be one vote appurtenant to each Lot, and each Owner, including the Declarant, shall be entitled to cast one vote for each Lot he or she owns. In the case of a Lot with multiple Owners, the Owners will agree among themselves how the vote applicable to that Lot will be cast, and if no agreement can be reached, no vote will be received from that Lot. Any of the multiple Owners appearing at the meeting in person or by proxy is deemed to be acting with proper authority for all of the other Owners of that Lot unless the other Owners are also present and object, or have filed written objections to that Owner's representation of the other Owners of the Lot in question. In matters presented to the Owners for a vote, a simple majority of those present at the meeting (if a quorum is present) will carry a motion, except as provided below for the purpose of making Improvements to the Open Space Parcel or amendment of this Declaration. A quorum will consist of 50% of the Lots. The Open Space Parcels have no voting rights.

2.10. Architectural Review. It is the intention and purpose of these covenants, conditions and restrictions to impose architectural standards on any Improvements made to any Lot that result in buildings which are architecturally compatible in terms of Lot

coverage, siting, proportion, materials, colors, and general appearance, while at the same time allowing for diversity in style and design appropriate for the mountain setting. To accomplish this goal, the Declarant hereby empowers the Board of Trustees to oversee and enforce the Architectural Design Standards set forth in this Declaration.

2.11. Architectural Committee Created. The Board of Trustees of the Association shall constitute the Architectural Committee, provided however that until such time as 75% of the Lots in the Subdivision have been conveyed by the Declarant to third parties, the Declarant shall appoint an interim Architectural Committee consisting of three members, who are not required to be Owners. At the time 25% of the Lots are sold to persons other than the Declarant, one member of the Committee will be appointed from the Owners, other than a representative of the Declarant. At the time that 75% of the Lots are sold to persons other than the Declarant, the functions of the Architectural Committee will be assumed by the Board of Trustees. The Trustees may employ the services of a design professional, such as an architect, land planner, or landscape architect to serve as one member of the Architectural Committee, and such design professional does not need to be an Owner or resident of the Subdivision. The remaining members of the Committee shall be members of the Board of Trustees. In any event, regardless of the number of Lots sold, all members of the Committee will be named by the Trustees following the fifth anniversary of the recording of this Declaration with the Summit County Recorder.

2.12. Approval by Committee. No Improvements of any kind, including without limitation the construction of any Dwelling, Accessory Dwelling, garage, out building, or addition to any of them; or any parking area, driveway, tennis court, walkway, or other hard surfaced area in excess of 100 square feet, swimming pools, outdoor hot tubs or spas, fences, walls, curbs, flag poles, trampolines, satellite dishes or antennae, solar panels, or any other permanent structure may be constructed, erected, or installed in the Subdivision without the prior written approval of the Architectural Committee. No excavation, grading, filling, draining, landscaping, or installation or removal of existing vegetation shall be made without the advance written approval of the Architectural Committee. A simple majority of the Committee members is required to approve any submission. Approval of the Committee will be sought in the following manner:

a. Plans submitted. Plans for the construction of any new Improvement must be submitted to the Committee for review. It is recommended that a preliminary plan be submitted before the expense of final construction drawings is incurred. The submission must include:

(i) a Site Plan showing the boundaries of the Lot, and the proposed Site Disturbance Area within the Lot. The Site Plan will also show the location of driveways, utility connections and lines, and any retaining walls, excavations, fills, or other modifications of the existing surface condition of the site; and

(ii) an Architectural Plan for the Dwelling or other Improvements in sufficient detail to show the detailed drawings of all elevations of all buildings (including existing Buildings or Improvements in the case of a subsequent addition or remodel) showing locations of windows, doors, roof pitches, decks and other exterior elements; a list of exterior siding and roofing materials and/or a sample, including color samples; and a landscape plan showing the location of driveways, walkways, patios, decks

and other hard surfaced or irrigated areas and the areas to be disturbed by construction and the means of restoring those areas. In the case of an addition or modification of an existing Dwelling, the Committee may waive any of the foregoing it feels are unnecessary to its review of the remodel or addition.

b. **Review Fee.** The applicant will pay a review fee to the Committee of \$500 for each new dwelling, \$100 for each addition or remodel, or, in the case of Improvements which cost less than \$1,000, or which make no structural changes, the applicant will pay a fee of \$10. The primary purpose of the fee is to document the date of submission, but the Committee may also use the proceeds to pay for its expenses in reviewing the plans and giving notice of meetings. No fee will be accepted until the Architectural Committee considers the submission complete.

c. **Review.** Within 15 business days from receipt of a complete submission and payment of the fee, the Committee will review plans and make an initial determination whether or not the plans comply with the conditions imposed by this Declaration. If they do not, the plans will be rejected. If they are in compliance, the Committee will approve the plans. The Committee may also approve the plans subject to specific modifications or conditions. Owners may desire to submit preliminary plans for review. The committee will review preliminary plans, without fee, and make its comments known to the Owner, provided, however, that no preliminary approval is to be considered a final approval, and no final approval will be granted on less than a complete submission. Upon approval, the Committee and the Owner will each sign copies of the plans, one of which shall be left with the Committee. No construction that is not in strict compliance with the plans approved will be permitted.

d. **Written Record.** The Committee will maintain a written record of its actions, and maintain in its files a copy of all plans approved or rejected for a period of five years. The Committee will also provide evidence of its approval for the City, if requested by the Owner.

e. **Failure to Act.** If the Committee has not approved or rejected any submission within 45 business days after payment of the review fee and submission of complete plans, the submission is deemed to have been approved, unless the approval process has been extended as provided in Section 2.14 for special review of some aspects of the proposal.

2.13. **Variances.** Variances to the design standards contained in this Declaration may be granted when strict application would create an unforeseen or unreasonable hardship to the Owner of any Lot. No variance may be granted without the consent of at least 25% of the Owners in the Subdivision at a meeting called for that purpose. The Architectural Committee, or the Owners as a whole, cannot grant any variance that has the effect of modifying applicable City zoning, building code regulations, or conditions of subdivision approval. The burden of obtaining a variance is entirely on the applicant, including the costs of notice.

2.14. **Extraordinary Costs.** Whenever it deems appropriate, the Committee may engage the services of an independent architect, civil or structural engineer, or other appropriate consultant to assist in its review of any proposed Improvements. All costs of

such additional review will be paid by the Applicant, provided however that no architect or engineer will be hired without advance notice to the Applicant of the intention to hire a review architect or engineer, and the aspects of the proposal that caused the Committee to believe that professional review was required, and the estimated cost of that review. If the applicant does not withdraw the proposal within five days after receipt of that notice, he is deemed to have consented to the Committee retaining such professional assistance. Whenever the Committee retains outside professional services in its review, the reviewing architect or engineer is acting only in an advisory capacity, and the applicant, for himself and his successors and assigns, waives any and all claims against the Committee and the Association in the event that advice from, or conditions imposed by, the reviewing professional prove ineffective, unnecessary, or inappropriate to the circumstances. The costs of such review will be billed directly to the applicant in advance, and the review of the plans will be suspended until the costs of the special review have been paid by the Applicant. The review period will be extended for a period of 30 days following payment of the special review costs to allow for the review.

2.15. General Design Review. The Committee will use its best efforts to provide a consistent pattern of development, and consistent application of the standards of this Declaration. These standards are, of necessity, general in nature, and it is the Committee should apply them in a manner that results in a high quality, attractive, and well designed community, and reflect the wide range of Lot sizes with the Subdivision.

2.16. Declarant, Trustees and Committee not Liable. The Declarant, the Trustees, and the Committee and its members shall not be liable to the applicant for any damages, or to the Owners of and Lots within the Subdivision for their actions, inactions, or approval or disapproval of any set of plans submitted to the Committee for review. In the absence of bad faith or malicious actions, the Owners shall have no claim against the Declarant or Committee as a result of the performance or failure to perform the duties created by this Declaration. Each Owner has the right to enforce these covenants against every other owner, and may seek independent redress if it believes the Committee has acted improperly.

2.17. Limitations on Review. The Committee's review is limited to those matters expressly granted in this Declaration. The Committee shall have no authority over the enforcement of building codes, zoning ordinances, or other statutes, laws, or ordinances affecting the development or improvement of real property and shall have no liability to any Owner whose plans were approved in a manner that included any such violation. Corrections or changes in plans required by the City to bring them into conformity with applicable codes must be re-submitted to, and approved by the Committee prior to construction. No additional fee will be assessed for reviewing such revisions to the original submission.

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ARTICLE III

RESTRICTIONS ON ALL LOTS

3. The following restrictions on use apply to all Lots within the Subdivision:

3.1. Zoning Regulations. The lawfully enacted zoning regulations of Park City, and any building, fire, and health codes are in full force and effect in the Subdivision, and no Lot may be occupied in a manner that is in violation of any such statute, law, or ordinance.

3.2. No Mining Uses. The property within the Subdivision shall be used for residential purposes only, and no surface occupation for mining, drilling, or quarrying activity will be permitted at any time on any Lot, Open Space, or the Amenity Parcel.

3.3. No Business or Commercial Uses. No portion of the Subdivision may be used for any commercial business use, provided however that nothing in this provision is intended to prevent (a) the Declarant from using one or more Lots for purposes of a construction office or sales office during the actual period of construction of the Subdivision Improvements, or (b) the use by any Owner of his Lot for a home occupation. No home occupation will be permitted, however, which requires or encourages the Owner's clients, customers, patients or others to come to the Lot to conduct business, or which requires any employees outside of the Owner's immediate family or household. No retail sales of any kind may be made in the Subdivision. No materials, machinery, equipment, or inventory associated with any home occupation may be stored outside on any Lot. No signs associated with any home occupation are permitted.

3.4. Restrictions on Signs. No signs will be permitted on any Lot or within the Subdivision, except for traffic control signs placed by the City, temporary signs warning of some immediate danger, or signs not in excess of six square feet identifying the contractor and/or architect of any Dwelling Unit while it is under construction. Signs indicating the Lot is for sale may be placed in accordance with City sign regulations, and no such sign may exceed six square feet. The Declarant may erect a sign of not more than thirty-two square feet at the entrance to the Subdivision for a period of no more than one year announcing the availability of Lots and giving sales information. No permanent signs stating the address or the name of the owner of the Lot may be installed without the advance consent of the Architectural Committee. Such signs will be limited to 6 square feet, and may be placed at the driveway intersection with the public street, set back to the property line of the Lot.

3.5. Completion Required Before Occupancy. No Dwelling Unit may be occupied prior to its completion and the issuance of at least a Temporary Certificate of Occupancy by the City of Park City.

3.6. Primary Dwelling to be Constructed First. No Accessory Dwelling, garage, storage unit, or other out building or Improvement may be constructed prior to the commencement of construction of the primary Dwelling on the Lot.

3.7. No Re-Subdivision. No Lot may be re-subdivided. No Accessory Dwelling may be leased for a period of more than 24 months.

3.8. No Time Interval Ownership. No Lot may be owned, leased, or otherwise held in a manner that divides either the legal title or the right of use into formal or informal time intervals or timeshare ownership, or any other contract, trust, partnership, or other arrangement that permits, allows, or as a practical matter, creates or establishes time interval ownership or use of the Lot that is indistinguishable from time interval ownership.

3.9. Underground Utilities. All gas, electrical, telephone, television, and any other utility lines in the Subdivision are to be underground, including lines within any Lot which service installations or Improvements entirely within that Lot. No propane tanks or oil tanks may be installed on any Lot except for temporary heat during construction. Notwithstanding this provision, there is an existing overhead electrical line as shown on the Plat which will remain in place as an overhead line.

3.10. Service Yards. All clothes lines, service yards, storage yards, and exterior mechanical equipment must be screened in a manner approved by the Architectural Committee so that they are not visible from adjoining Lots.

3.11. Maintenance of Property. 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.

3.12. No Noxious or Offensive Activity. No noxious or offensive activity shall be carried out on any Lot, including the creation of loud or offensive noises or odors that detract from the reasonable enjoyment of nearby Lots.

3.13. No Hazardous Activity. No activity may be conducted on any Lot that is, or would be considered by a reasonable person to be unreasonably dangerous or hazardous, or which would cause the cancellation of conventional property casualty insurance. This includes, without limitation, the storage of caustic, toxic, flammable, explosive or hazardous materials in excess of those reasonable and customary for household uses, the discharge of firearms or fireworks, and setting open fires (other than properly supervised and contained barbecues). No Owner will occupy a Lot in a manner that is in violation of any State or Federal environmental protection law or regulation concerning the storage, disposal, or use of toxic or hazardous materials.

3.14. No Open Burning. The open burning of yard trimmings, construction waste, or other materials on the Lot is prohibited.

3.15. No Unsightliness. No unsightliness is permitted on any Lot. This shall include, without limitation, the open storage of any building materials (except during the construction of any Improvement, Dwelling or addition); open storage or parking of farm or construction equipment, inoperable motor vehicles, boats, campers, trailers, trucks larger than pick-up trucks (except during periods of actual loading and unloading); accumulations of lawn or tree clippings or trimmings; accumulations of construction debris or waste; household refuse or garbage except as stored in tight containers in an enclosure such as a garage; lawn or garden furniture except during the season of use; and the storage or accumulation of any other material, vehicle, or

equipment on the Lot in a manner that it is visible from any other Lot or any public street.

3.16. No Annoying Lights. Any outdoor lighting shall be subject to approval by the Architectural Committee, and no outdoor lighting shall be permitted except for lighting that is designed to aim downward and limit the field of light to the immediate vicinity of the Building or Improvement it is intended to serve. Lighted tennis courts, sport courts, and similar lighted recreation facilities are prohibited.

3.17. No Annoying Sounds. No speakers, or other noise making devices may be used or maintained on any Lot which create noise that might reasonably be expected to be unreasonably or annoyingly loud from adjoining Lots, except for properly operating and maintained security or fire alarms.

3.18. Drainage. No Owner shall alter the direction of natural drainage from his Lot, nor shall any Owner permit accelerated storm run-off to leave his Lot without first using reasonable means to dissipate the flow energy. Significant natural drainage areas are indicated on the Plat, and no Owner will construct Improvements in those areas that interfere with surface run off.

3.19. Vehicles Restricted to Roadways. No motor vehicle will be operated on the Subdivision except on improved roads and driveways. No snowmobiles or motorcycles will be operated on any Lot except for ingress and egress by duly licensed, "street legal" vehicles or while loading the equipment for lawful transport on public streets. The operation of any vehicle outside of the Site Disturbance Area of any Lot is strictly prohibited, even during periods of construction.

3.20. Kennels. No kennel or dog run may be placed closer than 50 feet to any Dwelling other than that of the Owner of the kennel.

3.21. No Transient Lodging Uses. The Lots are to be used for residential housing purposes only, and shall not be rented in whole or in part for transient lodging purposes, boarding house, "bed and breakfast," or other uses for providing accommodations to travelers. No lease of any Lot or Dwelling shall be for a period of less than one year. No Lot shall be subjected to time interval ownership.

3.22. No Firearms. No firearms of any kind, including b-b guns, pellet guns, or similar air-powered firearms may be discharged within the Subdivision.

3.23. Clearing and Grading. No portion of any Lot may be cleared of vegetation, graded, cut, or otherwise altered from its natural vegetative condition, except as specifically provided in this Declaration, and except in conjunction with the construction of the Primary Dwelling or other approved Improvements.

3.24. Public Trail Easements. There are public trails that cross through the Subdivision as shown on the Plat. These trails are for the use and benefit of the general public, and not just the Owners. They are dedicated public easements. No Owner shall obstruct or interfere with the use of the trails crossing his or her Lot. Subject to City regulations, trails will be open for use only during daylight hours. Trails are for non-motorized use only, and no motorcycle, all-terrain vehicle, snowmobile or other motorized vehicle (except for authorize maintenance vehicles or equipment) will be permitted on the trail system.

ARTICLE IV

RESTRICTIONS ON IMPROVEMENTS

4. All Improvements on any Lot shall be subject to the following restrictions and architectural design standards:

4.1. Number of Dwellings. Only one Dwelling may be constructed on any Lot; with the exception that Accessory Dwellings are permitted as described below. All Dwellings shall have an attached garage large enough to enclose 2 cars.

4.2. Site Disturbance Area; Placement of Buildings. In order to protect existing native vegetation, minimize landscape irrigation requirements, and maintain the feeling of open space within the subdivision, all construction and landscaping activity must be contained within the maximum Site Disturbance Area for each Lot. The Maximum Site Disturbance Area is comprised of the actual footprint of the house and garage, driveways and utility excavations as approved by the Association on the site plan, and the additional irrigated landscaped area around the house. The maximum size of the irrigated landscaped area for each lot is shown on Exhibit B. Within the Lot, subject to minimum front, side, and rear yard set back requirements, the Owner may propose any location for the Dwelling and the irrigated landscaped area around it. The location of the Dwelling and irrigated landscaped area should be selected to minimize removal of trees and oak brush or other significant vegetation. The placement of the Dwelling and other Improvements should also recognize historic drainage patterns and channels, if any, and avoid construction in locations that obstruct historic drainage. The shape of the Site Disturbance Area may be dictated by the proposed Dwelling, but shall be generally compact and in all cases, the areas disturbed by construction must be contiguous (and not linked by "cherry stems" that give the appearance of two areas of disturbance). Not included within the Site Disturbance Area are:

(a) Driveways not exceeding 20 feet in width connecting from the Site Disturbance Area to the abutting public street;

(b) Utility service lines, provided that utility service lines will be located immediately adjacent to or in the drive way whenever reasonable. If, because of grade considerations for sewer lines, it is not practical to install such lines within or adjacent to the driveway, only one additional utility access trench will be permitted, and it will be kept to the minimum width reasonably possible to minimize disturbance, and if possible, routed around areas of significant vegetation to minimize tree removal.

4.3. Construction Activity Confined to Site Disturbance Area. All construction activity, Improvements, and Dwellings are to be confined to the portion of the Lot identified as the Site Disturbance Area. The Site Disturbance Area will be physically staked on the ground, and fenced or roped off to prevent construction activity from extending beyond the established limits. No soil storage, excavation or backfill operations, or vehicular access is permitted outside of the Site Disturbance Area.

4.4. Building Setback. Regardless of the location of the Site Disturbance Area, all portions of the Dwelling or any other Improvements (except for access driveways and underground utilities) must maintain a minimum front yard set back from property line of 25 feet; a minimum side yard set back of 20 feet on each side of the Lot, and a

minimum rear yard set back of 15 feet from the rear Lot line. On Lots 4 through 26, the rear yard set back will be established from the Limit of Disturbance line shown on the Plat instead of the rear Lot line, and no Improvements may be constructed beyond that line. See Section 4.23 for additional restrictions on specific Lots.

4.5. Relation of Set Back to Site Disturbance Area. The Site Disturbance Area may extend into the Building set back areas, so that the minimum front, rear, and side yard set backs will determine the minimum set back for the exterior walls of any Dwelling or other Improvement, but allow for site disturbance beyond the exterior wall for construction purposes and/or irrigated landscaping.

4.6. Building Size. The sizes of the Lots within the Subdivision were intentionally varied. The maximum allowable Floor Area for the Dwelling and other buildings on the Lot are shown on the table in Exhibit "B". No Dwelling may be constructed which exceeds maximum building Floor Area stated for the Lot on which it is proposed, as shown on Exhibit B. The minimum Floor Area on the main level of any Dwelling shall be at least 2,500 square feet. Garages are not counted in the Floor Area, unless they exceed 600 square feet, in which case the area in excess of 600 square feet is counted.

4.7. Building Height. No structure on and Lot may exceed 28 feet in height as measured at the natural grade on the Lot prior to construction to a point half way between the eaves and the ridge line of the roof. The maximum ridge line height will be 33 feet above natural grade, with the intention being to have the building mass follow the natural, existing contour of the land. Building location and design should place buildings in a manner to minimize visibility from adjoining or adjacent Lots. See Section 4.23 for additional restrictions on specific Lots.

4.8. Roof Design. Roof pitches must be within a range of a 5/12 to a 7/12 slope. No more than one roof pitch may be used on any structure. Eaves and roofs must overhang by at least twenty-four inches. Shingles will be fire retardant material approved by the City. No wood shingles or shakes are permitted. Non-reflective metal roofing, and asphalt composite shingles weighing at least 270 pounds per 100 square feet are also permitted. Mansard, fake mansard, A-frame, gambrel, curvilinear, flat and domed roof designs are prohibited. All fascia boards must be at least twelve inches in width. Special attention will be paid to the south facing roof overhang to allow for adequate sun protection. All roof metal such as flashing, vent stacks, gutters and chimney caps will be made of anodized aluminum or painted galvanized metal, and in either case, will be painted an earth tone color.

4.9. Siding Materials. Unless specifically approved by the Architectural Committee, only the following exterior wall surface materials are allowed: cedar siding, redwood siding, stone, log, wood shingles, and stucco without "tudor" wood breaks. Textured plywood, metal, vinyl, masonite or similar manufactured siding materials are prohibited. There shall be no more than two separate exterior wall materials on any wall surface (excluding trim), and no more than three on any one Building. Exterior wall colors must harmonize with the site and surrounding buildings. The predominant tone should be earth tone, whether in the natural color or patina of the weathered color of the wall surface itself or the color of the stain or other coating. Bright or dramatic colors can be used for accent of exterior wall areas hidden from general view. Fascia and trim shall also remain in the earth tone spectrum.

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4.10. Windows. Windows must be either wood, bronze-tone aluminum clad wood, bronze tone aluminum, or dark metal. All windows must be at least double glazed. Any trapezoidal windows must parallel the shape of the walls or roofs surrounding them. No mirrored or reflective glass may be used.

4.11. Fireplaces, Chimneys. Only one wood-burning stove, fireplace, or other such appliance is permitted on each Lot. The primary heat source must be natural gas or solar rather than wood. No coal fired appliances may be use, and no coal shall be burned in fireplaces. Chimneys must be enclosed in an approved siding material with a spark arrester. No exposed metal flues are permitted.

4.12. Antennas. All antennas must be enclosed within a building, and not roof mounted. Any satellite dishes in excess of 24 inches in diameter must be located and screened in a manner approved in advance by the Architectural Committee so that they are not visible from either adjoining Lots or from outside the Subdivision.

4.13. Solar Panels. Solar panels will be permitted only with the consent of the Architectural Committee, and if permitted at all, must lie flat against the roof and may not differ in pitch from the roof surface on which they are mounted. No free standing solar panels will be permitted.

4.14. No Used or Temporary Structures. No previously erected, used, or temporary structure, mobile home, trailer house, or any other non-permanent structure may be installed or maintained on any Lot.

4.15. No Air Supported Structures. No air supported tennis or swimming pool bubbles or covers will be permitted on any Lot.

4.16. Balconies and Decks. The area under any deck or balcony that is more than twenty-four inches above natural grade must either be landscaped or screened from view so that the view from adjoining Lots or streets is not of the unfinished underside of the deck. The area under any deck shall not be used for storage of equipment, firewood, building material, or similar material. The underside of any deck more than four feet above grade must either be completely screened with vertical lattice or siding, or, if exposed (as in the case of a second story deck) painted or stained to match the house.

4.17. Fire Sprinklers. All dwellings must be equipped with an automatic fire sprinkler system in accordance with the ordinances of Park City or, in the absence of an ordinance, a system which meets standard 13-D of the National Fire Protection Association for residential applications. Owners constructing any portion of the Dwelling or other inhabitable structure more than 150 feet back from the public street may be required to install a dry standpipe from the edge of the street to the fire sprinkler system within the structure. The specifications for fire sprinkling equipment are established by City regulations, and it is the obligation of each Owner to comply with those specifications in the construction of the Dwelling.

4.18. Deer Valley Design Guidelines Incorporated. The Deer Valley Resort Architectural Design Guidelines, which are attached as Exhibit C are incorporated as general design requirements. In the event of conflicts, the specific provisions set forth in this Declaration shall control.

4.19. Fences. To minimize disturbance to native vegetation and disruption to wildlife habitat, fencing of the side and rear boundaries of any Lot shall not be permitted in the Subdivision. Limited interior fencing of the irrigated landscaped area is permitted subject to advance approval by the Architectural Committee. Chain link or other wire fencing is prohibited. With the advance consent of the Committee, an Owner whose Lot is bisected by, or abuts or adjoins a Public Trail Easement, as shown on the Plat or as later dedicated by the Owner, may fence the trail in a manner that is reasonable to prevent trespass. Fencing of trail easements may occur outside the Site Disturbance Area of the Lot. The design of such fencing should be typical of agricultural wire or wood rail fencing (not chain link) of a design that blends in with the surrounding vegetation, and not a highly visible privacy or screening type fence. The fencing material and height shall be of a design that will allow the free travel of wildlife, while discouraging human trespass. Any such fencing should be on the right of way boundary line, and placed in a manner that does not present safety hazards to trail users.

4.20. Entrance Gates. To the extent permitted by applicable City zoning, entrance gates are permitted on all Lots. The driveway width of any entrance gate may not exceed 20 feet in width. The decorative wall or other structure on either side of the gate, plus the width of the gate itself, may not exceed 75 feet in total length, or 30% of the frontage of the Lot, whichever is less. Fencing of the remainder of the Lot frontage is permitted, provided that fencing is of a decorative metal rather than chain link or other wire fencing, and is designed in a manner that blends into the natural landscaping. Decorative pillars on fencing are prohibited.

4.21. Driveway Access. Individual driveway accesses to each Lot must be approved by the Architectural Committee as part of the site plan of the Lot. Driveways should be located in a manner to minimize cuts and fills and the need for retaining walls. No driveway may exceed 12% slope. Driveways shall be wide enough to permit two cars to be parked side by side in front of the garage entrance, but shall not exceed 20 feet otherwise. Cut and fill slopes must be re-vegetated with native vegetation when occurring outside of the approved Site Disturbance Area. Main driveways must be hard surfaced.

4.22. Sewer Connection Required. All Lots are served by sanitary sewer service, and no cesspools, septic tanks, or other types of waste disposal systems are permitted for use with any Dwelling. All Dwellings must be connected to the sanitary sewer system. Owners of downhill Lots may encounter difficulty in providing gravity flow sewer connections to the street. The cost of private ejector systems will be borne by the individual Lot Owner, and not by the Declarant or the provider of sewer treatment service. Lots 25, 26, and 44 will probably require ejector pumps, and others may, depending on the placement and design of the Dwelling.

4.23. Exterior Lighting Standards. All exterior lighting must be adequately shielded and controlled to prevent glare and illumination to adjacent properties or streets. Bare light globe fixtures, such as flood and spot lights, are prohibited.

4.24. Special Restrictions on Some Lots. As a condition of approval by the City, additional restrictions have been imposed on some of the Lots:

(a) On Lots 4, 5, 9, 10, and 11, at least 65% of the total gross floor area, exclusive of the garage, is to be on the finished grade. The maximum Dwelling Height will be 25

feet to the midpoint of the roof and 28 feet to the ridgeline, as defined by the City Land Management Code.

(b) On Lots 10 and 11, the front yard set back will not exceed 100 feet from the front Lot line as defined by the City Land Management Code.

ARTICLE V

LANDSCAPE STANDARDS

5. The intent of this declaration is to conserve water, preserve the natural existing vegetation, and enhance wildlife habitat to the extent possible given the construction of the Subdivision. The use of each Lot is subject to the following Landscape Standards:

5.1. Irrigated Landscape Area. Within each Lot there is an area available for irrigated landscaping, including lawn areas. The size of this area within each Lot is listed on Exhibit B. The irrigated landscape area will be within the Maximum Site Disturbance Area of the Lot. The use of permanent irrigation systems is limited to this portion of the Lot.

5.2. Non-Irrigated Area. Outside of the Maximum Site Disturbance Area, the native vegetation will be preserved, and the following standards apply:

(a) Irrigation. No permanent irrigation is permitted in this area. Temporary irrigation as needed to repair damage to the natural vegetation as a result of construction activities, such as reclamation of utility trenches and areas along driveways, is permitted, but only for so long as necessary for restoration of vegetative cover. New plantings of native plants may be irrigated on a temporary basis to establish healthy growth. No permanent irrigation systems may be installed outside of the Maximum Site Disturbance Area.

(b) Plant Materials. It is the intention to preserve the native vegetation in the areas outside of the Maximum Site Disturbance Area. New plantings in that area will be of native species.

(c) Removal of Vegetation. No native vegetation, trees, or shrubbery may be cut or removed from the non-irrigated area of the Lot except as necessary to maintain healthy growth, remove diseased plants, or for approved utility trenches and driveways. Noxious weeds may be removed as required.

5.3. Uses of Non-Irrigated Area. No improvements of any kinds are permitted in the Non-Irrigated area of any Lot (with the exception of approved driveways and utility trenches). No swimming pool, tennis court, deck, spa, swing set, trampoline, play ground equipment, dog run, or similar structures, hard surfaced area, or improvement is permitted in the non-irrigated area of the Lot. With the consent of the Committee, Owners may clear additional trails in the non-irrigated area, provided that no trail will exceed 10 feet in width. No vehicles, snowmobiles, motorcycles, or all terrain vehicles will be used, stored, or operated on the non-irrigated portion of the Lot.

5.4. No Livestock. No horses or other livestock will be kept on any part of the Lot.

ARTICLE VI

ACCESSORY DWELLINGS

6. While the intention of the Declarant is to develop a subdivision of single family dwellings, the nature and use of such Dwellings in a resort context may make it desirable in some cases for the Owners of Lots to include an Accessory Dwelling in the Primary Dwelling on the Lot. Accessory Dwellings are permitted on each Lot, subject to the following conditions:

6.1. Size of Accessory Dwelling. The Accessory Dwelling may not exceed 25% of the floor area of the Primary Dwelling. Accessory Dwellings may not be less than 400 square feet in floor area, nor more than 800 square feet, and may contain no more than two bedrooms. The addition of an Accessory Dwelling will not increase either the maximum permitted Floor Area or the maximum Site Disturbance Area for each Lot as shown on Exhibit B.

6.2. One Accessory Dwelling Per Lot. Only one Accessory Dwelling is permitted on any Lot. The Accessory Dwelling may only be constructed in conjunction with, or after completion of the Primary Dwelling, but may not be constructed first.

6.3. Location of Accessory Dwelling. Accessory Dwellings must be incorporated into the Primary Dwelling, and no increase in the Site Disturbance Area is permitted for an Accessory Dwelling. The Site Disturbance Area may not be split into separate building sites for the Primary and Accessory Dwellings.

6.4. Ownership, Appurtenance. The Accessory Dwelling is an appurtenance to the Primary Dwelling, and is not to be separately sold, encumbered, leased for periods in excess of 2 years, or in any other way separated from the ownership and control of the Primary Dwelling. There will be no vote in the Association assigned to an Accessory Dwellings, and no assessment levied on Accessory Dwellings other than the assessment on the Lot.

6.5. Transient Lodging Prohibited. No Accessory Dwelling may be rented for transient lodging purposes. No rental agreement for less than 30 days will be permitted. This shall not preclude use by guests of the Owner for periods of shorter duration, but commercial rental on a nightly or short term basis is prohibited.

6.6. Parking. Accessory Dwellings must have one off-street, enclosed parking space per bedroom, in addition to the Parking for the Primary Dwelling.

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ARTICLE VII

OWNERS' MAINTENANCE OBLIGATIONS

7. It is the obligation of each Owner to maintain his Lot at all times in order to preserve and enhance the enjoyment of the Subdivision:

7.1. Duty to Maintain. It is the obligation of the Owner of each Lot to maintain his Lot and the Improvements to the Lot in a good state of repair and an attractive, safe, and healthy condition.

7.2. Repair by Association. In the event that an Owner permits his Lot or Improvements to fall into a state of disrepair that is dangerous, unsafe, unsanitary, or unsightly condition in violation of this Declaration, the Association may give written notice to the Owner describing the condition complained of and demanding that the Owner correct the condition within 30 days. If the Owner fails to take corrective action, the Association shall have the right, but not the obligation, to enter upon the offending Owner's Lot and take corrective action to abate the condition. All costs of abatement shall be charged to the Owner, who agrees to promptly pay the reasonable costs of any work performed under this provision. Unpaid amounts will bear interest at the lawful judgment rate under applicable state law.

7.3. Alterations of Exterior Appearance. The Owners will maintain their Lots and Improvements in substantially the same condition and appearance as that approved by the Architectural Committee. No subsequent exterior alterations, improvements or remodeling, whether structural or changes in landscaping, paint color or siding or trim materials will be made without the advance consent of the Committee.

7.4. Repair Following Damage. In the event of casualty loss or damage to the Improvements, the Owner will be entitled to reconstruct the Improvements as they existed prior to the damage or loss without review by the Committee, provided however that alterations or deviations from the originally approved plans will require review. Nothing in this Declaration is intended to prevent an Owner who has suffered property damage or loss from taking temporary measures to secure the property and prevent further damage, or to prevent injury or dangerous conditions following loss or damage, before re-construction begins. Such temporary measures may be taken without the consent or approval of the Architectural Committee, provided that any such measures must be of a temporary nature, and repair or reconstruction must begin as soon as circumstances will permit. No damaged structure will be permitted to remain on any Lot for more than 90 days without repairs commencing, and any damaged structure which does remain un-repaired after 90 days following the occurrence of damage is deemed a nuisance which may be abated by the Association at the expense of the Owner.

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ARTICLE VIII

CONSTRUCTION COVENANTS AND REGULATIONS

8. In order to insure that the natural vegetation outside of the maximum Site Disturbance Area is not damaged during any construction activities, and to minimize the inconvenience to adjoining Owners, the following construction regulations shall be enforced during the construction period. These regulations shall be made a part of the construction contract between the Owner and his or her contractor on any Improvements on a Lot. Each Owner shall be bound by these regulations, and violations committed by the contractor shall be deemed a violation by the Owner for which Owner is liable.

8.1. Marking Site Disturbance Area. Prior to the commencement of construction, the Owner shall cause the perimeter of the Site Disturbance Area to be surveyed and marked in conjunction with the staking of the foundation and other Improvements. The perimeter of the Site Disturbance Area will be marked with surveyors tape or fenced to prevent any intrusion beyond that area.

8.2. Portable Office or Trailer. Any Owner whose contractor desires to bring a portable office or trailer on to a Lot shall first apply for and receive written approval from the Architectural Committee. The Architectural Committee will work with the Owner to determine the best location for the portable office. The portable office will be located only in a location approved by the Architectural Committee, which shall be on the Owner's Lot and within the area that can be disturbed by construction or driveway areas.

8.3. Removal of Temporary Office. The temporary office may not be installed prior to the commencement of construction, and must be removed upon the first to occur of (i) the issuance of a Certificate of Occupancy, (ii) the termination, expiration, or cancellation of the Building Permit, or (iii) the suspension of construction activities for a period of 60 days.

8.4. Construction Debris Removal. Owners and their contractors must comply with Park City ordinances requiring the placement and maintenance of a trash container or dumpster on the Lot during construction. Owners and their contractors are responsible for collection of trash at the end of each work day and depositing construction trash, packing material, unusable scraps, and other debris in a suitable container. Lightweight material must be weighted down to prevent wind from blowing it away. Debris must be contained until removed from the Lot to an appropriate land fill. The dumpster must be regularly serviced. No trash may be burned, buried, or otherwise disposed of on the Lot. No concrete trucks may be cleaned out on any Lot, Open Space Parcel, or anywhere within the Subdivision.

8.5. Construction Area Appearance. The Lot must be maintained in a reasonably organized and neat condition at all times during the construction of Dwelling or any other Improvements. Materials must be stored in neat stacks and covered. No more material may be delivered to the site than can reasonably be consumed in a week's time, provided that once the Dwelling is enclosed, materials may be stored inside, out of sight, indefinitely.

8.6. Sanitary Facilities. Each Owner is responsible for the installation and maintenance of an approved portable toilet facility on the site during construction. The portable toilet must be located on the Lot at a location approved by the Architectural Committee, and removed from the site at such time as the permanent plumbing system is operational.

8.7. Removal of Mud. Owner and contractor are responsible for keeping mud from the construction site from being deposited on the roadways of the Subdivision. This may require cleaning of truck tires before leaving the site.

8.8. Duration of Construction. It is the obligation of the Owner to proceed with construction with all reasonable speed once construction has commenced, and in any event, all exterior surfaces of the building shall be substantially complete within a period of twelve months from commencement. All landscaping and soil stabilization work must be completed as soon as possible after completion of the exterior of the Dwelling, but in no event later than the summer following completion of the exterior of the Dwelling.

ARTICLE IX

OPEN SPACE AND AMENITY PARCELS

9. Within the Subdivision, there are areas designated on the plat as Open Space Parcels, and an area designated as the Amenity Parcel. Declarant has, or will convey the Open Space Parcels to the City. The use of the Open Space Parcels will be governed by this Declaration. The Amenity Parcel will be conveyed to the Association.

9.1. Use of Amenity Parcel. The Amenity Parcel will be owned by the Association. Its ultimate use is to be determined by the Association, consistent with these covenants. The Amenity Parcel may be used for a natural or landscaped park area, for the construction by the Association, at its expense, of a swimming pool, tennis courts, club house, or similar recreational amenity for the use and benefit of the Owners, or left in its natural condition. Prior to the construction by the Association of any Improvements costing more than \$15,000 on the Amenity Parcel, the Trustees will first present to proposal to the Owners, and receive the affirmative vote of 2/3rds of the Owners, excluding the Declarant. No such Improvements will be made until the Declarant has conveyed at least 2/3rds of the Lots to third parties, unless the Declarant otherwise consents in writing.

9.2. No Dwellings. The Amenity Parcel may not be used for, sold, or leased for the purpose of constructing Dwellings, office space, or commercial buildings. Any recreation amenity will be for the use of the Owners, and not open to the general public or for members other than Owners within the Hidden Meadows Subdivision. This shall not preclude the construction of a manager's dwelling of not more than 400 square feet in any club house facility constructed by the Association.

9.3. No Commercial Use. The Amenity Parcel may not be used for any commercial purpose, including the operation of a club house, restaurant, tennis club or pool facility open to the public or persons other than Owners or their guests. No vehicles, construction materials (other than those for the use and benefit of the Association), or equipment will be parked or stored on the Open Space Parcel, except

during Declarant's initial construction of the Subdivision Improvements, such as streets and utilities.

9.4. Culinary Water Well Site. Declarant's predecessor in interest has reserved the right to drill and operate a culinary water well within the Amenity Parcel. The location of that well will be coordinated with the Association to minimize site disturbance or interference with the Association's use of the Amenity Parcel, but also to provide access to sub-surface geologic structures which are believed to be advantageous locations for drilling a well. The well, if drilled, will be equipped with a surface pump house not to exceed 1,000 square feet, which will be sided, roofed, and landscaped in a manner consistent with these covenants.

9.5. Water Quality Protection. The Association will not do anything on the Amenity Parcel that might reasonably be expected to compromise water quality from the proposed well, including disposal or storage of hazardous materials, fuels or oils, insecticides or herbicides, or the use of other toxic or hazardous materials.

9.6. Open Space Parcels. Around the perimeter of the Subdivision there are larger areas designated on the Plat as Open Space. Declarant has, or will, convey these parcels to the City, subject to this Declaration and additional covenants contained in the deeds. The Owners may enforce these covenants against the City as owner of the Open Space, as the Open Space is created for the benefit of the Subdivision. The City is not deemed an Owner for purposes of participation in the Association, and shall not be subject to Assessment, nor entitled to vote. These covenants are not reciprocal as to the the Open Space, and the City will have no right to enforce these covenants against Lot Owners, provided that this shall not waive any powers that exist under City ordinances. The Open Space parcels are to be maintained in their natural condition, and no improvements of any kind will be permitted, except:

- (a) Trails, which will be public easements for non-motorized use;
- (b) Underground utilities, and such above ground controls, transformer boxes, and junction boxes as may be reasonably necessary;
- (c) The existing overhead power line.

No clearing, grading, excavation, or other site work is permitted that would alter the natural vegetation or natural appearance of the Open Space Parcels.

9.7. Additional Trails. The City may construct an additional trail that extends north through Open Space Parcel Number 4, provided that no new trail will be constructed closer to any Lot than the trail easement shown on the Plat north of the rear lot line of Lots 16 through 26.

ARTICLE XI

COMBINATION OF LOTS

10. Subject to the provisions of this Declaration and the limitations set forth in this Section, any Owner may combine two adjoining Lots with adjoining frontage on the same street within the Subdivision, subject to the approval of the Architectural

Committee and City. The following regulations will apply in the event of a combination:

10.1. Maximum Site Disturbance Area Revision. As a result of the combination of Lots, the maximum allowable Site Disturbance Area of the resulting combined Lot will be determined from the table in Exhibit B, but will not exceed 75% of the combined irrigated area allowed for the two lots. Siting of the Dwelling should spread the resulting building mass more or less evenly over the combined Lots, although may be more concentrated where good site planing practices dictate. In no event may the entire mass be constructed on a single Lot.

10.2. Maximum Floor Area. The maximum Floor Area for the Dwelling on the combined Lots shall not exceed 75% of the combined floor areas of the two individual Lots.

10.3. Architectural Committee May Deny Combination. The Architectural Committee has the power to deny the Owner's application to combine Lots on the basis that the resulting combination concentrates too much building mass on a single Lot, that the combination results in damage to significant natural features on the Property such as natural drainage courses or significant wooded areas, or results in a structure that violates the provisions of this Declaration.

10.4. Combination Deemed Permanent. The combination of Lots is deemed to be permanent and the Lots may not be independently sold once construction has commenced on the Improvements for the combined Lot.

10.5. Record Notice of Combination. The Owner of any Lots that have been combined will execute and deliver to the Architectural Committee a notice in recordable form, containing the name of the Owner and the legal description of the Lots combined, which Notice will state that the two Lots have been combined and cannot subsequently be subdivided. The Owner will also submit a current title report showing any lien holders, who will also be required to sign the Notice. The Committee shall record this Notice with the Summit County Recorder upon the commencement of construction.

10.6. Plat Amendment. The combination of Lots may also require a formal Plat Amendment process under applicable state or city regulations, all or which will be done at the sole expense of Owner.

ARTICLE XI

GENERAL PROVISIONS

11. The covenants, conditions, and restrictions contained in this Declaration may be enforced as follows:

11.1. Remedies.

(a) Any single or continuing violation of the covenants contained in this Declaration may be enjoined in an action brought by the Declarant (for so long as the

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Declarant is the Owner of any Lot), by any other Owner, or by the Association in its own name. In any action brought to enforce these covenants, the prevailing party shall be entitled to recover as part of its judgment all of the reasonable costs of enforcement, including attorneys fees and costs of court.

(b) Nothing in this Declaration shall be construed as limiting the rights and remedies that may exist at common law or under applicable federal, state, or local laws and ordinances for the abatement of nuisances, health and safety, or other matters. These covenants are to be construed as being in addition to those remedies available at law.

(c) The remedies available under this Declaration and at law or equity generally are not to be considered as exclusive, but rather as cumulative.

(d) The failure to take enforcement action shall not be construed as a waiver of the covenants contained in this Declaration in the future or against other similar violations.

11.2. Severability. Each of the covenants contained in this Declaration shall be independent of the others, and in the event that any one is found to be invalid, unenforceable, or illegal by a court of competent jurisdiction, the remaining covenants shall remain in full force and effect.

11.3. Limited Liability. Neither the Declarant, the Trustees, or the Architectural Committee or its individual members, nor any other Owner shall have personal liability to any other Owner for actions or inactions taken under these covenants, provided that any such actions or inactions are the result of the good faith exercise of their judgment or authority under these covenants, and without malice.

11.4. Term of Covenants, Renewal. This Declaration shall expire fifty years from the date it is first recorded with the Summit County Recorder, provided however that in the last year prior to expiration, the Owners of 90% of the Lots may, by written notice which is recorded with the Summit County Recorder, agree to extend the covenants for a period of an additional twenty years.

11.5. Amendment. At any time while this Declaration is in effect, the Owners of 75% of the Lots may amend the provisions of this Declaration. Any amendment must be in writing and be approved by 75% of the Owners at the time of the amendment. No amendment which has the effect of substantially or materially altering the size, nature, or use of the Improvements on any Lot permitted by this Declaration will be binding upon the holder of any mortgage or trust deed on any Lot unless the mortgage or trust deed holder joins in the amendment. These covenants may be repealed in whole or in part by amendment. No amendment which eliminates the rights of the Declarant under this Declaration will be effective without the consent of the Declarant.

11.6. Constructive Notice. Every person who owns, occupies, or acquires any right, title or interest in any Lot in the Subdivision is conclusively deemed to have notice of this Declaration and its contents, and to have consented to the application and enforcement of each of the covenants, conditions and restrictions against his Lot, whether or not there is any reference to this Declaration in the instrument by which he acquires his interest in any Lot.

11.7. Notices. All notices under this Declaration are deemed effective 5 business days after the date of mailing, whether delivery is proved or not, provided that any mailed notice must have postage pre-paid and be sent to the last known address of the party to receive notice. The address for notice may be taken from the latest available property tax assessment rolls if no other address for an Owner is known. Notices delivered by hand are effective upon delivery.

11.8. Liberal Interpretation. The provisions of this Declaration shall be interpreted liberally to further the goal of creating a uniform plan for the development of the Subdivision. Paragraph headings are inserted for convenience only and shall not be considered in interpretation of the provisions. Singular will include plural, and gender is intended to include masculine, feminine and neuter as well.

11.9. Covenants Run with the Land. The covenants, conditions, and restrictions in this Declaration are covenants running with the land, and shall burden and benefit the successors and assigns of the Declarant and the Owners for so long as the Declaration is in effect.

ARTICLE XII

EXPANSION OF PROJECT

12. The Declarant owns other land adjoining the Subdivision which is described on the attached Exhibit D. It is the intention of the Declarant to subdivide the additional land and to add it to the Subdivision and to these Covenants. Within a period of seven years from the date this Declaration is recorded, the additional land may be added to this Declaration and become a part of the Subdivision by the Declarant, or its successor in interest, recording a Subdivision Plat describing the additional land and the Lots created on it, and a Supplemental Declaration stating that it is the intention of the Declarant to add the additional land to the Subdivision, and to have that land be subject to these same covenants, conditions and restrictions.

12.1. No Obligation to Expand. The Declarant reserves the right to add some or all of the additional land to the Subdivision, but is under no obligation to do so. The additional land, if not added to the Subdivision, may be developed in a manner that is different from that described in this Declaration.

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12.2. Expansion in Phases. The Declarant may exercise its right to expand the project in one or more phases or stages, and the addition of some of the expansion area does not obligate the Declarant to add the balance of the land to the Subdivision.

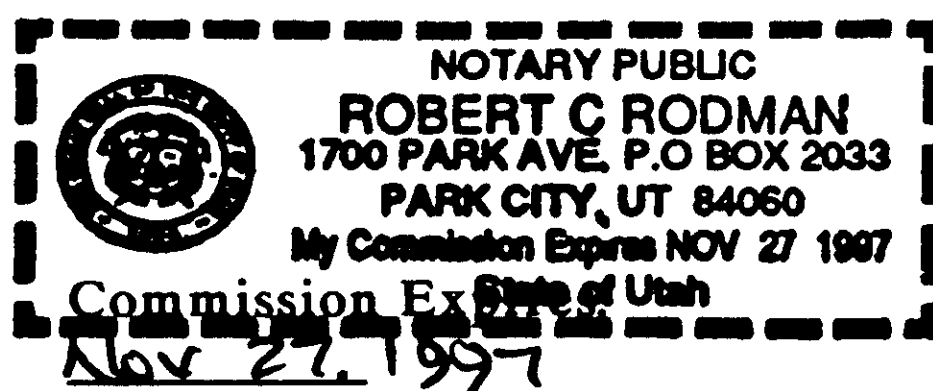
Executed on the date stated above.

BLUE LEDGE CORPORATION, a
Delaware
corporation

By: Hank Rothwell
Hank Rothwell, Pres.

STATE OF UTAH)
 :SS
COUNTY OF SUMMIT)

On the 17 day of July, 1995, Hank Rothwell appeared before me and acknowledged that he is the President of Blue Ledge Company, a Delaware corporation, which is the Declarant in the above instrument, and that he executed the same on behalf of the corporation with proper authority.



Robert C. Rodman
Notary Public
Residing at: Summit Co Utah

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EXHIBITS

EXHIBIT A PROPERTY DESCRIPTION

**EXHIBIT B TABLE FROM PLAT ON HOUSE SIZES AND BUILDING ZONE
MAXIMUMS, INCLUDE REFERENCE TO GARAGES AND SIDE
FRONT AND REAR SET BACKS**

EXHIBIT C AMENITY PARCEL DESCRIPTION

EXHIBIT D PHASE II PROPERTY

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EXHIBIT "A"

HIDDEN MEADOW SUBDIVISION PHASE 1
BOUNDARY DESCRIPTION
May 10, 1995

Beginning at a point on the northerly end line of the Emma mining claim North 77° 39' 13" West 251.53 feet from the Northeast corner of the Emma mining claim, said point is located North 4133.38 feet and East 2713.23 feet from the East Quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the northerly end of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77° 39' 13" West 1375.42 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28° 59' 00" West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North 59° 06' 00" East 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61° 01' 00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 38° 40' 43" West 14.26 feet; thence along the Chatham Crossing Subdivision boundary (Recorded Instrument Number 179465 in the Office of the Summit County Recorder) the following four courses:) 1) North 61° 10' 55" East (Plat North 61° 05' 58" East) 46.56 feet; thence 2) North 41° 14' 05" West (Plat North 41° 19' 02" West) 1317.38 feet; thence 3) South 39° 55' 03" East (Plat East) 595.29 feet; thence 4) North 0° 04' 57" East (Plat North) 785.35 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60° 10' 00" East 509.54 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 62° 56' 19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44° 04' 01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78° 41' 14" East 40.19 feet; thence along easterly side line of the Potosi mining claim North 53° 33' 00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41° 00' 00" East 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim South 39° 40' 23" East 393.40 feet; thence along the North line of Section 11 North 88° 47' 03" West 1240.30 feet to the Northwest corner of Section 11; thence South 0° 57' 03" West 714.42 feet; thence South 70° 48' 39" West 20.35 feet; thence South 89° 32' 18" West 124.80 feet; thence South 07° 11' 05" East 317.18 feet to a point on a 50.00 foot radius curve to the right, whose radius point bears South 04° 46' 56" East, thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36" to a point on a 15.00 foot radius curve to the left, whose radius point bears North 43° 53' 40" East; thence along the arc

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of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 675.00 foot radius curve to the right, whose radius point bears South 05° 57' 58" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53"; thence South 0° 57' 03" West 1451.52 feet to a point on a 50.00 foot radius curve to the left, whose radius point bears North 89° 02' 57" West; thence along the arc of said curve 73.52 feet thru a central angle of 84° 14' 57"; thence North 10° 46' 33" West 34.02 feet; thence South 80° 37' 22" West 628.64 feet; thence North 16° 28' 35" West 238.32 feet; thence North 13° 36' 27" West 50.00 feet; thence South 76° 23' 33" West 64.47 feet to a point on a 290.15 foot radius curve to the left, whose radius point bears South 13° 36' 27" East; thence along the arc of said curve 48.67 feet thru a central angle 09° 36' 38"; thence North 31° 57' 40" West 225.19 feet; thence South 46° 41' 39" West 377.59 feet; thence South 07° 56' 32" East 319.08 feet; thence South 10° 24' 24" West 233.92 feet; thence South 41° 50' 49" West 137.01 feet; thence South 67° 45' 45" West 221.74 feet; thence South 14° 25' 20" East 246.82 feet; thence South 38° 35' 36" East 164.61 feet to the northeast corner of Phase 1, Parcel 1 of Royal Oaks Subdivision Phase I (Recorded instrument No. 352414 in the office of the Summit County Recorder); thence along the north line of said Parcel 1 South 79° 34' 34" West (Plat South 79° 36' 44" West) 160.00 feet; thence along the north line of said Parcel 1 South 69° 24' 48" West (Plat South 69° 26' 58" West) 65.28 feet; thence along The Oaks at Deer Valley (Recorded instrument No. 311418 in the office of the Summit County Recorder) boundary line South 68° 57' 50" West (Plat South 69° 00' 00" West) 59.25 feet; thence along The Oaks at Deer Valley boundary line South 48° 57' 50" West (Plat South 49° 00' 00" West) 300.00 feet; thence North 65° 36' 22" West 331.48 feet to a point on a 538.60 foot radius curve to the left, whose radius point bears South 60° 33' 01" East; thence along the arc of said curve 335.95 feet thru a central angle of 35° 44' 16"; thence South 06° 17' 17" East 477.78 feet to a point on a 125.00 foot radius curve to the left, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 18.63 feet thru a central angle of 08° 32' 16"; thence along The Oaks at Deer Valley boundary line South 81° 46' 37" West (Plat South 81° 48' 47" West) 50.24 feet to a point on a 175.00 foot radius curve to the right, whose radius point bears North 77° 03' 57" East; thence along the arc of said curve 20.30 feet thru a central angle of 06° 38' 46"; thence North 06° 17' 17" West 477.78 feet to a point on a 588.60 foot radius curve to the right, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 214.78 feet thru a central angle of 20° 54' 26"; thence North 68° 29' 02" West 229.73 feet; thence South 46° 04' 16" West 126.36 feet; thence South 11° 47' 28" West 170.03 feet to the point of beginning. Description contains 226.42 acres. The Basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16.

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EXHIBIT "A"

HIDDEN MEADOW SUBDIVISION PHASE 2
BOUNDARY DESCRIPTION
April 19, 1995

Beginning at the Northwest corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11 South 88° 47' 03" East 1240.30 feet; thence along the easterly end line of the Glegg No. 2 mining claim (Mineral Survey 6792) South 39° 40' 23" East 215.18 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38° 46' 13" East 606.70 feet; thence along the Southerly side line of the Glegg No. 3 mining claim South 75° 52' 07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 mining claim South 63° 17' 52" West 360.03 feet; thence North 0° 57' 03" East 142.10 feet to a point on a 675.00 foot radius curve to the left, whose radius point bears South 01° 58' 05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05° 57' 58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43° 53' 40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36"; thence North 07° 11' 05" West 317.18 feet; thence North 89° 32' 18" East 124.80 feet; thence North 70° 48' 39" East 20.35 feet; thence North 0° 57' 03" East 714.42 feet to the point of beginning. Description contains 32.73 acres.

Y:VC/DOCS/HMBRY2.DES

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TABLE B

EXHIBIT "B"

LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F.
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F.
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F.
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F.
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F.
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F.
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F.
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F.
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F.
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F.
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F.
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F.
LOT 13	81,388 S.F.	8,500 S.F.	12,000 S.F.
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F.
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F.
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F.
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F.
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F.
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F.
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F.
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F.
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F.
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F.
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F.
LOT 25	80,976 S.F.	8,500 S.F.	12,000 S.F.
LOT 26	186,994 S.F.	10,000 S.F.	16,000 S.F.
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F.
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F.
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F.
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F.
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F.
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F.
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F.
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F.
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F.
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F.
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F.
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F.
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F.
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F.
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F.
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F.
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F.
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F.
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F.

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EXHIBIT "C"

HIDDEN MEADOW SUBDIVISION
RECREATION OPEN SPACE PARCEL 3

Beginning at a point North 5704.31 feet and East 3793.03 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 east, Salt Lake Base and Meridian; and running thence North 88° 19' 31" West 353.13 feet to a point on a 88.00 foot radius curve to the right, whose radius point bears North 1° 40' 29" East; thence along the arc of said curve 266.24 feet thru a central angle of 173° 20' 48"; thence North 85° 01' 17" East 339.08 feet to a point on a 148.70 foot radius curve to the right, whose radius point bears South 4° 58' 43" East; thence along the arc of said curve 119.05 feet thru a central angle of 45° 52' 18" to a point on a 15.00 foot radius curve to the right, whose radius point bears South 40° 53' 36"; thence along the arc of said curve 26.22 feet thru a central angle of 100° 08' 48" to a point on a 201.21 foot radius curve to the left, whose radius point bears South 51° 02' 24" West; thence along the arc of said curve 165.45 feet thru a central angle of 47° 06' 47" to a point on a 15.00 foot radius curve to the right, whose radius bears North 86° 04' 23" West; thence along the arc of said curve 22.97 feet thru a central angle of 87° 44' 52" to the point of beginning. Description contains 2.09 acres. The basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16.

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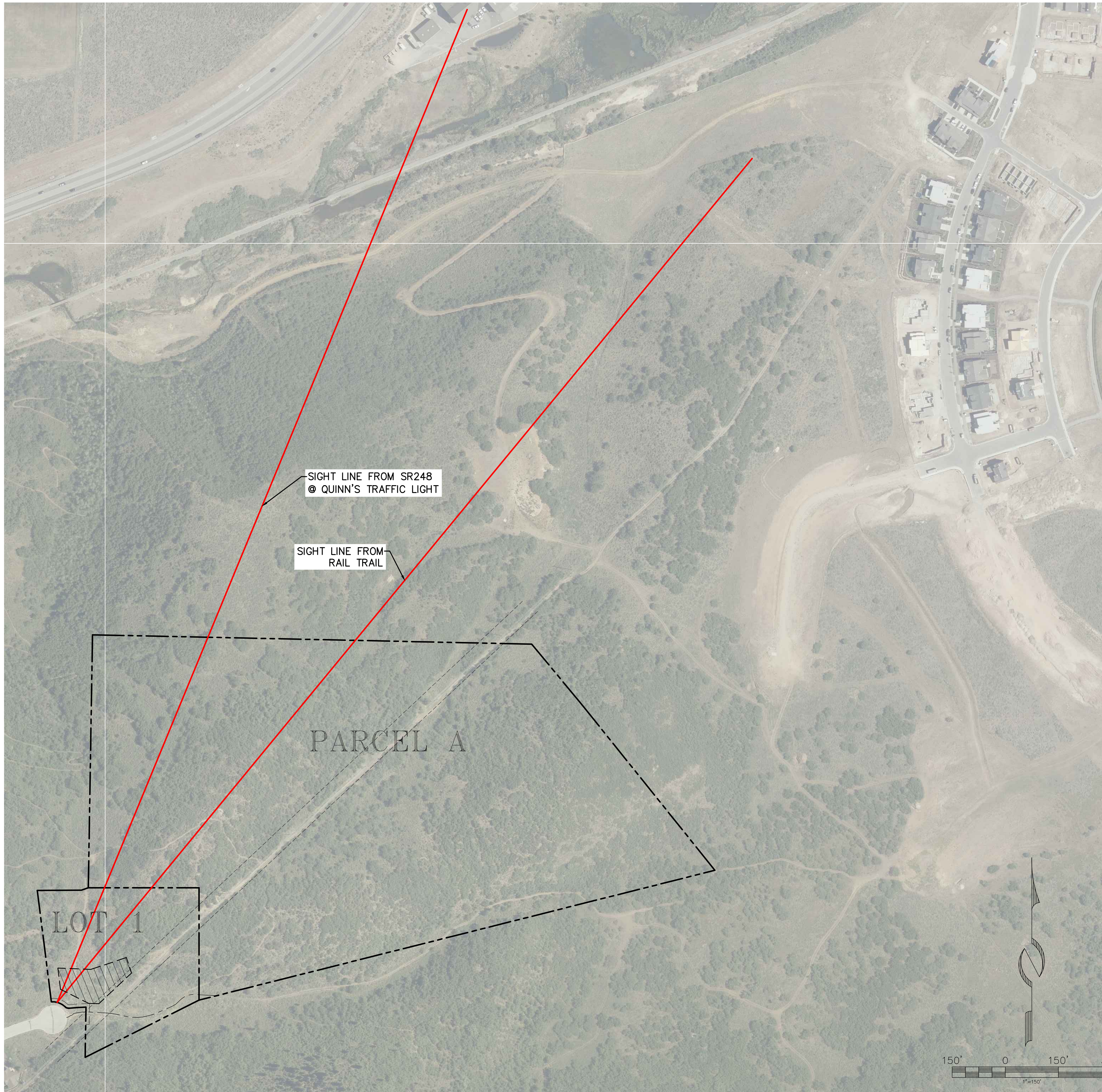
EXHIBIT "D"

HIDDEN MEADOW SUBDIVISION PHASE 2
BOUNDARY DESCRIPTION
April 19, 1995

Beginning at the Northwest corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11 South 88° 47' 03" East 1240.30 feet; thence along the easterly end line of the Glegg No. 2 mining claim (Mineral Survey 6792) South 39° 40' 23" East 215.18 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38° 46' 13" East 606.70 feet; thence along the Southerly side line of the Glegg No. 3 mining claim South 75° 52' 07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 mining claim South 63° 17' 52" West 360.03 feet; thence North 0° 57' 03" East 142.10 feet to a point on a 675.00 foot radius curve to the left, whose radius point bears South 01° 58' 05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05° 57' 58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43° 53' 40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36"; thence North 07° 11' 05" West 317.18 feet; thence North 89° 32' 18" East 124.80 feet; thence North 70° 48' 39" East 20.35 feet; thence North 0° 57' 03" East 714.42 feet to the point of beginning. Description contains 32.73 acres.

Y:VC/DOCS/HMBRY2.DES

00436643 Bx00905-Ps00484



RIDGELINE IMPACT STUDY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10 & THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

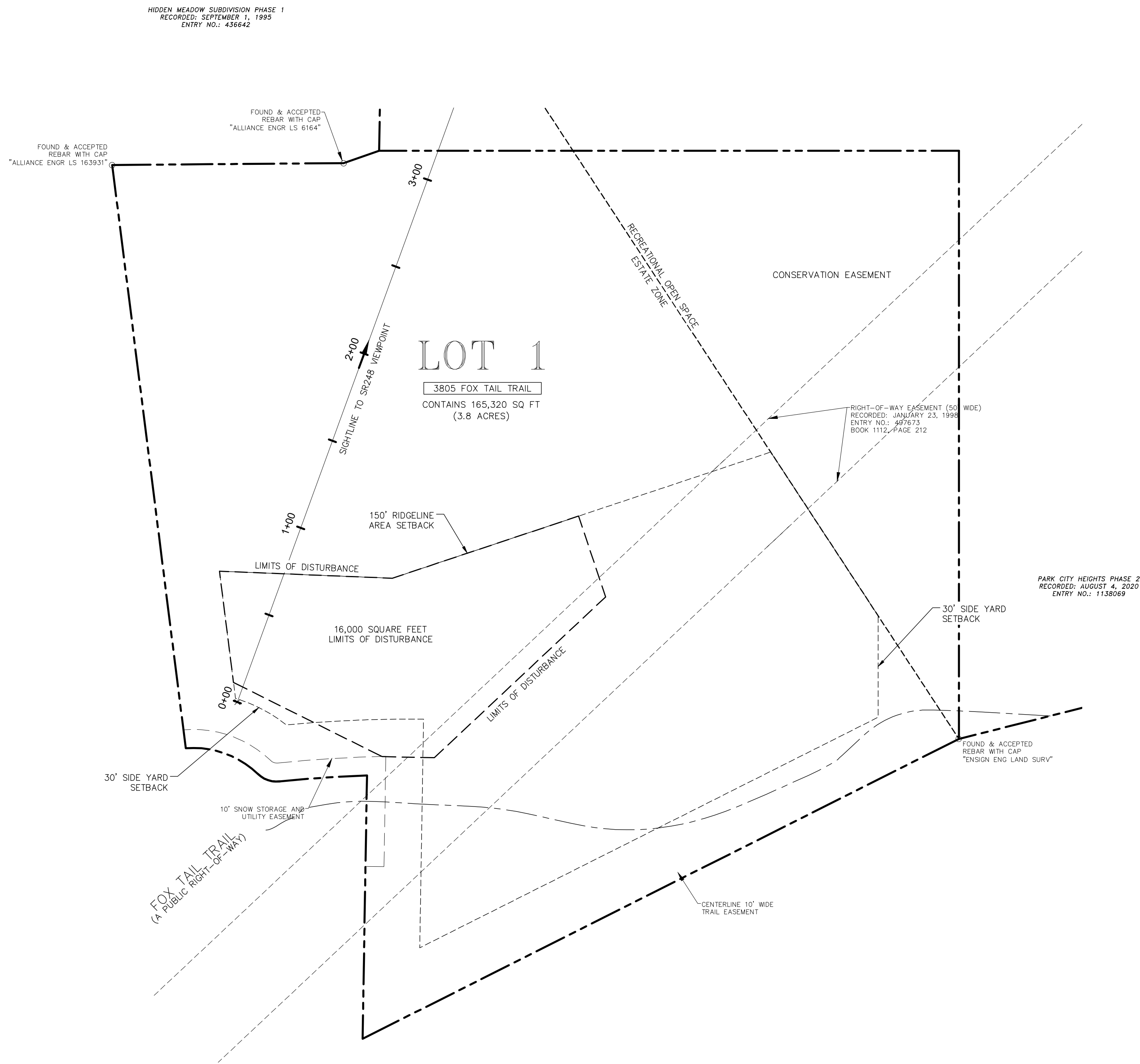
STAFF:
MICHAEL DEMKOWICZ
BRAYLON ROSE

DATE: 5/3/22

RIDGELINE IMPACT STUDY
FOX TAIL SUBDIVISION

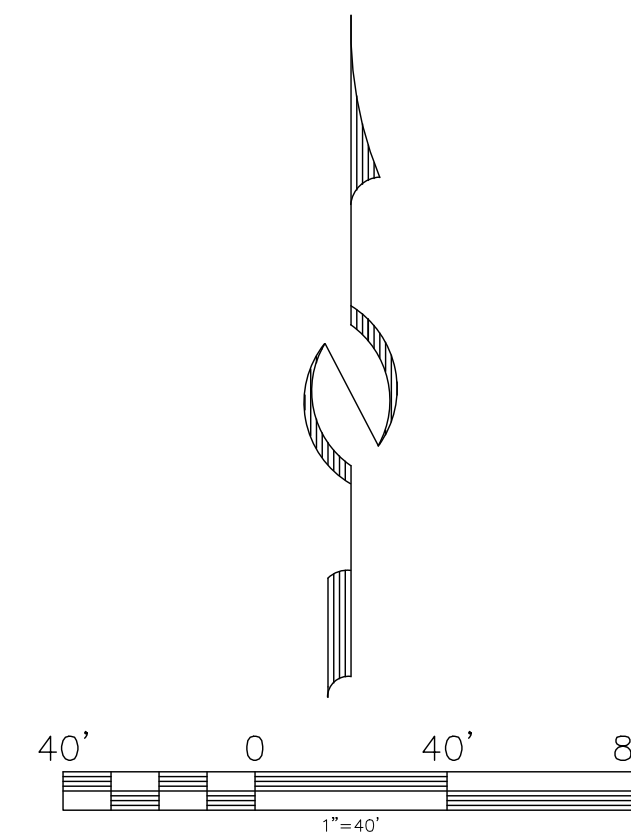
FOR: REDUS
JOB NO.: 19-11-20
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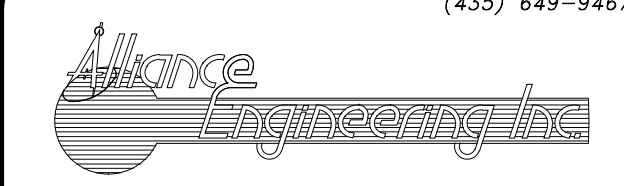
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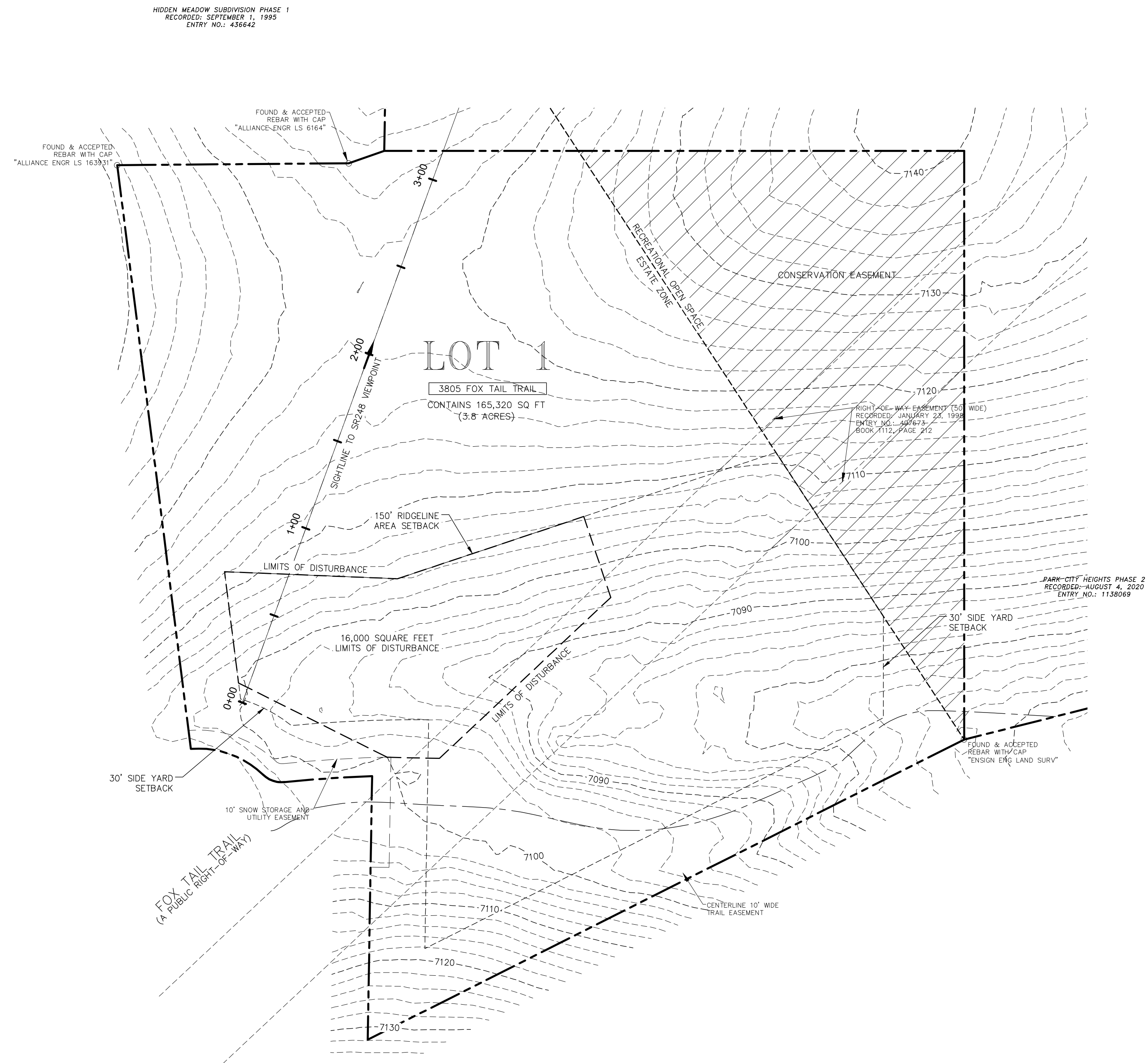


RIDGELINE IMPACT STUDY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10 & THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

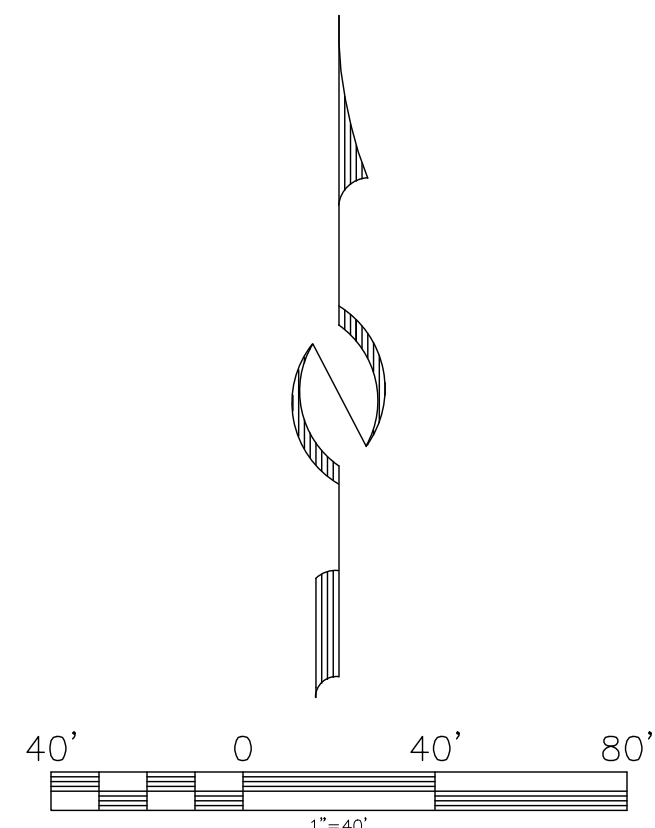


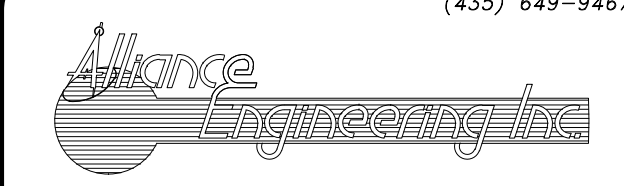
 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	(435) 649-9467 STAFF: MICHAEL DEMKOWICZ BRAYLON ROSE	RIDGELINE IMPACT STUDY FOX TAIL SUBDIVISION FOR: REDUS JOB NO.: 19-11-20 FILE: X:\TheOaks\dwg\sr\plat2020	SHEET 2 OF 5
	DATE: 5/3/22		

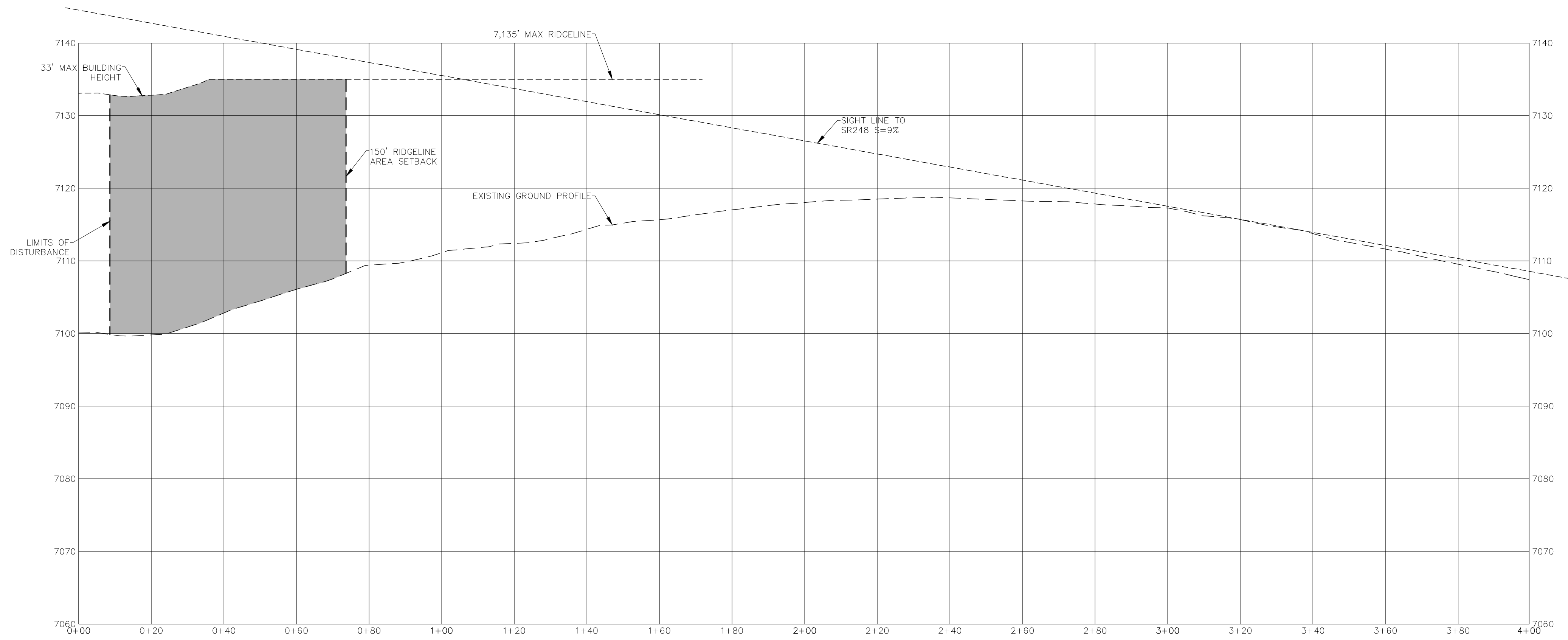


RIDGE LINE IMPACT STUDY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10 & THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	(435) 649-9467 STAFF: MICHAEL DEMKOWICZ BRAYLON ROSE	RIDGE LINE IMPACT STUDY FOX TAIL SUBDIVISION	SHEET 3 OF 5
	DATE: 5/3/22	FOR: REDUS JOB NO.: 19-11-20 FILE: X:\TheOaks\dwg\sr\plat2020	

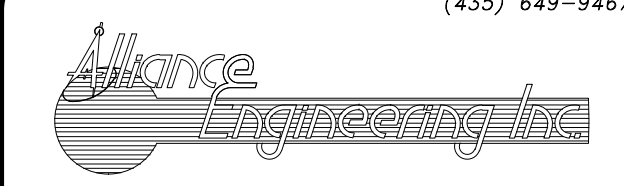


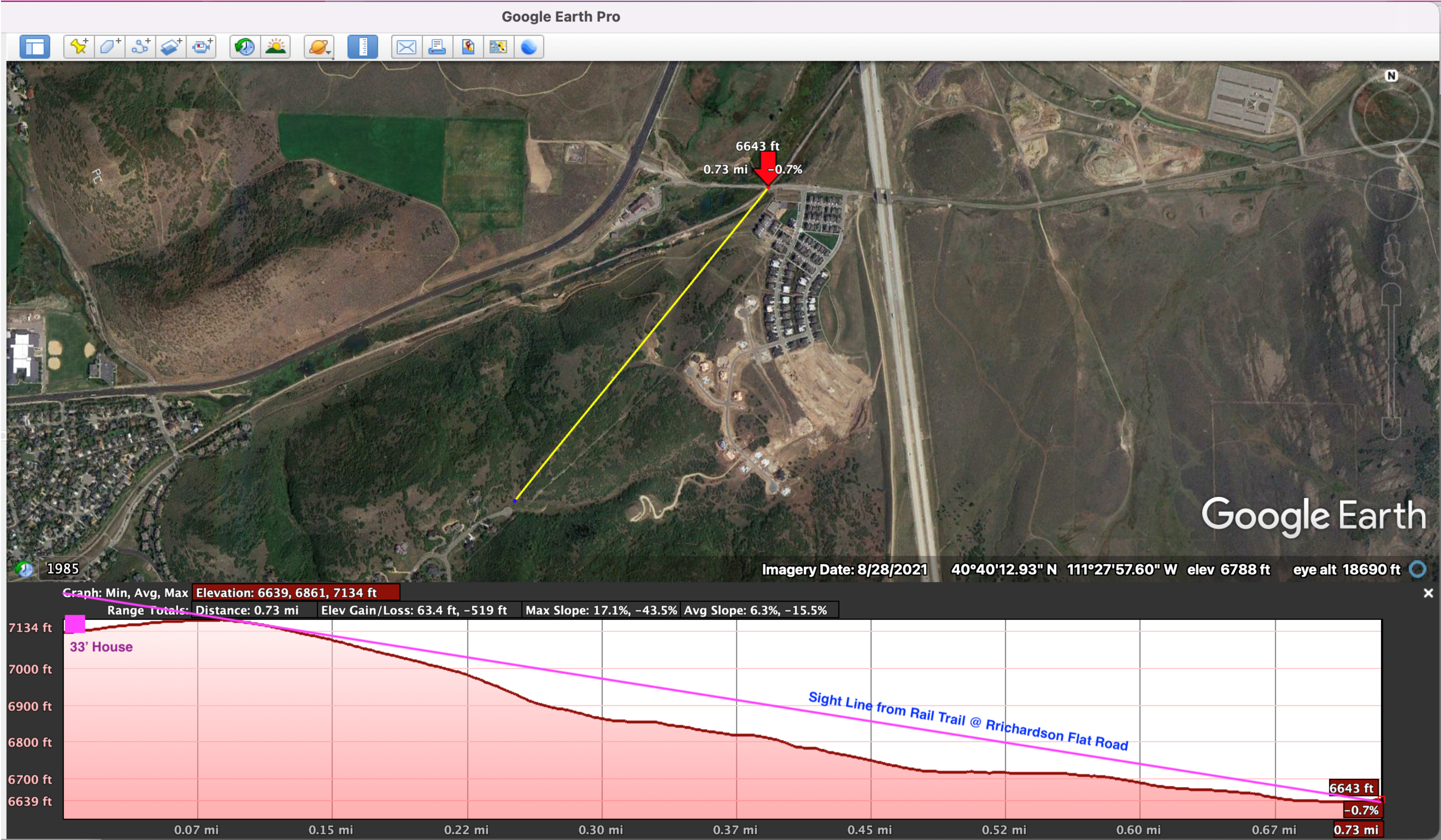
PROFILE FROM SR248 VIEWPOINT

SCALE: H=20', V=10'

RIDGELINE IMPACT STUDY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10 & THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

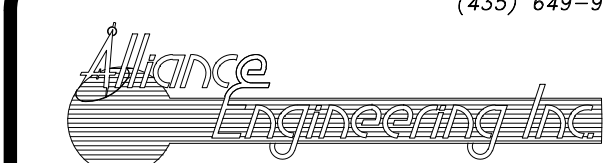
 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MICHAEL DEMKOWICZ BRAYLON ROSE DATE: 5/3/22	RIDGELINE IMPACT STUDY FOX TAIL SUBDIVISION FOR: REDUS JOB NO.: 19-11-20 FILE: X:\TheOaks\dwg\sr\plat2020	SHEET 4 OF 5
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PROFILE FROM RAIL TRAIL VIEWPOINT

RIDGELINE IMPACT STUDY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10 & THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MICHAEL DEMKOWICZ BRAYLON ROSE DATE: 5/3/22	RIDGELINE IMPACT STUDY FOX TAIL SUBDIVISION FOR: REDUS JOB NO.: 19-11-20 FILE: X:\TheOaks\dwg\sr\plat2020	SHEET 5 OF 5
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Julie Schultz

From: Mary Dannelley <mary@dannelleylaw.com>
Sent: Sunday, October 31, 2021 8:37 PM
To: planning
Cc: Browne Sebright; Mike Dannelley
Subject: [External] 3805 Fox Tail Trail and Fox Tail Trail Subdivision
Attachments: PC Planning Commission Ltr 10.31.2021-Signed.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Please see attached correspondence of today's date regarding the above-referenced property.

Mary Dannelley
mary@dannelleylaw.com

Julie Schultz

From: barbara <barjay2@yahoo.com>
Sent: Friday, October 29, 2021 12:17 PM
To: Browne Sebright
Cc: planning
Subject: [External] 3805 Fox Tail Trail
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

As a homeowner just around the corner on Solamere Drive, I strongly object to the proposed construction at 3805 Fox Tail Trail. The 10,000 square foot rental house is completely out of scale with the surrounding neighborhood and the intentions of the original plan for our community. This is a neighborhood of families, not disruptive rental houses.

Thank you,
Barbara Lewis
3709 Solamere

Julie Schultz

From: David Lesser <dlesser@peakxvrc.com>
Sent: Wednesday, November 3, 2021 10:13 PM
To: Browne Sebright
Cc: Dinny Lesser
Subject: [External] Fox Tail Trail Subdivision Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: 3805 Fox Tail Trail - Public Comment

[CAUTION] This is an external email.

Planning and Zoning Commissioners
Planner Browne Sebright
445 Marsac Avenue (P.O. Box 1480)
Park City, UT, 84060

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail
Trail Subdivision proposal

Dear Commissioners and Planner Sebright:

My name is David Lesser and my wife and I own the property within the Hidden Meadows Subdivision located at 19 Fox Wood Court. My wife and I oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac so long as the subdivision does not contain a restriction against nightly and other short term rentals at the subject property. Permitting nightly rentals such as an AirBNB will create inappropriate congestion in the neighborhood and is inconsistent with the restrictions on all of the properties within Hidden Meadows. The owners within Hidden Meadows have chosen to live within a subdivision that prohibits nightly rentals and allowing the subject property to conduct nightly rentals will flout the desires of all Hidden Meadows homeowners. Given that the subject property is totally surrounded by Hidden Meadows, it should be subject to the same rental restrictions as the Hidden Meadows properties.

Respectfully submitted,
David Lesser and Diane Lesser

Julie Schultz

From: Jantzen, David <djantzen@deloitte.com>
Sent: Friday, October 29, 2021 1:31 PM
To: Browne Sebright; planning
Subject: [External] Hidden Meadows HOA - Fox Tail Trail Subdivision Proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

PC Planning Commission,

I object to the proposed construction at 3805 Fox Tail Trail. I agree 100% with everything in the attached letter written by a fellow Hidden Meadows resident. I live on Solamere just a couple lots from this property. I am very surprised this request is being taken seriously by the city. It would be an eyesore to the entire community. I would have never purchased and built on our home on Solamere over the past 2 years if we knew the city would change the planned usage of this property on Fox Tail.

Thank you,

David

David Jantzen
Deloitte Consulting LLP
Mobile: (404) 518 7261

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v.E.1

Julie Schultz

From: Michelle Yacoel <myacoel@me.com>
Sent: Monday, November 1, 2021 9:33 PM
To: Browne Sebright; planning
Cc: Claude Yacoel
Subject: [External] Homeowner Objection to Permit # PL-21-04865 and Permit # PL-21-04826, 3805 Fox Tail Trail and Fox Tail Trail Subdivision Proposal

[CAUTION] This is an external email.

Dear Commissioners and City Planner Sebright:

My name is Michelle Yacoel, and my husband and I own the home at 20 Foxwood Court, in Hidden Meadows. We have owned our home for 11 years and enjoy living in Park City very much. We chose to live in the Hidden Meadows subdivision specifically because of the peaceful nature of the community. We also enjoy the convenient access to the many area trails and the mountain for skiing. The Hidden Meadows HOA has never allowed nightly or even monthly rentals. This issue has come up periodically, and it has always failed by a large margin of votes. Even last year, it was put to another vote and failed. These rules have been in place from the beginning of the development, and we have all always abided by them. We strongly and vehemently oppose the plat amendment and rezoning of the property on Fox Tail Trail. **This community is special because everyone is an owner resident.**

It is incorrect for the Planning Commission to suggest that changing the existing rules by carving out a single property is a minor issue- it is definitely a major issue. This would also set a very bad precedent by the planning commission to allow one property owner the ability to completely rezone their property and take it out of an existing association and neighborhood. This property is not located in the middle of nowhere, unincorporated and on its own, it is in the middle of multiple neighborhoods, at the end of a cul-de-sac, in an existing and thriving community.

We also object to any development outside the Ridgeline restrictions, this giant home will be very visible and completely out of character for the area and neighborhood. We also object to the re-routing and alteration of the beautiful trails and the major disruption to the open space around this property that benefits the entire community of Park City.

Finally, the neighborhood has voted, as recently as last year, to not allow short term rentals (nightly or monthly). Nightly rental homes, drastically change the feeling of a neighborhood. I often walk in the neighborhood and have seen the two homes recently completed on Hidden Oaks Lane that are on VRBO for nightly rentals- they are advertised as accommodating 30 people! These homes do not add to our community, they are a significant negative addition. The many cars create traffic on Solamere Drive and the parties and noise disturbances are a nuisance for everyone. Please do not approve this project. It goes against the wishes of every tax paying, long standing Park City community member in the area.

The City Council of Park City developed four strategic goals to guide decision-making and achieve the community's vision and core values. They are: Sense of Community, Natural Setting, Historic Character, and Small Town.

This proposed project does not line up with the Park City Community Vision and Core Values and should not be allowed to pass.

Please read the letters submitted to you by Mr. Randy Johnston, the adjacent homeowner. He has done a very good job explaining the thoughts and feelings of all of our neighbors.

Thank you for your time and attention to this important issue.

Sincerely,

Michelle Yacoel

20 Foxwood Court
Park City, Utah 84060

714-612-3003

Julie Schultz

From: Lisa Power <lisa@mrbenson.com>
Sent: Monday, November 1, 2021 7:33 AM
To: Browne Sebright; planing@parkcity.org
Cc: Mike Benson
Subject: [External] Opposition to 3805 Fox Tail Trail Subdivision Proposal
Attachments: 3805 Fox Tail Trail Proposal.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Commissioners and Planner Sebright:

Please see attached letter expressing our strong opposition to the application for development of 3805 Fox Tail Trail.

Thank you,

Luisa Power
Mike Benson
3661 Solamere Drive
Park City, UT 84060

Julie Schultz

From: Matthew Leventhal <mleventhal@gmail.com>
Sent: Sunday, November 7, 2021 5:52 PM
To: Browne Sebright; planning
Cc: Brady Leventhal
Subject: [External] Opposition to Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 Fox Tail Trail Comment to Planning.pdf
Categories: 3805 Fox Tail Trail - Public Comment

[CAUTION] This is an external email.

Dear Park City Planning Commissioners and Planner Sebright,

Please find attached our opposition to the current permit for the 3805 Fox Tail Trail Development plan,

Please do not hesitate to contact us should you have any questions.

Regards,

Matt and Brady Leventhal
3781 Fox Tail Trail

Julie Schultz

From: Stephany Richmond <Srichmond@furnwarehouse.com>
Sent: Monday, November 1, 2021 2:36 PM
To: Browne Sebright
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Objection subdivision proposal

[CAUTION] This is an external email.

Planning and Zoning Commissioners
Planner Browne Sebright
445 Marsac Avenue (P.O. Box 1480)
Park City, UT, 84060

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail
Trail Subdivision proposal

Dear Commissioners and Planner Sebright

My name is Stephany Richmond, I have a family owned property very close to the subject property. My address is 43 Fox Glenn Circle. I have had my property since 2013. I oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac.

I will also add that I have neighbors who walk past our house regularly and express agreement with these points. The opposition to this application is larger than the number of letters you receive.

I have failed completely in my efforts to understand why Planner Seabright is such an advocate for this application. At the last hearing when Acting Chair asked Planner Seabright to confirm that the 23 acres the applicant has proposed giving to the city are in fact undevelopable and already controlled by the City, it seemed as if Planner Seabright tried to avoid answering that question in the affirmative, even though the answer was obviously yes. So, as a result of my concerns that the Commission may not be getting the full story, I ask you to consider what I believe to be undisputed facts below.

1. It is wrong to suggest that this is a minor change. It is a major change! Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well and there is no reason to change them to

accommodate this late-arriving applicant. We follow the existing rules. He should too.

2. This is not a situation of someone unfairly suffering under zoning and building restrictions. Rather, it is a situation of someone buying a distressed property at foreclosure with full knowledge of restrictions that prohibit its development and then requesting that those restrictions be lifted to enrich him alone.
3. It is not true that there was always a house contemplated on “this property.” Staff has suggested that the prior designation of a Lot 26 makes this application just an extension of that original contemplation and therefore not that unreasonable. But, that is just not true.
 - The original Lot 26 shows a 3-4 acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8 acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8 acre tract.
 - And the 3-4 acres of Lot 26 in the Estate District is not susceptible to development. The ridgeline limitation and the power line easement make it virtually impossible to develop the only part of the property in the Estate District.
 - This impossibility was well known when the applicant bought this land. It is not a new restriction that unfairly burdens an old property he has held since before these restrictions.
 - That limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the applicant wants to replat and rezone to expand the size of the Estate District designation to an 8 acre tract instead.
4. It is wrong for staff or the applicant to suggest that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because the HOA did not annex Lot 26 earlier.
 - No one knows exactly why Lot 26 was not annexed into the HOA but it probably has to do with the fact that there was no reason to do so since it was impossible to build on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements and the rest of the property was zoned recreational use only.
 - And of course, it is possible it was just an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure

- sale with a drastic modification of existing zoning and platting restrictions on the property.
- Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this applicant is now suggesting: an 8 acre development tract with a 700+ foot driveway and a 10,000 ft.² residence that would disrupt the entire neighborhood by nightly rentals.
5. The offsetting gift of 23 acres to the city - in exchange for this proposed alteration of decades-old zoning and platting to accommodate new development plans that disrupt the neighborhood - is not much of a gift.
 - The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions.
 - The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.
 6. It is wrong to think this proposal is just another house in the existing neighborhood. The applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 ft.² nightly rental facility. Basically a small hotel.
 - When asked why he would not consider joining the HOA, applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules.
 - By that comment, the applicant shows how little he cares about the neighborhood and the neighbors who have relied upon and complied with these rules since 1994.
 - The applicant also ignores the fact that the HOA voted just last year on a proposed modification of the *one-year-only* rental limitation and the members voted to keep this restriction in place. Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction.
 7. The only reason this proposed development can even be considered is the fact that Hidden Meadows homeowners -about whom the applicant cares so little-have for decades paid taxes and dues to finance the construction and maintenance of streets and utilities leading to his property. Hidden Meadows and Hidden Oaks homeowners will be paying taxes to plow the streets to reach the hotel structure contemplated by this proposed development. One must drive past every taxpayer in every single house in the Hidden Meadows and Hidden Oaks to get to this property.
 8. If this structure is permitted, there will be nothing like it anywhere in the neighborhood.

- No other house in the neighborhood has a 10,000 ft.² footprint with the 33 foot height.
 - No other house in the neighborhood has a 700+ foot driveway.
 - No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.² (Even more if you consider the sewer disruption.)
 - No other house in the neighborhood permits short-term rentals.
 - Nor the house in the neighborhood requires alterations to the existing trail structure.
9. It is wrong to say that this structure would not interfere with the ridgeline view. The applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. I have attached pictures of this site looking down Fox Tail Trail as it now is and then with the addition of a 10,000 ft.² structure that is 33 feet high. The visual obstruction, as you can see, is significant.
10. It is wrong to think of the 700+ ft. driveway as a concession to the homeowners to mitigate noise and disruption.
- The construction of a 10,000 ft.² residence cannot proceed unless it is 700+ feet from the cul-de-sac because of the ridgeline restrictions and the utility easement.
 - The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood.
 - The likelihood is this driveway will actually become a parking lot for nightly rental residents.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied.

Stephany Richmond
 The Furniture Warehouse
 7155 16th Street East Suite 101
 Sarasota Florida 34243
 Phone 941-359-2255 x312
 Fax 941-359-2244
SRichmond@TheFurnitureWarehouse.com



All purchase orders are subject to The Furniture Warehouse's Terms and Conditions that are available online at <http://vendors.furnwarehouse.com>

Julie Schultz

From: Sarah Ryland <sarahryland4@gmail.com>
Sent: Friday, October 29, 2021 4:26 PM
To: Browne Sebright; planning
Cc: Padre
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright:

Our names are Kyle and Sarah Ryland and we reside at 3763 Fox Tail Trail. We oppose the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac. This development tract with a 700+ foot driveway and a 10,000 ft.2 residence will disrupt the entire neighborhood with nightly rentals. The visual and physical obstruction is significant, as well as the negative impact it will have on the natural wildlife and trail system. This proposal is NOT another house in the existing neighborhood.

- No other house in the neighborhood has a 10,000 ft.2 footprint with the 33 foot height.
- No other house in the neighborhood has a 700+ foot driveway.
- No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.2 (Even more if you consider the sewer disruption.)
- No other house in the neighborhood permits short-term rentals.
- Nor the house in the neighborhood requires alterations to the existing trail structure.

Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well. When asked why the developer would not consider joining the HOA, applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. The applicant also ignores the fact that the HOA voted just last year on a proposed modification of the one-year-only rental limitation and the members voted to keep this restriction in place. Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction. Hidden Meadows homeowners have for decades paid taxes and dues to finance the construction and maintenance of streets and utilities leading to his property. Hidden Meadows and Hidden Oaks homeowners will be paying taxes to plow the streets to reach this airbnb like structure contemplated by this proposed development.

The offsetting gift of 23 acres to the city - in exchange for this proposed alteration of decades-old zoning and platting to accommodate new development plans that disrupt the neighborhood - is not much of a gift. The applicant cannot build on the 23 acres anyway, due to ridge line and zoning restrictions. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied. It is both ruining the aesthetics of our neighborhood along with our property value.

Sincerely,
Sarah & Kyle Ryland

Julie Schultz

From: Michael Haney <mhaney@apple.com>
Sent: Monday, November 1, 2021 6:23 AM
To: Browne Sebright; planning
Cc: Nana Haney
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
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Dear Commissioners and Planner Seabright -

We're property owners in the Hidden Meadows subdivision in Park City (67 Fox Glen Circle). I think you have heard from Randy Johnston as well as a number of our fellow neighbors who oppose the referenced development. I won't repeat all of Randy's arguments against the proposed development, but we do share in his and our neighbor's opposition. When we built our home in Hidden Meadows, we didn't seek exceptions to alter Fox Tail Trail which runs through and along our property line because we valued the trail as an asset to our community and felt that leaving the trail undisturbed was simply, the right thing to do. While we respect an owner's right of use, we do feel there is an overriding need to insure that that right doesn't run afoul of either HOA rules or in this case, "norms" for a neighborhood / development. I would encourage you to take a drive by the two, recently built rental homes on Hidden Oaks Lane, canvass their neighbors on their experience with nightly rentals, traffic, noise and whether a small "hotel" works in a residential neighborhood. I don't think we want to potentially repeat those same issues with this proposed development.

We would appreciate your consideration of ours and our neighbor's input on this proposal.

Sincerely,

Michael & Nana Haney

Julie Schultz

From: Elisa McLean <elisalmclean@gmail.com>
Sent: Monday, November 1, 2021 3:22 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright,

My name is Elisa Bernard McLean and my husband and I own the property at 28 Foxwood Court in the Hidden Meadows Subdivision. We strongly oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul de sac.

I have attached a letter sent by my neighbor, Randy Johnston, and fully agree with and support the statements he has made in opposition of said development.

Thank you in advance for your thoughtful consideration of these matters and ultimate denial of these applications.

Best,
Elisa Bernard McLean

elisalmclean@gmail.com
630-280-9190 cell

Julie Schultz

From: Lisa Baronsky <lisa@baronsky.com>
Sent: Monday, November 1, 2021 10:19 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright:

I am writing to you to express my strong opposition to the application for development of 3805 Fox Tail Trail. I agree with the letter submitted by Randy Johnson, dated October 25, 2021. Furthermore, I would like to reiterate that the Hidden Meadows HOA prohibits short-term rentals. This restriction was in place when we purchased our home ten years ago and we voted to keep this restriction in place last year. There are many areas of Park City that allow short-term rentals, but the homeowners in Hidden Meadows have been firm in their commitment to restrict short-term rentals.

Thank you for your consideration of these matters.

Sincerely,

Lisa Baronsky

3805 Solamere Drive
Park City
310 779-2956
lisa@baronsky.com

Julie Schultz

From: nanci.palmintere@gmail.com
Sent: Wednesday, November 3, 2021 2:35 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Planning Commissioners and City Planner Sebright:

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

My name is Nanci Palmintere; our family owns the property around the corner at 3798 Solamere Dr. We **OPPOSE** the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of an 8-acre lot at the end of the cul-de-sac.

This would be a **MAJOR** change for the worse to our quiet single-family home neighborhood. Whomever has suggested the proposed change is somehow “minor” is incorrect. By all objective criteria, it is a major change.

The speculator-applicant purchased the property (3805 Fox Tail Trail) at foreclosure with full knowledge of all existing restrictions that prohibit the proposed development – speculating that he could convince you to lift restrictions to maximize his for-profit business investment. It is incorrect for anyone to characterize this as a personal investment; when the plans are to operate a full-time, year-round for-profit “small hotel” Airbnb business at the site where the owner never intends to reside.

Our neighborhood is comprised only of individual single family residential homes – no “small hotel” businesses. The proposed use change does not comport with the original purpose of our neighborhood or its look and feel. Having a “small hotel”-like business at the end of a residential cul-de-sac with a single ingress/egress creates traffic and safety issues (just imagine kids playing roller hockey in the street when impaired out-of-town Airbnb-ers speed through the neighborhood). This property is directly adjacent to various Park City trails and negatively impacts the opportunity for Park City residents to access them.

All long-term Park City residents know there has never been “...a house contemplated on this property.” Whomever among Planning Staff suggests that the prior designation of a “Lot 26” makes this application merely an extension of that original plan is incorrect & has made a mistake. Consider:

The original Lot 26 shows a 3–4-acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8-acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8-acre tract, and it must be denied.

The 3-4 acres of Lot 26 in the Estate District is not feasible to develop. The ridgeline limitation and the power line easement make it essentially impossible to develop the only part of the property in the Estate District. The speculator-applicant knew this full-well when he bought the property at foreclosure. It is not a new restriction that somehow “unfairly burdens” an old property he has held since before these restrictions were implemented. The ridgeline and other limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the speculator-applicant wants to replat and rezone to expand the size of the Estate District designation to an 8-acre tract instead. This request must be denied.

I understand someone has put forth an argument that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because Hidden Meadows HOA did not, in years past, annex Lot 26. That argument holds no water and must be ignored. Most likely Lot 26 wasn't originally annexed into the HOA because it was impossible to build a home or “small-hotel” business on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements while the rest of the property was and is zoned recreational use only. Alternatively, lack of annexation may just be an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this speculator-applicant is now suggesting: an 8-acre development tract with a 700+ foot driveway and a 10,000 ft.² “small hotel” Airbnb for-profit business (rather than a residence). This change would disrupt the entire neighborhood with the onslaught of nightly rentals by people who care not one whit about our residential enjoyment.

The speculator-applicant is offering a 23 acre “quid pro quo gift” to the city in exchange for this proposed alteration of decades-old zoning and platting to accommodate his new year-round small-hotel plans that disrupt and alter the neighborhood. The “quid pro quo gift of 23 acres” to the city is not, in reality, a gift at all. *When is a gift not a gift?* Consider:

The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions. He is not “giving up” anything at all. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

It is wrong to think this proposal is just another house in the existing neighborhood. The speculator-applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 square foot year-round for-profit “small hotel” business of nightly rentals – and ONLY nightly rentals.

When asked why he would not consider joining our existing HOA, the speculator-applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. Let's be clear: we do not operate by 1994 rules. Our HOA voted just this past year on a proposed modification of our existing one-year-only rental limitation and the HOA members voted to keep this restriction in place. It is a modern restriction based on a current polling of residents.

It is incorrect and misleading to say that the proposed structure would not interfere with the ridgeline view. The speculator-applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. When viewed from Fox Tail Trail and our surrounding community, it is a MASSIVE intrusion on the ridgeline and therefore must be denied.

Someone has suggested the speculator-applicant has made a concession to the existing residential neighborhood to implement a 700+ foot driveway to operate his proposed “small hotel” Airbnb for-profit business. That is incorrect. It is incorrect and misleading to assert a 700+ ft. driveway is any concession at all; the construction of a 700+ foot driveway by the speculator-applicant is the only way he can proceed because of existing ridgeline restrictions and utility easements. The speculator-applicant is not “conceding” anything whatsoever.

The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood and must be denied.

Let’s look at a real-life Park City example of a similar Airbnb purpose-built house in a residential neighborhood: 65 Hidden Oaks Lane. This home was purpose-built to be a “small hotel” with 12 Bedrooms and 11 Bathrooms. The owner has never resided in the structure and operates it as a 365x24x7 full-time as a “small hotel” nightly rental through Airbnb and VRBO. For historical reasons, this house is not part of an HOA, and nearby HOA residents describe it as a full-time nightmare.

Here is a synopsis from Nextdoor.com of the detrimental impact to that neighborhood:

In 2003, we had the good fortune to purchase a wonderful home in Lower Deer Valley. A place where we could spend time as a family hiking and exploring all of the amazing activities Park City offers. Sadly, our dream turned into a nightmare. An investor constructed a purpose-built house intended to be a full-time nightly rental with 12 -- count them, 12 – Bedrooms and 11 Bathrooms. This house was not intended to be someone’s residence. It is not intended to be someone’s vacation home or 2nd residence. It is a “small hotel” built for the sole purpose of renting it out on a nightly basis through Airbnb and VRBO.

We do not have a Homeowner’s Association where we live, so there are no HOA restrictions on rentals. But this is not just a homeowner renting out their house once-in-awhile. This is anywhere between 12 to 40 people in this “house” on a nightly basis. Some are polite, but most are inconsiderate at best and downright vulgar at times. During the summer months, we love to sleep with our windows open so we are often awakened at 1 am, 2 am, 3 am and so on by loud music and shouting by out-of-town vacationers outside. Even with our windows closed, the noise is penetrating. Yes, we have called the police, multiple times – sometimes several times on the same night as have many of our neighbors. The property manager is very understanding (we have called him at 2 am as well to complain about the noise), but the owners just don’t seem to care so he is helpless to help us. Last night was one of the worst. At 3 am, the music was so loud, our windows were rattling. Two of our children, who are visiting us for the long weekend, asked the guests to please turn off the music and take their conversation inside. No go. Then we had to call the police (again). While waiting for the police, my wife explained – politely! - that they are renting a home in a residential neighborhood and should respect the noise ordinance. The vacationers replied they do not care as they are on vacation... It has left my entire family exhausted and depressed. We have worked so hard for so long to finally be a member of this wonderful community only to have our serenity denigrated by greedy business owners who have absolutely no respect for our community or regard for their neighbor’s welfare. The city government, whom we have contacted on numerous occasions, while sympathetic, claims they have no authority and that we have no recourse.

Please do not make us, the residents of Hidden Meadows, post a similar entreaty on Nextdoor.com due to a 10,000 square foot purpose-built nightly rental “small hotel” in our neighborhood.

Thank you for your consideration. Clearly, this application must be denied.

Respectfully,

Nanci Palmintere
3798 Solamere Drive
Park City, UT 84060

Julie Schultz

From: DANA ECKERT <deckert259@mac.com>
Sent: Tuesday, November 2, 2021 8:27 AM
To: Browne Sebright; planning
Cc: Andy Eckert
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail, Subdivision proposal
Attachments: smime.p7s; ATT00001.txt; ATT00002.htm

Dear Commissioners and Planner Sebright:

My name is Dana Eckert and my husband and I own 55 Fox Glen Circle. We oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac. This is basically constructing a hotel in a residential area and violates our neighborhood covenants.

We have all bought into these neighborhoods because we wanted to live in a quiet residential area, and to allow these new renting rules and these bigger than currently allowed homes changes the entire neighborhood makeup.

This is a disturbing trend that has reared it's ugly head in the Hidden Oaks neighborhood and now threatens our Hidden Meadows subdivision as well.

The neighbors in Hidden Oaks have complained of wild parties, noises into the night, lack of security and screening of potential renters and a violation of the no renting rules that have previously existed in our neighborhoods per our different homeowner associations.

This is a complete disregard of the rights of us as property owners and not the first time that Park City puts new building over the consideration of the neighbors who have already bought into our neighborhoods and covenants.

We do not understand why Park City would even consider this application, which is essentially a hotel. It is completely wrong to think this proposal is just another house in the existing

neighborhood. The applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 ft.² nightly rental facility. No matter how you look at it, this is a hotel.

We also want to voice our support for the letters written by Randy Johnson and his wife. I've shortened their points below, and added some of my own text, but we want to say we are in full support of what they have written to you.

1. This is a major change! Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well and there is no reason to change them to accommodate this late-arriving applicant. We follow the existing rules. He should too.
2. This is not a situation of someone unfairly suffering under zoning and building restrictions. Rather, it is a situation of someone buying a distressed property at foreclosure with full knowledge of restrictions that prohibit its development and then requesting that those restrictions be lifted to enrich him alone.
3. The original Lot 26 shows a 3-4 acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8 acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8 acre tract.
4. It is wrong for staff or the applicant to suggest that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because the HOA did not annex Lot 26 earlier.

· No one knows exactly why Lot 26 was not annexed into the HOA but it probably has to do with the fact that there was no reason to do so since it was impossible to build on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements and the rest of the property was zoned recreational use only.

· And of course, it is possible it was just an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

- Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this applicant is now suggesting: an 8 acre development tract with a 700+ foot driveway and a 10,000 ft.² residence that would disrupt the entire neighborhood by nightly rentals.

5. The applicant also ignores the fact that the HOA voted **just last year** on a proposed modification of the ***one-year-only*** rental limitation and the members voted to keep this restriction in place. **Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction.**

6. If this structure is permitted, there will be nothing like it anywhere in our neighborhood. This significantly changes our neighborhood. demographics.

- No other house in the neighborhood has a 10,000 ft.² footprint with the 33 foot height.
- No other house in the neighborhood has a 700+ foot driveway.
- No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.²(Even more if you consider the sewer disruption.)
- No other house in the neighborhood permits short-term rentals.
- Nor the house in the neighborhood requires alterations to the existing trail structure.

7. It is wrong to say that this structure would not interfere with the ridgeline view. The visual obstruction will be significant.

8. It is wrong to think of the 700+ ft. driveway as a concession to the homeowners to mitigate noise and disruption.

- The construction of a 10,000 ft.² residence cannot proceed unless it is 700+ feet from the cul-de-sac because of the ridgeline restrictions and the utility easement.
- The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood.
- The likelihood is this driveway will actually become a parking lot for nightly rental residents. This is already the case in the Hidden Oaks neighborhood.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied.

Sincerely,

Dana and Andy Eckert

55 Fox Glen Circle

Park City, UT 84060

Julie Schultz

From: Joseph Shrader <shraderjm@comcast.net>
Sent: Friday, October 29, 2021 1:57 PM
To: Browne Sebright
Cc: planning
Subject: [External] Permit # PL-21-04865- 3805 Fox Tail Trail and Fox Tail Trail subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright

We are the owners of the property at 3648 Solamere in the Hidden Meadows subdivision.

We have owned our house for some twenty years. One of the major reasons we purchased the property was the prohibition in the HOA by-laws of nightly rentals. We much preferred a neighborhood where the residents didn't change much and they cared about the condition and appearance of their homes and those of the neighborhood community. We have witnessed other areas of Park City where the allowance of nightly rentals have caused damage and disturbance to nearby neighbors.

We endorse and whole heartedly agree with the points in the letter to you from Randy Johnston dated October 25, 2021 regarding this matter.

We are opposed to this development.

Sincerely,

Marion & Janice Shrader

Sent from my iPad

Julie Schultz

From: Neil Malamud <neil@malcollc.com>
Sent: Sunday, October 31, 2021 11:57 AM
To: Browne Sebright
Subject: [External] PERMIT # PL-21-04865- 3805 FOX TRAIL

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

I am writing as the Hidden Meadows homeowner at 5 Hidden Court of many years, in response to the Permit request #PL-21-04865- 3805 FOX TRAIL:

I have very grave concerns and numerous objections over the proposed granting of the above permit request. To begin, the granting of a portion of the said property to the City is in no way sufficient, for any reason, to alter the character of the long existing Hidden Meadows single family home community to provide "the possibility of" nightly lodger accommodations and create a rental property business in the neighborhood.

The development of said property into a very tall/large structure presented as a residential home, but in essence would operate as a commercial venture, ie a bed & breakfast with possibly nightly/short term rentals, creating a quasi lodging business that belongs in a commercially zoned neighborhood, as apposed to a single family zoned neighborhood, is in violation of the SPIRIT and RESPECT of a single family community/neighborhood!

This project would be alien to its neighborhood of private single family residences for numerous reasons. The residents/homeowners of the Hidden Meadows community have a vested interest in maintaining a meaningful respect for the safety, privacy & serenity of their properties, and their neighbors and with the assistance of the active HOA continue to keep the community safe and secure.

The original developers of Hidden Meadows created a quiet, private residential community, of single family homes built and/or purchased by individuals, couples and families who were desirous of and paying for its HOA and real estate taxes in order to live in a purely single family residential community. Unfortunately, for the lot owner/developer who sees an opportunity in which to create a "business;, through a "non-conforming use" is totally & completely inappropriate in Hidden Meadows.

I have a deep concerns for the severe adverse impact of more traffic and other unintended consequences on the neighborhood.

Furthermore, as a community resident, tax paying, respectful homeowner and neighbor I STRONGLY request that the City NOT grant this permit request!

Sincerely,
Sandra A. Malamud,
5 Hidden Court
Home/Property owner

ucc

Neil N Malamud
941-928-5176
nnm@malcoinv.com

Julie Schultz

From: shai quarles <shai.quarles21@outlook.com>
Sent: Tuesday, November 2, 2021 8:46 AM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865-3805 Fox Tail Trail Subdivision Proposal
Attachments: PC Letter-1.docx

[CAUTION] This is an external email.

Provided is my letter for the subdivision proposal.

Thank you!

Julie Schultz

From: Joan Card <jcard@culpkelly.law>
Sent: Monday, November 1, 2021 9:44 AM
To: Browne Sebright; planning
Cc: randy@jtlaw.com; Mark Harrington; Matt Dias; Margaret Plane
Subject: [External] Proposed New Subdivision and Development at Fox Tail Trail
Attachments: 3805 letter to Commission 10 25 21[1258].pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and City Staff:

Please see the attached package from our next door neighbor, Randy Johnston. We adopt and endorse it in its entirety. We are mystified how such a proposed action seems to be evading all the good reasons for meaningful outreach to the affected neighborhood, resulting in what appears to be a bias toward a commercial property owner who obtained the property from the mine company through foreclosure. In our past experience the City was very effective at outreach to people in the community with frequent neighborhood meetings in the homes of interested residents and homeowners. We think the proposed action illustrates the need for close City collaboration with the neighborhood. Adding “insult to injury” here, Randy, we and several other neighbors testified at the first Planning Commission meeting on this subject and requested to be contacted, heard, and notified of further developments. We have yet to hear from anyone in the Planning Department.

In addition to the points Randy made in his letter, we see that City staff is proposing an amendment to the Land Management Code to prohibit nightly rentals in the Hidden Oaks neighborhood immediately adjacent to ours. I’m aware of at least two homes that were recently constructed in Hidden Oaks, apparently on spec, as hotels. I’m aware because I walk by almost daily and the properties clearly are hosting multiple people, including attendees of corporate meetings that are run back and forth to meeting destinations by shuttle bus (with corporate signs on the door). We noticed one property owner was forced to put up a “No Parking” sign, like one you would see in a commercial district, in front of their house, presumably because of problems. These hotel properties have demonstrably changed the character of the neighborhood—including their farcical signage stating that the properties are “for residential use only.” We applaud the City for its effort to amend the LMC to prevent this activity. We would hope that the City similarly would prevent the new subdivision and development—should it be allowed to go forward—from establishing a de facto hotel at the end of our small residential street.

Thank you for considering our issues and concerns. We hope for dialog and collaboration on the project going forward.

Incidentally, we have copied Mark Harrington, Margaret Plane, and Matt Dais on this email for their awareness. Joan has spoken with Mark Harrington about this project in the past and due to her personal relationship with Matt and Margaret, it seemed prudent to share for the purpose of disclosure and general awareness.

Truly,

/s/
Joan Card

Andy Dannerbeck
3764 Fox Tail Trail
Hidden Meadows, Lot 28

Julie Schultz

From: Michelle Spear <michelle@jtlaw.com>
Sent: Monday, October 25, 2021 1:18 PM
To: Browne Sebright; planning
Cc: Randy Johnston
Subject: [External] RE: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This is an external email.

Attached is letter with enclosures from Randy Johnston.

Thanks,

Michelle Spear
Legal Assistant

JOHNSTON TOBEY BARUCH, P.C.
12377 Merit Drive, Suite 880
Dallas, Texas 75251
michelle@jtlaw.com
214.382.4520 direct
214.741.6260 Ext. 207



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Julie Schultz

From: phil.palmintere@gmail.com
Sent: Wednesday, November 3, 2021 2:29 PM
To: Browne Sebright; planning
Cc: phil.palmintere@gmail.com
Subject: [External] Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Planning Commissioners and City Planner Sebright:

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

My name is Phil Palmintere; our family owns the property around the corner at 3798 Solamere Dr. We **OPPOSE** the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of an 8-acre lot at the end of the cul-de-sac.

This would be a **MAJOR** change for the worse to our quiet single-family home neighborhood. Whomever has suggested the proposed change is somehow “minor” is incorrect. By all objective criteria, it is a major change.

The speculator-applicant purchased the property (3805 Fox Tail Trail) at foreclosure with full knowledge of all existing restrictions that prohibit the proposed development – speculating that he could convince you to lift restrictions to maximize his for-profit business investment. It is incorrect for anyone to characterize this as a personal investment; when the plans are to operate a full-time, year-round for-profit “small hotel” Airbnb business at the site where the owner never intends to reside.

Our neighborhood is comprised only of individual single family residential homes – no “small hotel” businesses. The proposed use change does not comport with the original purpose of our neighborhood or its look and feel. Having a “small hotel”-like business at the end of a residential cul-de-sac with a single ingress/egress creates traffic and safety issues (just imagine kids playing roller hockey in the street when impaired out-of-town Airbnb-ers speed through the neighborhood). This property is directly adjacent to various Park City trails and negatively impacts the opportunity for Park City residents to access them.

All long-term Park City residents know there has never been “...a house contemplated on this property.” Whomever among Planning Staff suggests that the prior designation of a “Lot 26” makes this application merely an extension of that original plan is incorrect & has made a mistake. Consider:

The original Lot 26 shows a 3–4-acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8-acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8-acre tract, and it must be denied.

The 3-4 acres of Lot 26 in the Estate District is not feasible to develop. The ridgeline limitation and the power line easement make it essentially impossible to develop the only part of the property in the Estate District. The speculator-applicant knew this full-well when he bought the property at foreclosure. It is not a new restriction that somehow “unfairly burdens” an old property he has held since before these restrictions were implemented. The ridgeline and other limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the speculator-applicant wants to replat and rezone to expand the size of the Estate District designation to an 8-acre tract instead. This request must be denied.

I understand someone has put forth an argument that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because Hidden Meadows HOA did not, in years past, annex Lot 26. That argument holds no water and must be ignored. Most likely Lot 26 wasn't originally annexed into the HOA because it was impossible to build a home or “small-hotel” business on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements while the rest of the property was and is zoned recreational use only. Alternatively, lack of annexation may just be an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this speculator-applicant is now suggesting: an 8-acre development tract with a 700+ foot driveway and a 10,000 ft.² “small hotel” Airbnb for-profit business (rather than a residence). This change would disrupt the entire neighborhood with the onslaught of nightly rentals by people who care not one whit about our residential enjoyment.

The speculator-applicant is offering a 23 acre “quid pro quo gift” to the city in exchange for this proposed alteration of decades-old zoning and platting to accommodate his new year-round small-hotel plans that disrupt and alter the neighborhood. The “quid pro quo gift of 23 acres” to the city is not, in reality, a gift at all. *When is a gift not a gift?* Consider:

The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions. He is not “giving up” anything at all. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

It is wrong to think this proposal is just another house in the existing neighborhood. The speculator-applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 square foot year-round for-profit “small hotel” business of nightly rentals – and ONLY nightly rentals.

When asked why he would not consider joining our existing HOA, the speculator-applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. Let's be clear: we do not operate by 1994 rules. Our HOA voted just this past year on a proposed modification of our existing one-year-only rental limitation and the HOA members voted to keep this restriction in place. It is a modern restriction based on a current polling of residents.

It is incorrect and misleading to say that the proposed structure would not interfere with the ridgeline view. The speculator-applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. When viewed from Fox Tail Trail and our surrounding community, it is a MASSIVE intrusion on the ridgeline and therefore must be denied.

Someone has suggested the speculator-applicant has made a concession to the existing residential neighborhood to implement a 700+ foot driveway to operate his proposed “small hotel” Airbnb for-profit business. That is incorrect. It is incorrect and misleading to assert a 700+ ft. driveway is any concession at all; the construction of a 700+ foot driveway by the speculator-applicant is the only way he can proceed because of existing ridgeline restrictions and utility easements. The speculator-applicant is not “conceding” anything whatsoever.

The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood and must be denied.

Let’s look at a real-life Park City example of a similar Airbnb purpose-built house in a residential neighborhood: 65 Hidden Oaks Lane. This home was purpose-built to be a “small hotel” with 12 Bedrooms and 11 Bathrooms. The owner has never resided in the structure and operates it as a 365x24x7 full-time as a “small hotel” nightly rental through Airbnb and VRBO. For historical reasons, this house is not part of an HOA, and nearby HOA residents describe it as a full-time nightmare.

Here is a synopsis from Nextdoor.com of the detrimental impact to that neighborhood:

In 2003, we had the good fortune to purchase a wonderful home in Lower Deer Valley. A place where we could spend time as a family hiking and exploring all of the amazing activities Park City offers. Sadly, our dream turned into a nightmare. An investor constructed a purpose-built house intended to be a full-time nightly rental with 12 -- count them, 12 – Bedrooms and 11 Bathrooms. This house was not intended to be someone’s residence. It is not intended to be someone’s vacation home or 2nd residence. It is a “small hotel” built for the sole purpose of renting it out on a nightly basis through Airbnb and VRBO.

We do not have a Homeowner’s Association where we live, so there are no HOA restrictions on rentals. But this is not just a homeowner renting out their house once-in-awhile. This is anywhere between 12 to 40 people in this “house” on a nightly basis. Some are polite, but most are inconsiderate at best and downright vulgar at times. During the summer months, we love to sleep with our windows open so we are often awakened at 1 am, 2 am, 3 am and so on by loud music and shouting by out-of-town vacationers outside. Even with our windows closed, the noise is penetrating. Yes, we have called the police, multiple times – sometimes several times on the same night as have many of our neighbors. The property manager is very understanding (we have called him at 2 am as well to complain about the noise), but the owners just don’t seem to care so he is helpless to help us. Last night was one of the worst. At 3 am, the music was so loud, our windows were rattling. Two of our children, who are visiting us for the long weekend, asked the guests to please turn off the music and take their conversation inside. No go. Then we had to call the police (again). While waiting for the police, my wife explained – politely! - that they are renting a home in a residential neighborhood and should respect the noise ordinance. The vacationers replied they do not care as they are on vacation... It has left my entire family exhausted and depressed. We have worked so hard for so long to finally be a member of this wonderful community only to have our serenity denigrated by greedy business owners who have absolutely no respect for our community or regard for their neighbor’s welfare. The city government, whom we have contacted on numerous occasions, while sympathetic, claims they have no authority and that we have no recourse.

Please do not make us, the residents of Hidden Meadows, post a similar entreaty on Nextdoor.com due to a 10,000 square foot purpose-built nightly rental “small hotel” in our neighborhood.

Thank you for your consideration. Clearly, this application must be denied.

Respectfully,

Phil Palmintere

phil.palmintere@gmail.com

3798 Solamere Drive

Park City, UT 84060

408-406-9642 cell phone

Julie Schultz

From: Tricy Magadini <tricy@bmarchitects.com>
Sent: Wednesday, November 10, 2021 9:24 AM
To: Browne Sebright
Cc: Randy Johnston
Subject: [External] RE: Re: Permit # PL-21-04865

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: 3805 Fox Tail Trail - Public Comment

Mr. Sebright:

Please add this to the public comments in connection with the above referenced permit application.

My Husband and I own property located at 3790 Fox Tail Trail. He has sent several letters concerning the rezoning. I agree with and think all the points made in Randy's letters are important.

I am a practicing architect, specializing in high end residential homes and I am intimately familiar with the process of permitting, platting and zoning for such structures. It cannot be overstated how great a change is being requested here. I would like to add my perspective on this issue.

We have recently applied for a permit to extend our back patio and redo our hot tub on the property at 3790 Fox Tail Trail. It has taken over 2 months for the permit to be issued because of the high level of scrutiny we were subjected to for a patio-not a structure, just a patio. The major focus was on the area of disturbance, existing trees that would be removed and the powerline easement. The powerline easement alone held up the project nearly a month to shore up an existing retaining wall. Mr. Olgivy's project proposes a driveway right through the easement without any issue from Mr. Sebright.

Some of the main concerns I see with the proposal is that it flies in the face of the Hidden Meadows Plat. The statement made on the Phase 1 plat which states no construction shall take place on adjoining property until Hidden Meadows Phase 2 is recorded. Also, the quantification of Maximum Floor Area for Hidden Meadows never allows a home over 10,000 SF. Then the allowed disturbance on Hidden Meadows phase 1 shows a max of 16,000 SF. All of these things were factors in why the subdivision was originally allowed and why the owners bought into the HOA. These are assurances that the neighborhood was laid out and governed to reflect the values shared by all. Namely, to preserve a mountain feel by restricting disturbances and building sizes. Both of these values are negated by this new proposal. The

phase 1 largest disturbance allowed for a lot that is on 6.47 acres is 16,000 SF. If you take that ratio over to the requested 8 acre lot the applicant has requested, you get 19,774 square feet, considerably less than their proposed 23,000 SF.

I also I think this proposed trail re-alignment is asinine and even if allowed should be counted as disturbance too as it is additional disturbance associated with this new proposal. I do not understand why this issue has escaped Planner Sebright's attention.

The developer wants to create a separate subdivision in name from Hidden Meadows Phase 2 to Fox Tail Subdivision as a tactic to avoid the Hidden Meadows precedent, but then still benefit from the Hidden Meadows precedent at the same time. By that I mean that the in HM CCR, the driveway is not considered area of disturbance. This is unusual and would not fly today. Yet, the applicant and Mr. Sebright cite that as justification for ignoring the disturbance of a 700+ foot driveway. PCMC would and rightly should require any new subdivision driveways to be considered a disturbance, as it actually does disturb the existing ecology of the site.

Thank you,

Patricia Magadini, AIA
BERNBAUM/MAGADINI
ARCHITECTS
4645 N. Central Expwy
Suite 220
Dallas, Texas 75205
Office: (214) 219-4528
tricy@bmarchitects.com
www.bmarchitects.com

Planning Commission Staff Report



Subject: Fractional Ownership
Application: PL-22-05210
Authors: Makena Hawley and Spencer Cawley
Date: May 11, 2022
Type of Item: Work Session

Recommendation

Staff recommends the Planning Commission review and provide input on proposed Land Management Code amendments to address fractional ownership of Single-Family Dwellings. Planning staff anticipates bringing proposed Land Management Code amendments to Planning Commission review and a public hearing on May 25, 2022, with a possible recommendation for City Council's consideration on June 23, 2022.

Description

Applicant: Planning Department
Land Management Code Sections: **Historic Recreation Commercial**
15-2.5-2, *Uses*

Historic Commercial Business
15-2.6-2, *Uses*

Residential Development
15-2.13-2, *Uses*

Residential Development – Medium Density
15-2.14-2, *Uses*

Recreation Commercial
15-2.16-2, *Uses*

Regional Commercial Overlay
15-2.17-2, *Uses*

General Commercial
15-2.18-2, *Uses*

Light Industrial
15-2.19-2, *Uses*

Definitions
15-15-1

Reason for Review: Land Management Code amendments require Planning Commission review and recommendation to City Council for Final Action

Background

Recently, companies offering fractional ownership—a mechanism establishing ownership of vacation properties in the form of a 1/2 to 1/8 share—have started selling “fractions” of Single-Family Dwellings as vacation properties in Park City. Fractional ownership companies may create an LLC for each Single-Family Dwelling and then manage the property for multiple owners, providing furnishings, maintenance, cleaning, and scheduling services.¹ While fractional ownership may make vacation properties more affordable for some users through a shared economy, finding a balance that protects Park City’s primarily residential Zoning Districts for full-time residents is important.

Sense of Community is one of the core values in the Park City General Plan and Goal 7 of the General Plan is to create a diversity of primary housing opportunities to address the changing needs of residents. Objective 7B is to focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupancy by full time residents within these neighborhoods.²

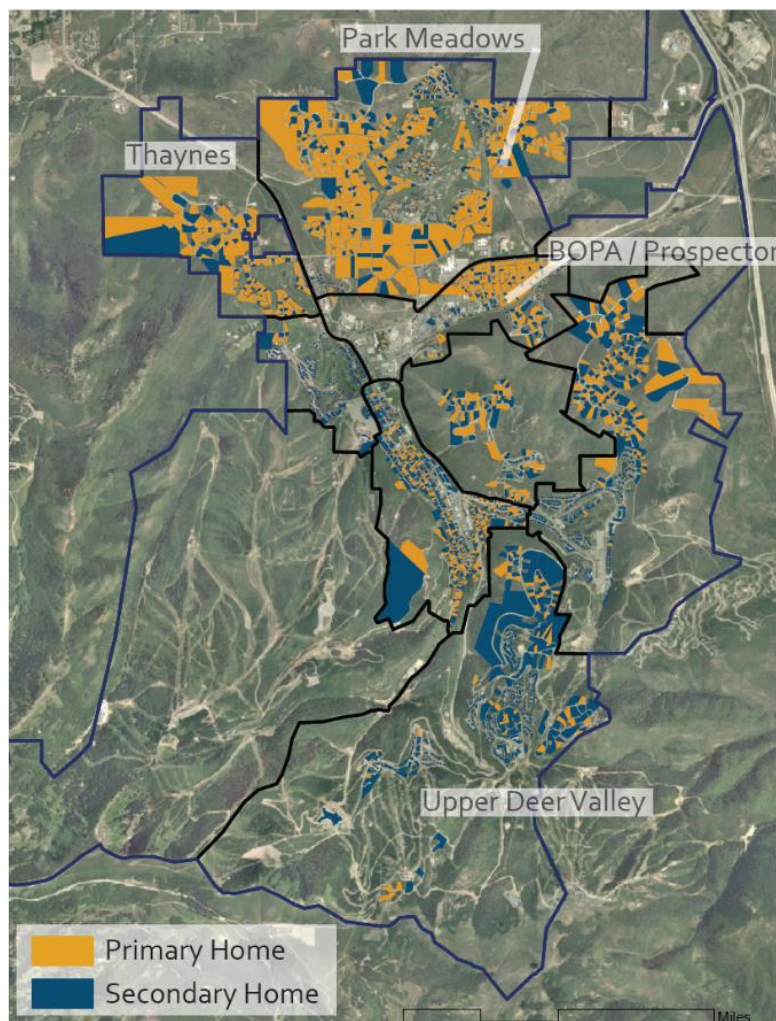
The General Plan also acknowledges neighborhoods where secondary homeownership and nightly rentals are appropriate and support the City’s resort economy. For example, the General Plan identifies the Lower Deer Valley neighborhood as a resort neighborhood catering to second homes and nightly rentals.³

The General Plan identifies Park Meadows, Bonanza Park, Prospector, and Thaynes Canyon as four neighborhoods dominated by Primary Homes, based on 2010 data. Staff is working to update the map on the following page:

¹ To view an example of a fractional ownership company, visit the website for [Pacaso](#).

² General Plan Volume I, [Sense of Community](#), p. 5.

³ [General Plan, Volume II, Neighborhoods 3](#), p. 7.



SENSE OF
COMMUNITY

Park Meadows, Bonanza Park, Prospector, and Thaynes Canyon are the four Park City neighborhoods dominated by Primary Homes. In these neighborhoods diversity in housing stock should be encouraged within the LMC in order to maintain these neighborhoods for locals.

Use of residential units by multiple parties is not new to Park City. In the 1980s, the City enacted a series of land use regulations for Timeshares, defined by Utah Code [Section 57-19-2\(26\)](#) as a small, undivided fractional fee interest in real property by which the purchaser does not receive any right to use an accommodation except as provided by contract, declaration, or other instrument defining a legal right, and in Utah Code [Section 57-19-2\(27\)](#) as a right to occupy fixed or variable accommodations during three or more separate fixed or variable time periods over a period of at least three years, including renewal options, whether or not coupled with an estate in land.

The LMC establishes Timeshares as Conditional Uses in the Recreation Commercial, General Commercial, Historic Commercial Business, and Historic Recreation Commercial Zoning Districts, and outlines additional Timeshare review considerations in [Section 15-4-10](#) and [Section 15-4-11](#), requiring evaluation of Timeshare instruments, rules and regulations, management, utility service payments, minimum duration of Timeshare intervals, and parking considerations.

The LMC also regulates Private Residence Clubs, in which ownership of a condominium unit is shared by no less than four and no more than 12 owners and is operated by a property management service that provides reservations and registration.⁴ Private Residence Clubs are Conditional Uses in the same Zoning Districts as Timeshares, with expanded Conditional Use in the Residential Development, Residential Development – Medium Density, Regional Commercial Overlay, and Light Industrial Zoning Districts.

Existing Timeshares and Private Residence Clubs are for the most part in Multi-Unit Dwellings in commercial Zoning Districts or Zoning Districts proximate to the resorts. What sets the current fractional ownership model apart is the shared ownership of a Single-Family Dwelling for vacation purposes in a residential neighborhood.

To address the new fractional ownership model in residential areas, staff proposes amendments to:

- (1) clarify and define the subtle differences between Timeshare Units, Private Residence Clubs, and fractional ownerships,
- (2) require a Conditional Use Permit,
- (3) prohibit fractional ownership in primarily residential Zoning Districts, and
- (4) require an active Business License.

Analysis

The proposed code revisions focus on proactively addressing the land use issues that would be anticipated upon unregulated expansion of this ownership model. While the current trend in ownership patterns is primarily limited to generally higher-end Single-Family Dwelling vacation homeownerships, rotating user use on two-week intervals at a minimum mirror nightly rental impact. The amendments define fractional ownership, direct fractional ownership to Zoning Districts where Timeshare Units and Private Residential Clubs are Conditional Uses, and prohibit fractional ownership in primarily residential Zoning Districts. This will avoid losing valuable land zoned for residential purposes from being usurped by fractional ownership.

⁴ See LMC [Section 15-15-1](#), *Definitions*.

As a result, staff recommends five amendments outlined below:

(1) Clarify and define the subtle differences between Timeshare Unit, Private Residence Clubs, and fractional ownerships.

To distinguish fractional ownership from Timeshare Units and Private Residence Clubs, staff recommends amending LMC Section 15-15-1 to define fractional ownership as follows:

Single Family, Fractional Ownership/Use: Any Single-Family property which is owned by an LC or LLC which limits the LC or LLC member's/shareholder's/owner's right to occupy the property by member/shareholders agreement or any other contract which limits owner use of the property to fractional reservations under thirty (30) days at a time. Other factors include but are not limited to centralized management, advanced reservations via electronic/App reservation systems, maximum day limits on each owner overall reservation/use of the property, and fixed management subscription fee as part of initial purchase [although subscription may be cancelled].

(2) Require a Conditional Use Permit.

The Planning Commission reviews 16 criteria outlined in LMC [Section 15-1-10\(E\)](#) when considering a Conditional Use Permit, including some of the concerns community members have raised regarding fractional ownership of Single-Family Dwellings in residential neighborhoods, like traffic, parking, noise, ownership, and control of delivery and service vehicles.

Additionally, Conditional Use Permit review by the Planning Commission triggers public notice to properties within 300 feet, providing neighbors an opportunity to participate in the public hearing process to provide input regarding fractional ownership of Single-Family Dwellings.

(3) Prohibit fractional ownership in primarily residential Zoning Districts.

To protect primarily residential Zoning Districts, staff recommends restricting fractional ownership to the same Zoning Districts outlined for Timeshare Units and Private Residential Clubs:

- Recreation Commercial
- General Commercial
- Historic Commercial Business
- Historic Recreation Commercial
- Residential Development, except for those subdivisions that prohibit Nightly Rentals

- Residential Development – Medium Density
- Regional Commercial Overlay
- Light Industrial

These Zoning Districts limit fractional ownership as a Conditional Use in Zoning Districts wherein Nightly Rentals—rentals for less than 30 days—are allowed. The Residential Development Zoning District includes subdivisions wherein Nightly Rentals are prohibited. Staff recommends fractional ownership also be prohibited in the same subdivisions: 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. This would create several existing non-conforming uses where ownership has already been converted in models such as Pacaso.

Alternatively, the Planning Commission could recommend limiting fractional ownership to the zones which allow for nightly rental. The staff received public input recommending this approach which makes sense from an impact mitigation perspective if the Commission determines that the uses mirror nightly rental impacts.

(4) Require an active Business License for fractional ownerships.

Regulation of fractional ownership of Single-Family Dwellings presents enforcement challenges because, in Zoning Districts where Single-Family Dwellings are allowed, it is the ownership model that is regulated, rather than the physical structure. As a result, requiring an active Business License for the sale and management of fractional ownerships will help Planning, Building, and Finance monitor and ensure fractional ownership of Single-Family Dwellings operate in compliance with the proposed amendments.

Planning Commission Staff Report



Subject: Snow Flower Condominiums Fourth Amended Plat (Unit 75)
Application: PL-22-05167
Author: Spencer Cawley
Date: May 11, 2022
Type of Item: Administrative – Plat Amendment

Recommendation

Staff recommends the Planning Commission (I) review the proposed Snow Flower Condominiums Fourth Amended Plat, Amending Unit 75, (II) hold a public hearing, and (III) consider forwarding a positive recommendation for City Council's consideration on June 9, 2022, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval (Exhibit A).

Description

Applicant: The Palombo Family Trust;
Alliance Engineering, Applicant Representative
Location: 401 Silver King Drive, Unit 75
Zoning District: Recreation Commercial
Adjacent Land Uses: Resort; Recreation and Open Space
Reason for Review: Plat Amendments require Planning Commission recommendation and City Council final action¹

LMC: Land Management Code
HOA: Homeowners Association
PUD: Planned Unit Development
RC: Recreation Commercial

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

The Snowflower Condominiums is an 82 Multi-Unit Dwelling located in the Recreation Commercial (RC) Zoning District. The original Plat was approved in 1978. In 1992 the HOA amended exhibit C of the Condominium Declaration to convert attic space from common ownership to private ownership for unit 75. This conversion increased the square footage from 1,682 square feet to 2,387 square feet (see Exhibit E). The current owner of Unit 75 built out a portion of the loft Area identified on the Plat as "open to living below." This Area is identified on the Plat as private ownership. The attic Area was built into by the previous owner of Unit 75. The attic area is shown on the plat as common area. However, the existing Plat does not reflect the ownership change to the

¹ LMC [§ 15-12-15\(B\)\(9\)](#)

attic Area.

The current owner purchased unit 75 in 2020. In 2021, they applied for a building permit to remodel the unit's interior Area. A separate building permit to remodel the attic Area is pending approval of this Plat Amendment. The proposed remodel does not increase the number of bedrooms or living space. However, because the attic Area is still identified on the Plat as common ownership, the property owner is requesting to amend the Plat to accurately show the private ownership to align with the HOA approved changes made in 1992.

The following images compare the existing Plat and the proposed Plat. This amendment is within the existing unit and does not alter the exterior. The amendment will show the ownership conversion made in 1992.

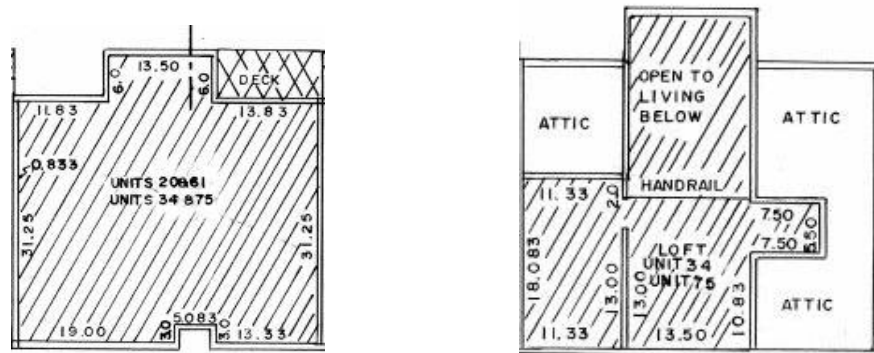


Figure 1: Existing Plat Representing Unit 75 Main Level (left) and Loft Level (right).

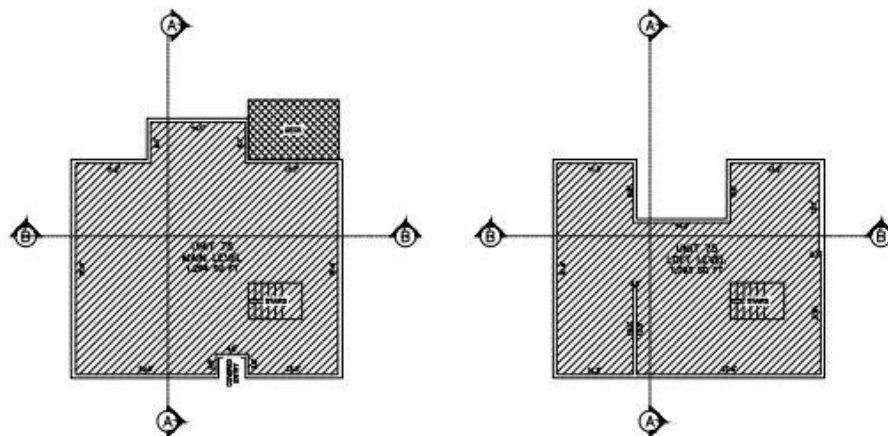


Figure 2: Proposed Plat Amendment for Unit 75 Main Level (left) and Loft Level (right).

Analysis

(I) The proposed Plat Amendment complies with the Recreation Commercial (RC) Zoning District Requirements.

The proposed Plat Amendment is consistent with the Lot and Site requirements of the RC Zoning District. All proposed changes to the Plat are restricted to the building's interior Area and will not change the existing condominium structure.

(II) The proposal, as conditioned, complies with LMC [§ 15-3-6](#), *Parking Ratio Requirements*.

The recorded plat indicates 102 underground parking spaces for Snow Flower Condominiums (Exhibit B). However, according to the HOA, Snow Flower Condominiums has one (1) Off-Street parking space per unit and four (4) Off-Street guest parking spaces for a total of 86 Off-Street parking spaces. In 1978, the governing LMC required 115 parking spaces—a minimum of eight (8) spaces, with 1.5 spaces for each additional unit over five (5) for a Multi-Unit Dwelling. However, pursuant to the governing LMC from 1978:

Parking requirements for PUDs shall be determined by the Planning Commission prior to final approval of the PUD in its entirety, or for a separate project within the PUD at the time of its review and approval.

Staff could not locate the 1978 staff report, but the original approval may have been approved as a PUD with Planning Commission discretion regarding final required parking.

The following table outlines the current parking requirements required by LMC [§ 15-3-6](#):

Residential Parking Ratio Requirements for Multi-Unit Dwellings	Parking Ratio
Floor Area no greater than 1,000 sq. ft.	1 per Dwelling Unit
Floor Area greater than 1,000 sq. ft. and less than 2,000 sq. ft.	1.5 per Dwelling Unit
Floor Area greater than 2,000 sq. ft.	2 per Dwelling Unit

Unit 75 in its original configuration was 1,682 square feet. The proposed amendments to reflect what is built shows 2,387 square feet. Under today's code, Unit 75 triggers two (2) parking spaces. Because there is only one parking space available for Unit 75, staff recommends Condition of Approval 3 requiring the HOA to satisfy the parking requirement for Unit 75 prior to recordation. Otherwise, the Applicant shall seek a determination of substantial compliance and affirmatively limit the parking to one (1) space.

(III) The proposal complies with LMC [§ 15-7.1-3\(B\)](#), *Plat Amendment*.

Changes to platted elements including conversion of common Area/limited common Area to private Area within a condominium requires a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7-1.6, *Final Subdivision Plat*, and approval shall require a finding of Good Cause.

LMC [§ 15-15-1](#) defines Good Cause as “[providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and nonconformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and further the health, safety, and welfare of the Park City Community.”

Staff finds Good Cause for this Plat Amendment because existing conditions are memorialized, the 1992 HOA changes of common Area into private Area allow the property owner to complete a remodel, and the Conditions of Approval will resolve the parking non-compliance.

Department Review

The Development Review Committee, Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City’s website, the Utah Public Notice website, and posted notice to the property on April 27, 2022. Staff mailed courtesy notice to property owners within 300 feet on April 27, 2022. The *Park Record* published notice on April 27, 2022. LMC [§ 15-1-21](#).

Public Input

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

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for Ordinance No. 2022-XX, Approving the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75; or
- The Planning Commission may forward a negative recommendation to the City Council for Ordinance No. 2022-XX, Denying the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75; or
- The Planning Commission may request additional information for Ordinance No. 2022-XX for the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75 and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Ordinance 2022-XX and Proposed Plat
Exhibit B: Existing Plat
Exhibit C: Project Intent
Exhibit D: Letter of Support from Snow Flower Condominium HOA Manager
Exhibit E: Amendment to Condominium Declaration

Ordinance No. 2022-XX

AN ORDINANCE APPROVING THE SNOW FLOWER CONODMINIUMS FOURTH AMENDED PLAT AMENDING UNIT 75, LOCATED AT 401 SILVER KING DRIVE, UNIT 75, SUMMIT COUNTY, PARK CITY, UTAH

WHEREAS, the owners of the property at 401 Silver King Drive, Unit 75 petitioned the City Council for approval of the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75;

WHEREAS, on April 27, 2022, the Park Record published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on April 27, 2022, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on May 11, 2022, the Planning Commission reviewed the proposed Plat Amendment, held a public hearing, and forwarded a **positive/negative** recommendation to the City Council;

WHEREAS, on June 9, 2022, the City Council reviewed the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75 and held a public hearing; and

WHEREAS, the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75 is consistent with the Park City Land Management Code, including § 15-7.1-3(B), § 15-7.1-6, and Chapters 15-2.16, and 15-7.

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

SECTION 1. APPROVAL. The Snow Flower Condominiums Fourth Amended Plat Amending Unit 75 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. Snow Flower Condominiums Plat was approved in 1978.
2. The property is located at 401 Silver King Drive, Unit 75.
3. The property is listed with Summit County as Parcel number SFL-75.
4. The property is in the Recreation Commercial (RC) Zoning District.
5. In 1992, the Snow Flower Condominium HOA amended Exhibit C of the Condominium Declaration to convert attic space from common ownership to private ownership for Unit 75.
6. This Plat Amendment accurately identifies the Area of private ownership for the Unit 75.
7. The total Area of Unit 75 is 2,387 square feet.

8. The proposal complies with Land Management Code Chapter 15-2.16, *Recreation Commercial (RC) District*.
9. In 1978, Parking requirements for PUDs were guided by the LMC but Planning Commission approval was not limited to these requirements.
10. At the time of development, the parking requirement for the Snow Flower Condominiums was 115 parking spaces—a minimum of eight (8) spaces, with 1.5 spaces for each additional unit over five (5) for a Multi-Unit Dwelling.
11. The current LMC requires two (2) parking spaces per Dwelling Units with a Floor Area greater than 2,000 square feet in a Multi-Unit Dwelling.

Conclusions of Law

1. There is Good Cause for this plat amendment because existing conditions are memorialized and the 1992 HOA changes of common Area into private Area.
2. The Plat Amendment is consistent with Land Management Code Section 15-7.1-3(B), Section 15-7.1-6, and Chapters 15-2.16 and 15-7.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record the plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one year, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Prior to recordation of the Plat Amendment, the Applicant Shall gain HOA approval to satisfy current Off-Street parking requirements of two (2) parking spaces. Otherwise, the Applicant shall seek a determination of substantial compliance and affirmatively limit the parking to one (1) space.

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

PASSED AND ADOPTED this 9th day of June 2022.

PARK CITY MUNICIPAL CORPORATION

Nann Worle, MAYOR

ATTEST:

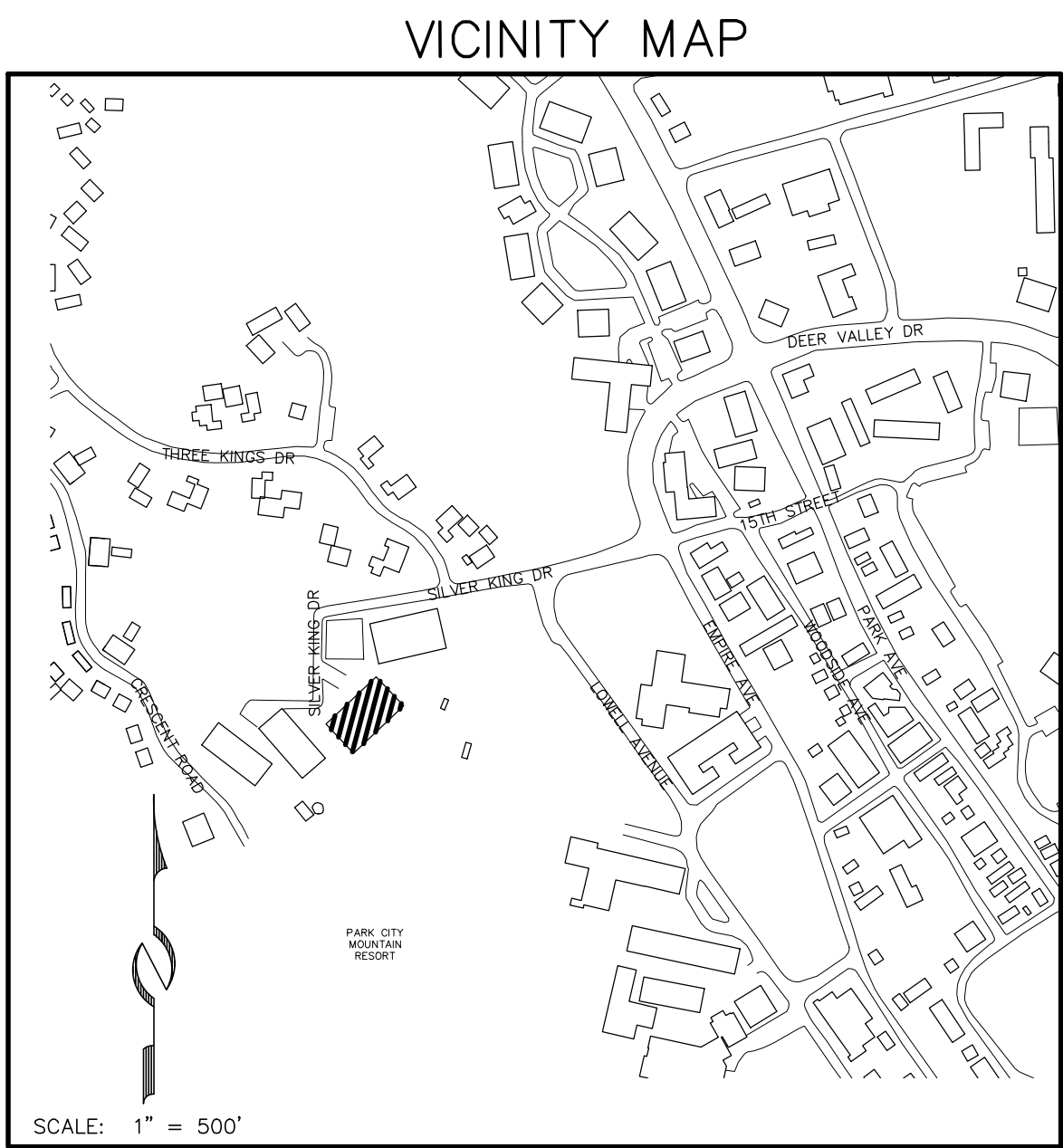
City Recorder

APPROVED AS TO FORM:

City Attorney's Office

Attachments

Attachment 1: Snow Flower Condominiums Fourth Amended Plat Amending Unit 75



SNOW FLOWER CONDOMINIUMS

FOURTH AMENDED

AMENDING UNIT 75

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9 & NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, SNOW FLOWER CONDOMINIUMS FOURTH AMENDED, AMENDING UNIT 75, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

LEGAL DESCRIPTION

Unit 75, SNOW FLOWER CONDOMINIUMS, together with an undivided ownership interest in the common areas and facilities, as the same are identified in the Record of Survey Map recorded in Summit County, Utah as Entry No. 149678 and in Declaration of Covenants, Conditions and Restrictions and Bylaws of the Snow Flower Condominiums recorded in Summit County, Utah on September 25, 1978, as Entry No. 149679 in Book 120 at Page 274 of official records (as said Declaration and Map may hereafter be amended or supplemented.

OWNER'S CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that Dylan J. Palombo, Myles A.S. Palombo, and Hampton N. Palombo, Co-Trustees of The Palombo Family Trust, dated the 12th of December, 2008, hereby certify that they have caused this plat amendment to be made and hereby consent to the recordation of this plat amendment.

In witness whereof, the undersigned set his hand
this ____ day of _____, 2022.
By: _____
Dylan J. Palombo, Co-Trustee

In witness whereof, the undersigned set his hand
this ____ day of _____, 2022.
By: _____
Myles A.S. Palombo, Co-Trustee

In witness whereof, the undersigned set his hand
this ____ day of _____, 2022.

By: _____
Hampton N. Palombo, Co-Trustee

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____, 2022 Dylan J. Palombo personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Co-Trustee of The Palombo Family Trust dated the 12th of December, 2008, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed Snow Flower Condominiums Fourth Amended Amending Unit 75.

A Notary Public commissioned in _____
Printed Name _____
Residing in: _____
My commission expires: _____
Commission No.: _____

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____, 2022 Myles A.S. Palombo personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Co-Trustee of The Palombo Family Trust dated the 12th of December, 2008, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed Snow Flower Condominiums Fourth Amended Amending Unit 75.

A Notary Public commissioned in _____
Printed Name _____
Residing in: _____
My commission expires: _____
Commission No.: _____

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____, 2022 Hampton N. Palombo personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Co-Trustee of The Palombo Family Trust dated the 12th of December, 2008, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed Snow Flower Condominiums Fourth Amended Amending Unit 75.

A Notary Public commissioned in _____
Printed Name _____
Residing in: _____
My commission expires: _____
Commission No.: _____

ASSOCIATION CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, on behalf of Snow Flower Condominiums, a Utah nonprofit corporation, having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this Plat Amendment.

Claudia Ehrenfeld, President
Snow Flower Condominiums, a Utah nonprofit corporation

ACKNOWLEDGMENT

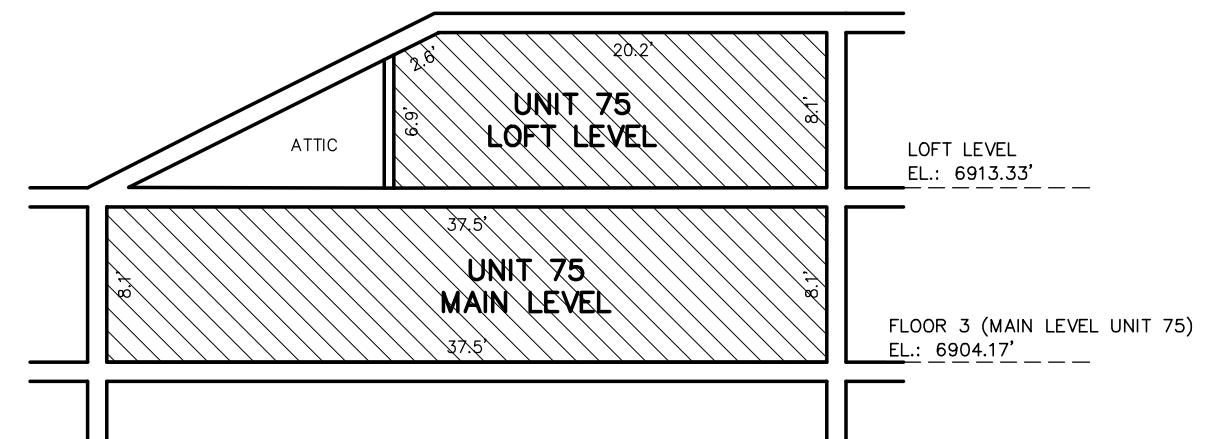
State of _____)
: ss.
County of _____)

On this ____ day of _____, 2022, personally appeared before me, the undersigned Notary Public, in and for said County and State, Claudia Ehrenfeld, being duly sworn, acknowledged to me that she is the president of Snow Flower Condominiums, a Utah nonprofit corporation, and that she signed the above Consent to Record for, on, and in behalf of all of the unit owners of Snow Flower Condominiums acting as a group (under the name Snow Flower Condominiums, a Utah nonprofit corporation) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Snow Flower Condominiums.

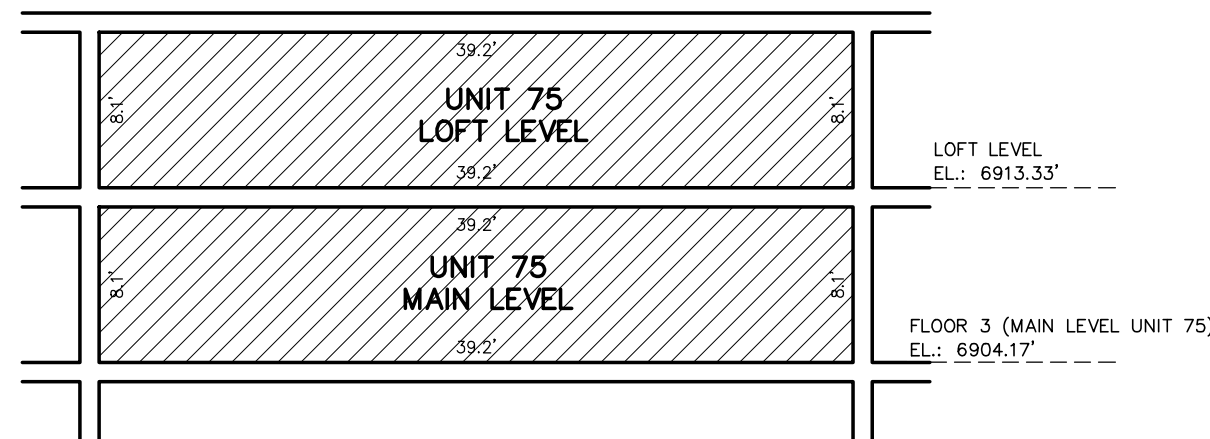
A Notary Public Commissioned in _____
Printed Name _____
Residing in: _____
My commission expires: _____
Commission No.: _____

NOTES

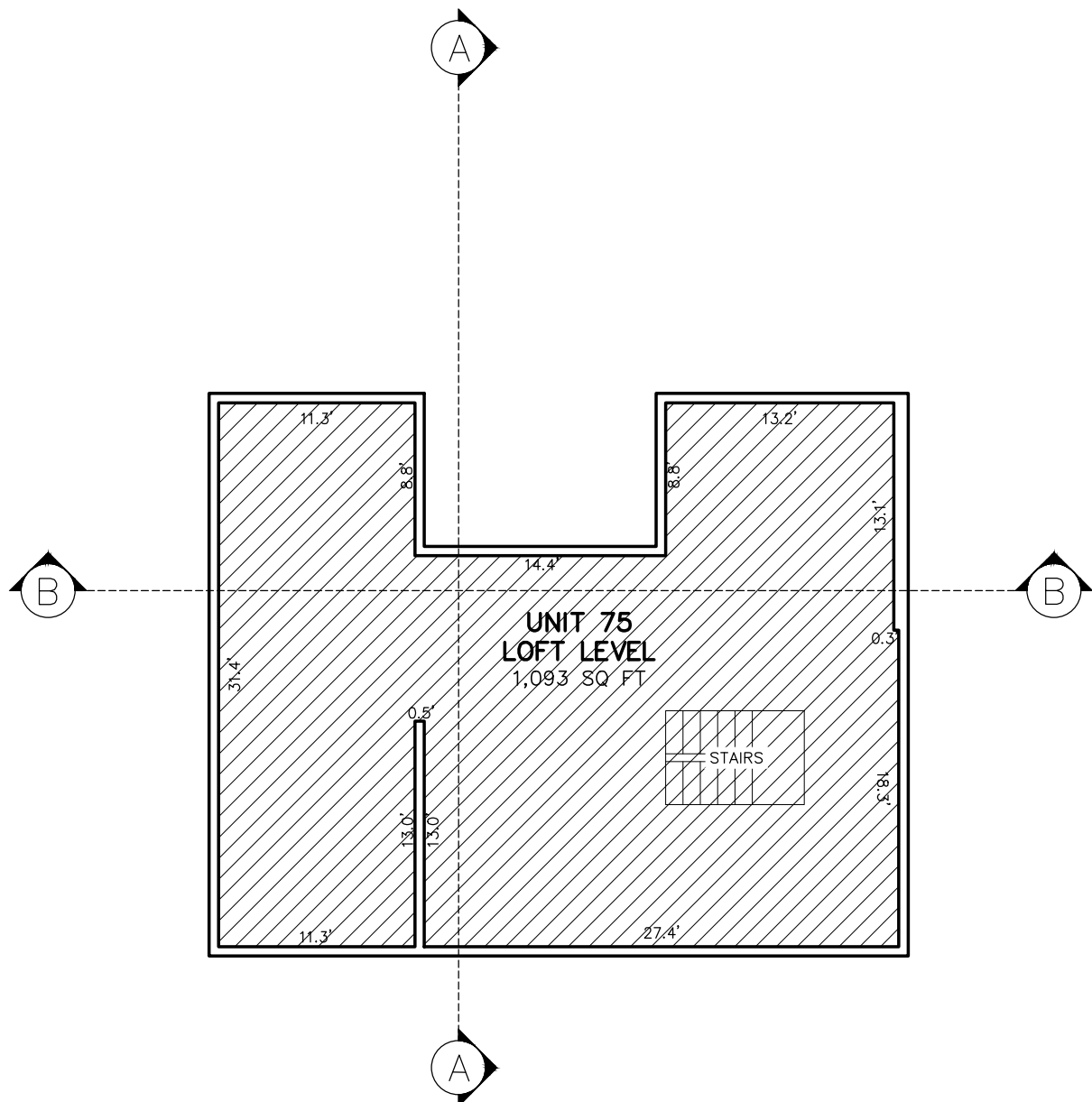
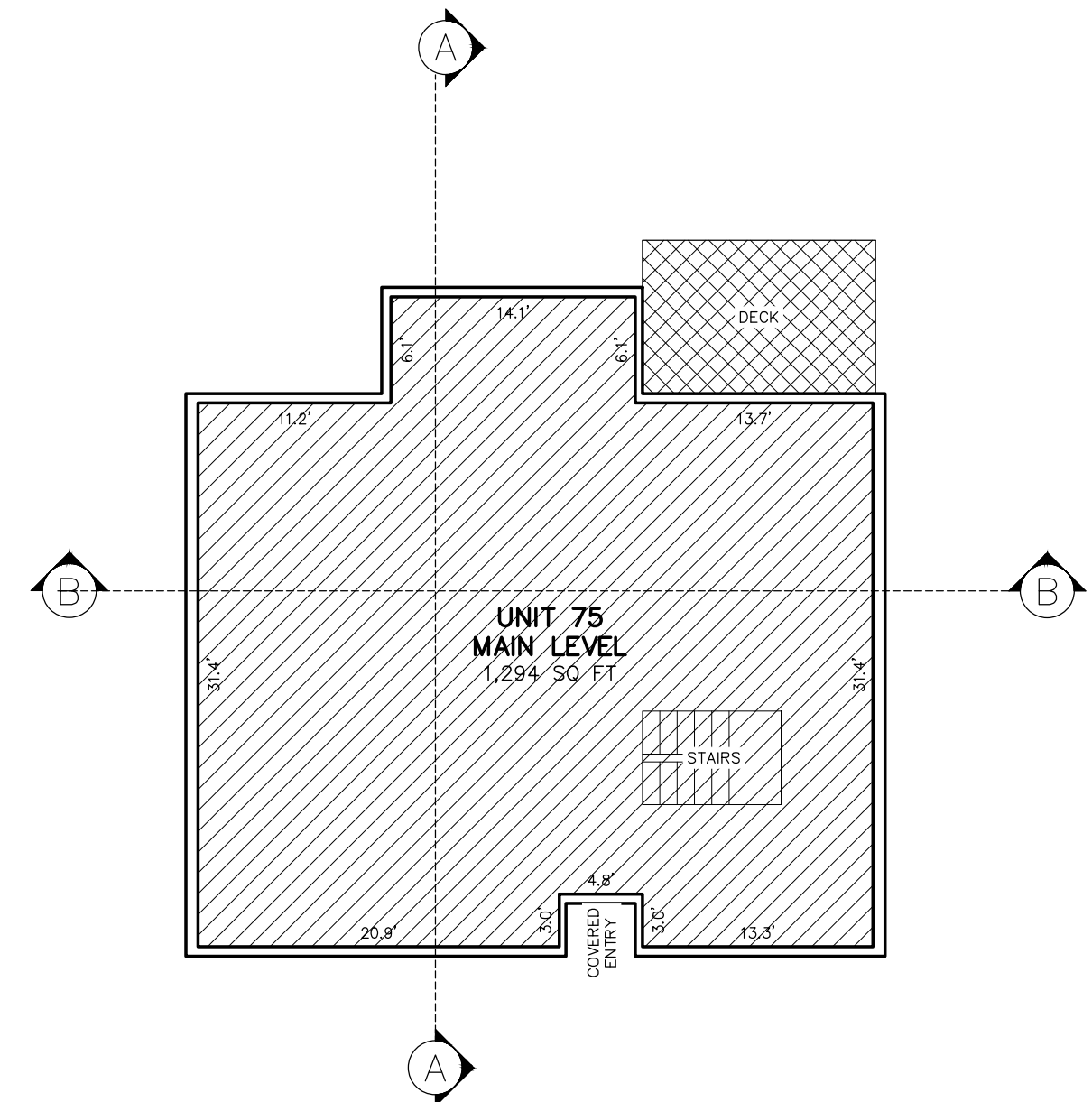
1. This plat is subject to the Conditions of Approval in Ordinance 2022-_____.
2. This Amended Record of Condominium Plat reflects the expansion of ownership in Unit 75.
3. For complete description and dimensions of other units and garage spaces, refer to the Record of Condominium Plat of Snow Flower Condominiums, recorded September 25, 1978, as Entry No. 149678 in the Summit County Recorder's Office.
4. All notes and conditions on the Snow Flower Condominium Plat remain in full force and effect except as amended hereon.
5. Unit 75 is located in Building 2 on Floor 3 and the Loft level. The address of Unit 75 is 401 Silver King Drive, Unit #75.



SECTION A-A

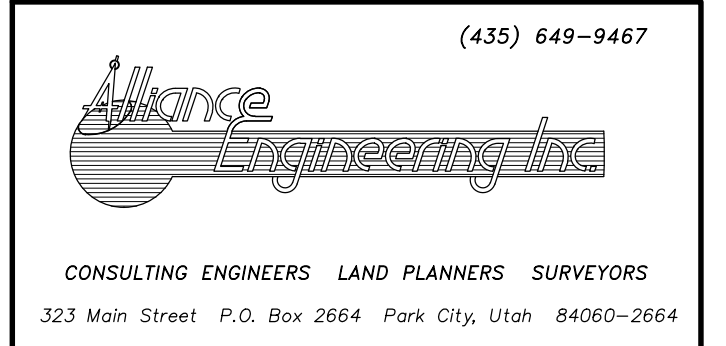
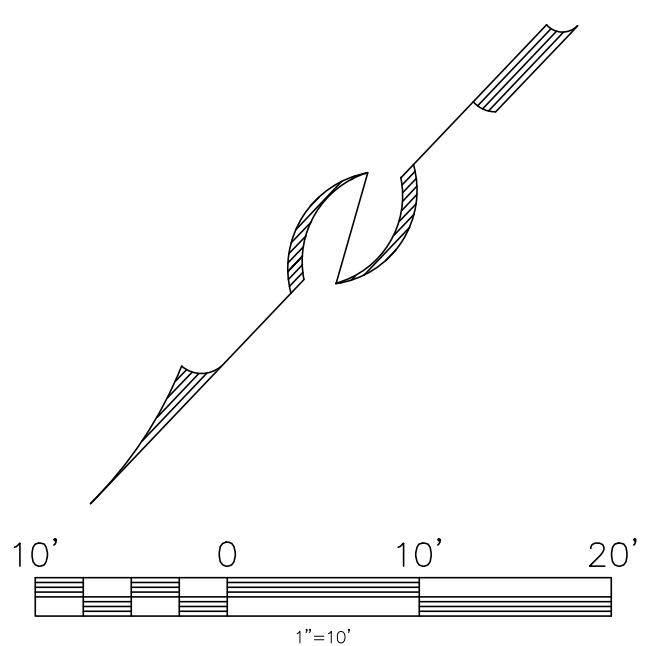


SECTION B-B

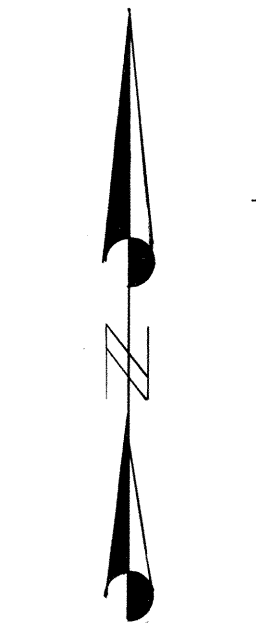


OWNERSHIP LEGEND

- COMMON
- LIMITED COMMON
- PRIVATE OWNERSHIP



SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2022 BY _____ ENGINEERING DEPARTMENT	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THE ____ DAY OF _____, 2022 BY _____ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2022 BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 2022 BY _____ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THE ____ DAY OF _____, 2022 BY _____ MAYOR	I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THE ____ DAY OF _____, 2022 BY _____ PARK CITY RECORDER	APPROVED THIS ____ DAY OF _____, 2022 BY _____ SUMMIT COUNTY GIS COORDINATOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____



WEST QUARTER CORNER SECTION 9

SURVEYORS CERTIFICATE

I, James G. West, a Registered Utah Land Surveyor holding Certificate (License) Number 3082 do hereby Certify that I have Surveyed the following described Tract of Land:

Beginning at a point South 82.135 feet and East 29.63 feet from the Southwest corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence North 0°15'20" East 306.52 feet to the Southerly right-of-way line of Silver King Drive; thence North 80°15'14" East along said Southerly right-of-way line 343.305 feet; thence South 10°06' East 187.70 feet; thence South 74°25' West 79.77 feet; thence South 29°38' West 202.90 feet; thence South 58°50' West 129.28 feet; thence North 45°00' West 120.00 feet to the point of beginning. Contains 2.570 acres.

Together with a non-exclusive easement for vehicular and pedestrian access, to be used in common with grantor and others to whom it may grant, and described as follows:

Beginning at the Southwest corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence North 0°15'20" East 219.23 feet to a point on the Southerly right-of-way line of Silver King Drive; thence North 80°15'14" East 30.46 feet along said Southerly right-of-way line; thence South 0°15'20" West 306.52 feet; thence North 45° West 42.23 feet; thence North 0°15'20" East 52.27 feet to the point of beginning. Contains 0.199 acres.

I further certify that the above description accurately describes the land surface upon which has been constructed Snow Flower Condominiums in accordance with the Utah Condominium Ownership Act. I further certify that the reference markers as shown on this plat are located as shown, and sufficient to readily retrace or re-establish this survey.

May 31, 1978
DATE

James G. West
James G. West
Utah Registered Land Surveyor
Certificate (License) No. 3082

SOUTHWEST CORNER SECTION 9
T.2S., R.4E. S.L.B. & M.

MORTGAGEES CERTIFICATE AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that _____ and _____ the undersigned Prudential Federal Savings and Loan Association, a Utah Corporation, a holder of a Deed of Trust covering the subject property does hereby consent to the submission of the property to the terms of the Utah Condominium Ownership Act and to the recordation of this record of survey and the Condominium Declaration.

IN WITNESS WHEREOF, I have set my hand this 22 day of September 1978

H. M. Calvert
John B. Anderson

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF)
BE IT REMEMBERED On this 22 day of September 1978, personally appeared before me, the undersigned Notary Public in and for said county and state, H. M. Calvert and John B. Anderson of Prudential Federal Savings and Loan Association, a Utah Corporation, who being duly sworn, did say that the within and foregoing Mortgagees Certificate and Consent To Record was duly executed and signed for and in behalf of said corporation and that said corporation did execute the same.

My Commission Expires 3-22-80
Notary Public James G. West
Residing at Salt Lake City, Utah

OWNERS CERTIFICATE AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that SNOW FLOWER LTD., A Calif. Limited Partnership by and through their authorized general partner Jack W. Davis, Inc., and Jack W. Davis, Inc., the owners of the tracts of land described hereon and SNOW FLOWER CONDOMINIUM, A Utah Condominium Project located on said tract of land do hereby make this certificate that the partnership and corporation have caused a survey to be made, and this record of survey map consisting of 3 sheets to be prepared the partnership and the corporation have consented and do hereby consent to the recordation of this record of survey map in accordance with the Utah Condominium Ownership Act. Submitting the described property to the Utah Condominium Ownership Act.

IN WITNESS WHEREOF, he has set his hand this 5 day of June 1978

Jack W. Davis
JACK W. DAVIS, PRESIDENT
JACK W. DAVIS, INC., and JACK W. DAVIS, INC., as GENERAL PARTNER of
SNOW FLOWER LTD., A Calif. Limited Partnership

SHEET 1 OF 3

PARK CITY APPROVAL
On this 27 day of July 1978, the City of Park City a body corporate of the State of Utah and the Municipality in which the SNOW FLOWER CONDOMINIUMS is located, hereby gives final approval to said project, to the declaration recorded concurrently herewith, to the record of survey map which consists of 3 sheets and to the attributes of said project which are mentioned in Section 57-8-35(3) of the Utah Condominium Ownership Act, as amended and expanded by the laws of Utah, 1975 Chapter 173 Section 18.

ATTEST:
Ando W. Leatham
Recorder

PARK CITY
BY *John C. Greer Jr.*
Mayor

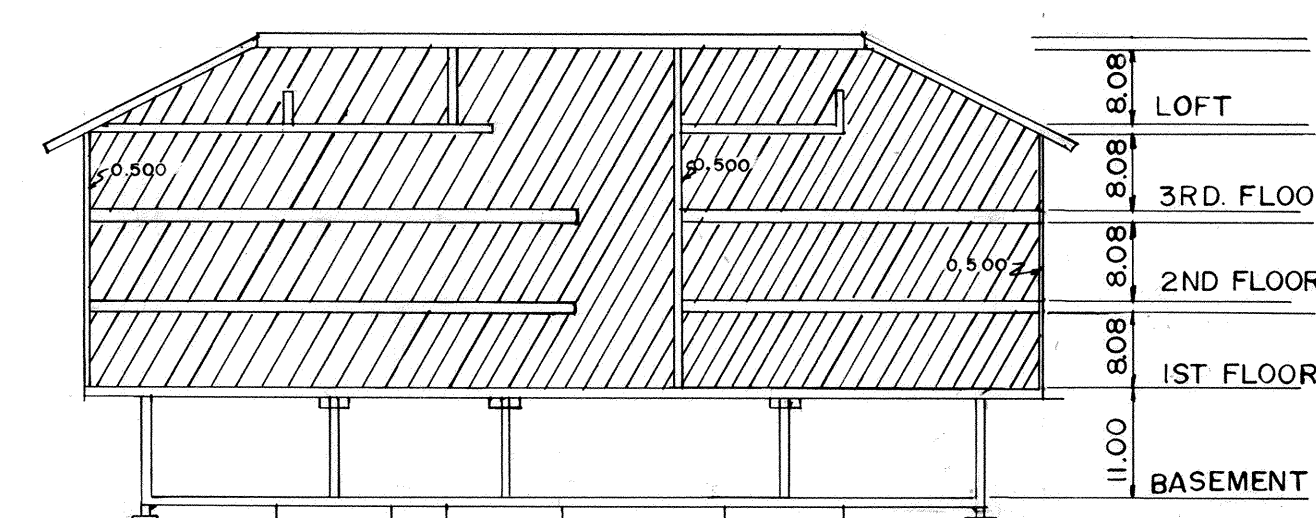
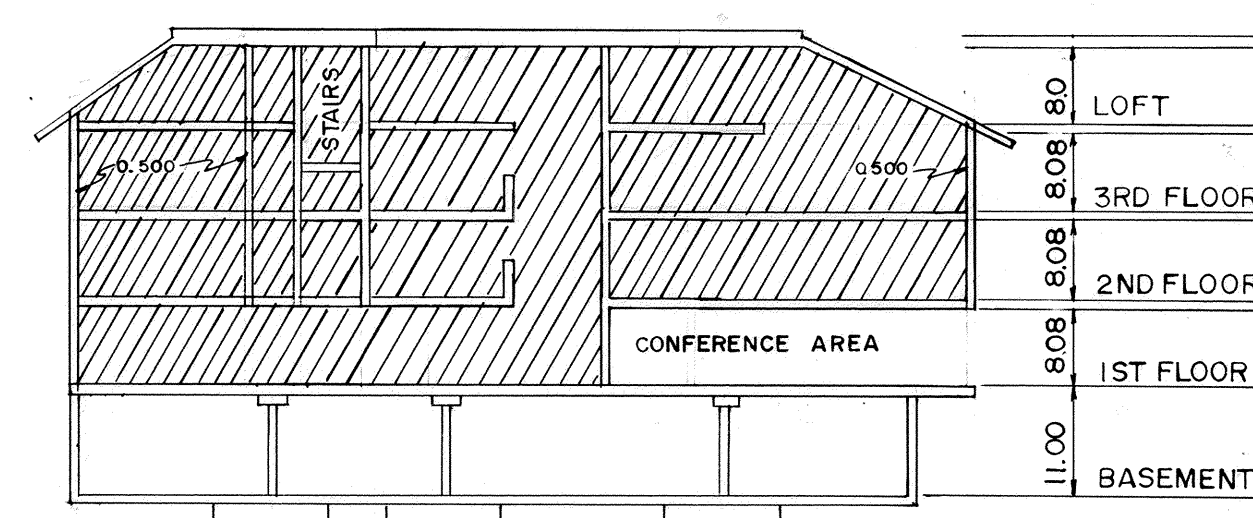
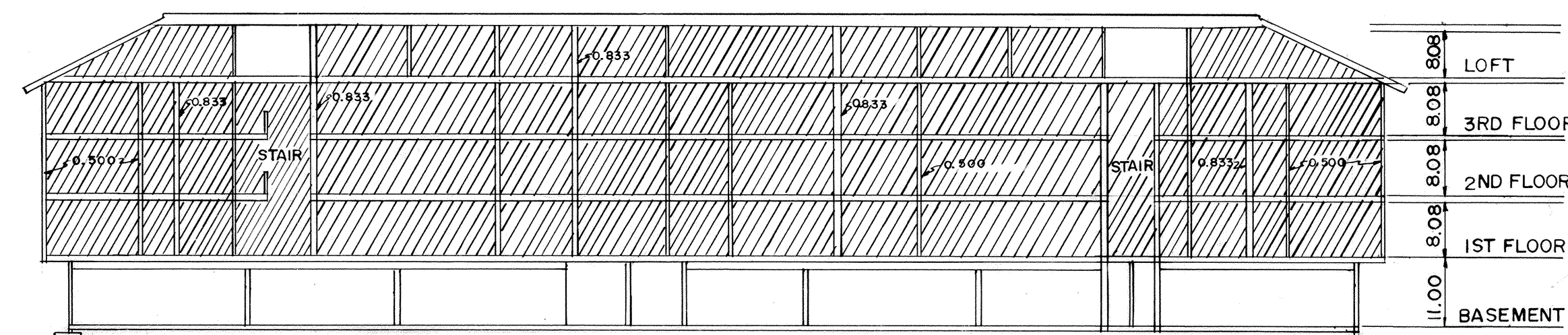
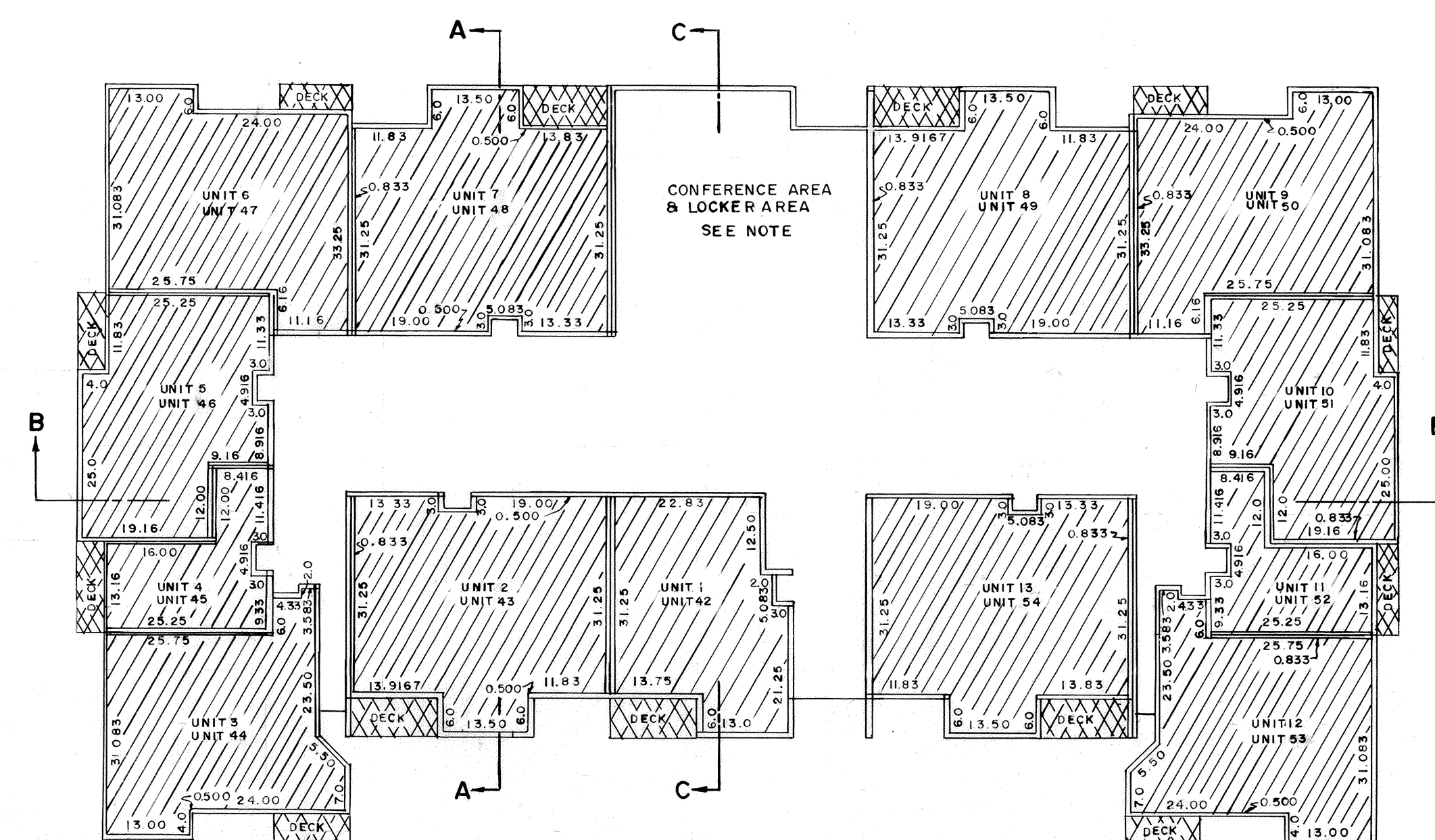
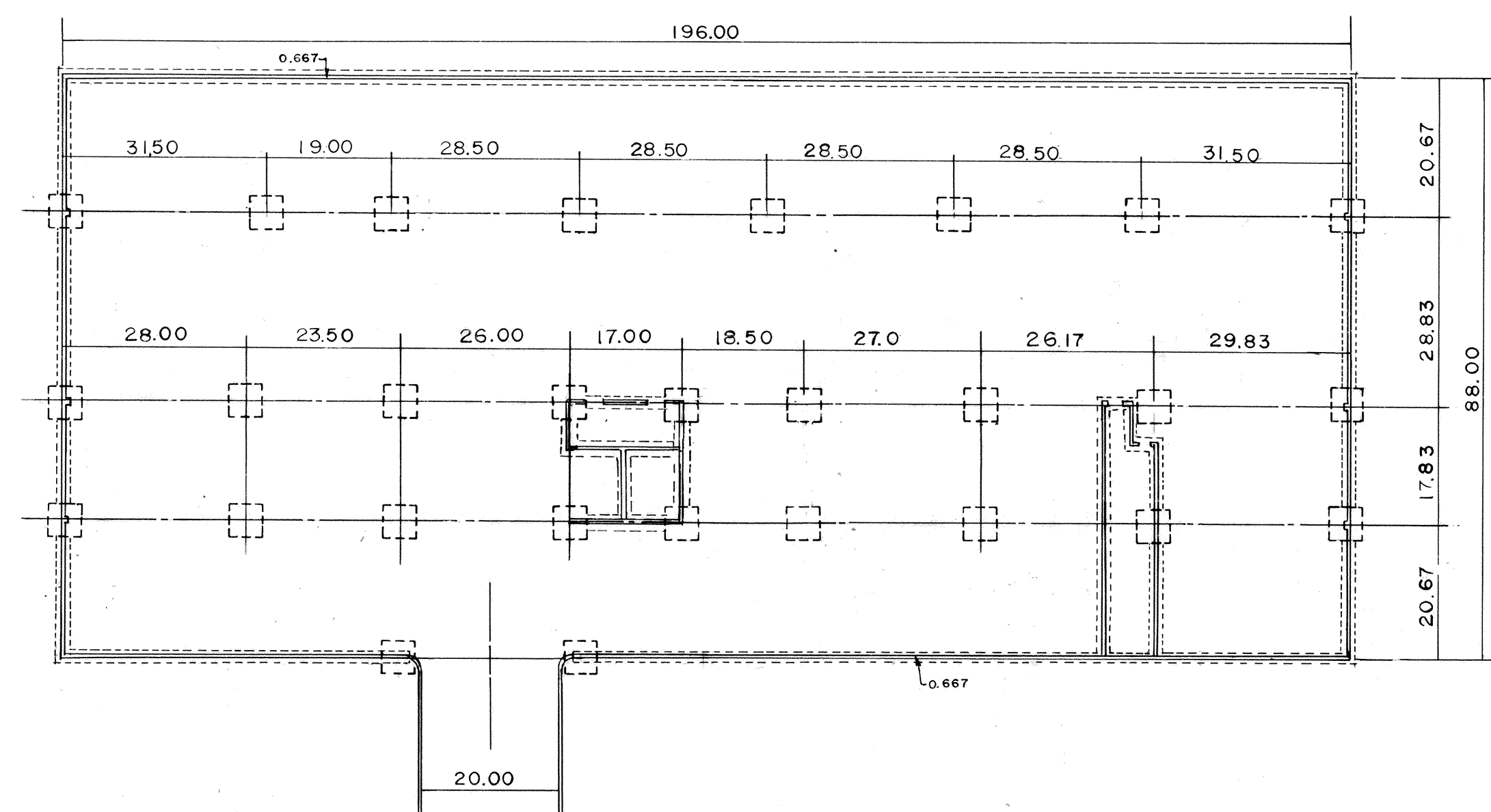
ACKNOWLEDGEMENT
STATE OF UTAH)
COUNTY OF Summit)
BE IT REMEMBERED On this 27 day of July 1978 personally appeared before me, the undersigned Notary Public, Jack W. Davis who being by me duly sworn, did say he is the president of Jack W. Davis, Inc., General Partner of Snow Flower, Ltd., a Calif. Limited Partnership and that the within and foregoing Owner's Certificate and Consent To Record was duly executed and signed by him on said behalf of said Corporation and Partnership.

My Commission Expires May 1, 1977
Notary Public *Robert Johnson*
Residing at Park City

SNOW FLOWER CONDOMINIUMS
"A UTAH CONDOMINIUM PROJECT"
LOCATED IN SOUTHWEST QUARTER OF SECTION 9 AND
NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 2
SOUTH RANGE 4 EAST S.L.B. & M.

RECORDED
RECORDED NO. 149678 4:00 P.M.
FILED AND RECORDED FOR Summit Co Title
PAGE Filed BOOK A
FEE \$56.00 Wan Co. Springs
SUMMIT COUNTY RECORDER

PREPARED BY
J. J. JOHNSON & ASSOCIATES
1700 PARK AVENUE, P.O. BOX 1661
PARK CITY, UTAH, 84060 - PH. 801-649-9811



UNITS NO. 21862
UNITS NO. 35876

NOTE: UNIT NO 21 & 62, 35876 ARE
LOCATED ON THE SECOND
& THIRD FLOORS ABOVE
THE CONFERENCE & LOCKER
AREAS ON THE FIRST FLOOR

BUILDING NO. I		
UNIT NO.	FLOOR	CEILING
1	6899.00	6897.083
2	6899.00	6897.083
3	6899.00	6897.083
4	6899.00	6897.083
5	6899.00	6897.083
6	6899.00	6897.083
7	6899.00	6897.083
8	6899.00	6897.083
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14	6899.17	6906.25
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17	6908.17	6906.25
18	6908.17	6906.25
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346	6908.	

BUILDING NO./LOFT UNITS			
UNIT NO.	FLOOR	FRONT	CEILING CENTER
28	6907.33	6915.415	6923.50
29	6907.33	6915.415	6923.50
30	6907.33	6915.415	6923.50
31	6907.33	6915.415	6923.50
32	6907.33	6915.415	6923.50
35	6907.33	6915.415	6923.50
36	6907.33	6915.415	6923.50
37	6907.33	6915.415	6923.50
38	6907.33	6915.415	6923.50
39	6907.33	6915.415	6923.50

BUILDING NO.2 LOFT UNIT				
UNIT NO.	FLOOR	FRONT	CENTER	
69	6913.33	6921.415	6929.50	
70	6913.33	6921.415	6929.50	
71	6913.33	6921.415	6929.50	
72	6913.33	6921.415	6929.50	
73	6913.33	6921.415	6929.50	
76	6913.33	6921.415	6929.50	
77	6913.33	6921.415	6929.50	
78	6913.33	6921.415	6929.50	
79	6913.33	6921.415	6929.50	
80	6913.33	6921.415	6929.50	

BUILDING NO. 2		
UNIT NO.	FLOOR	CEILING
42	6895.00	6903.08
43	6895.00	6903.08
44	6895.00	6903.08
45	6895.00	6903.08
46	6895.00	6903.08
47	6895.00	6903.08
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76	6913.33	6921.41
77	6913.33	6921.41
78	6913.33	6921.41
79	6913.33	6921.41
80	6913.33	6921.41
81	6913.33	6921.41
82	6913.33	6921.41

NOTES:

1. All interior dimensions are to the Finished Surfaces
2. All areas not cross-hatched on this sheet are to be Common Ownership
3. All areas cross-hatched on this sheet are to be Private Ownership
4. All areas double cross-hatched on this sheet are to be Limited Common Areas

I, James G. West, do hereby certify that the building specifications of SNOW FLOWER CONDOMINIUM, "A Utah Condominium Project" are and will be as shown on this plat.

May 31, 1978
DATE

James G. West
Registered Utah Land Surveyor
License No. 3082

SHEET 2 OF 3

SNOW FLOWER CONDOMINIUMS

"A UTAH CONDOMINIUM PROJECT"

LOCATED IN SOUTHWEST QUARTER OF SECTION 9 AND
NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 2
SOUTH RANGE 4 EAST S1 R 8 E M.

RECORDED

RECORDED NO 49678 Sept. 25, 1978

FILED AND RECORDED FOR Summit Co. Title

PAGE Filed BOOK

FFF \$56.00 Wanda Y. Spriggs

SUMMIT COUNTY RECORDER

PREPARED BY

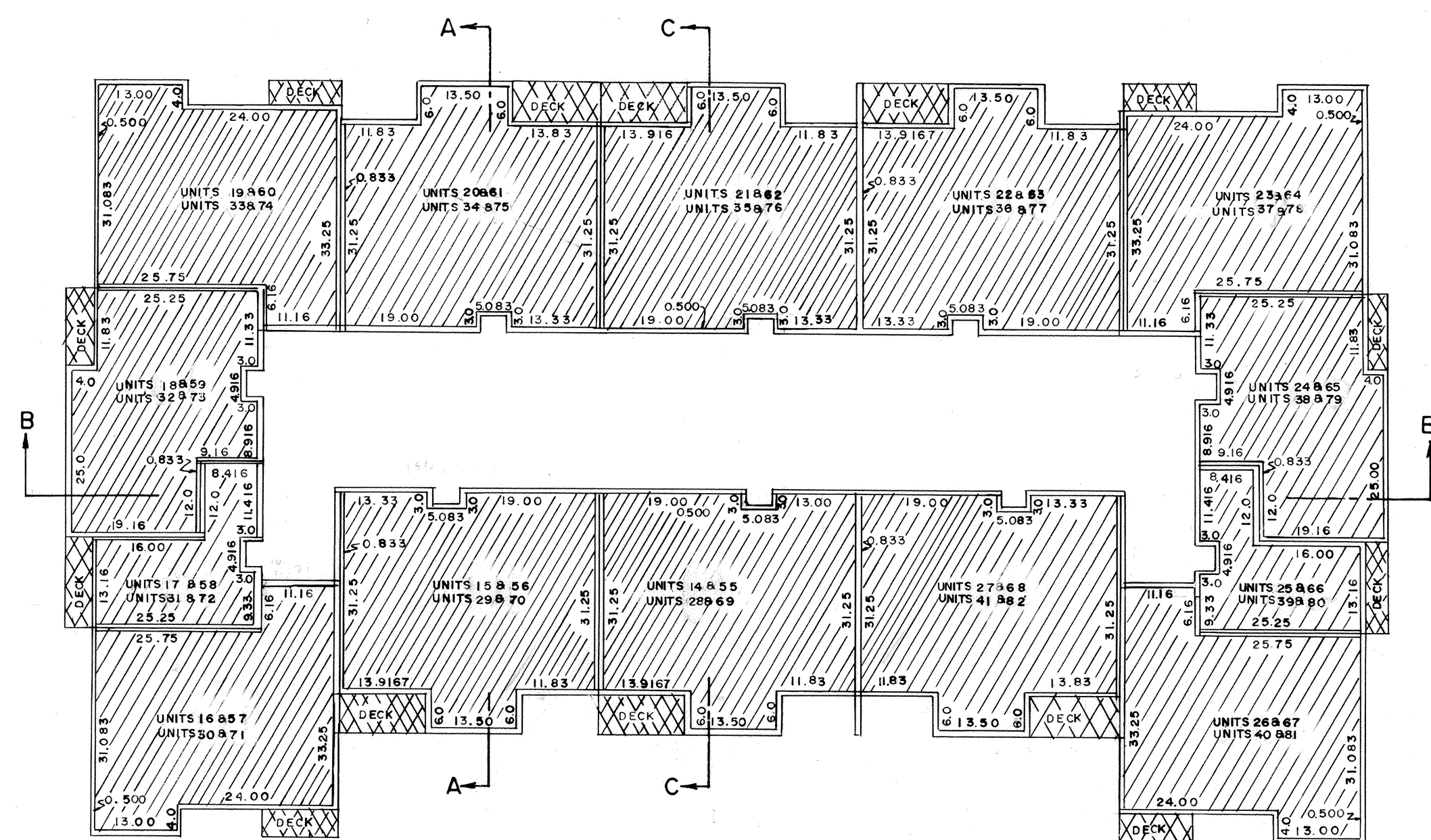
J. J. JOHNSON & ASSOCIATES

1700 PARK AVENUE, P.O. BOX 1661

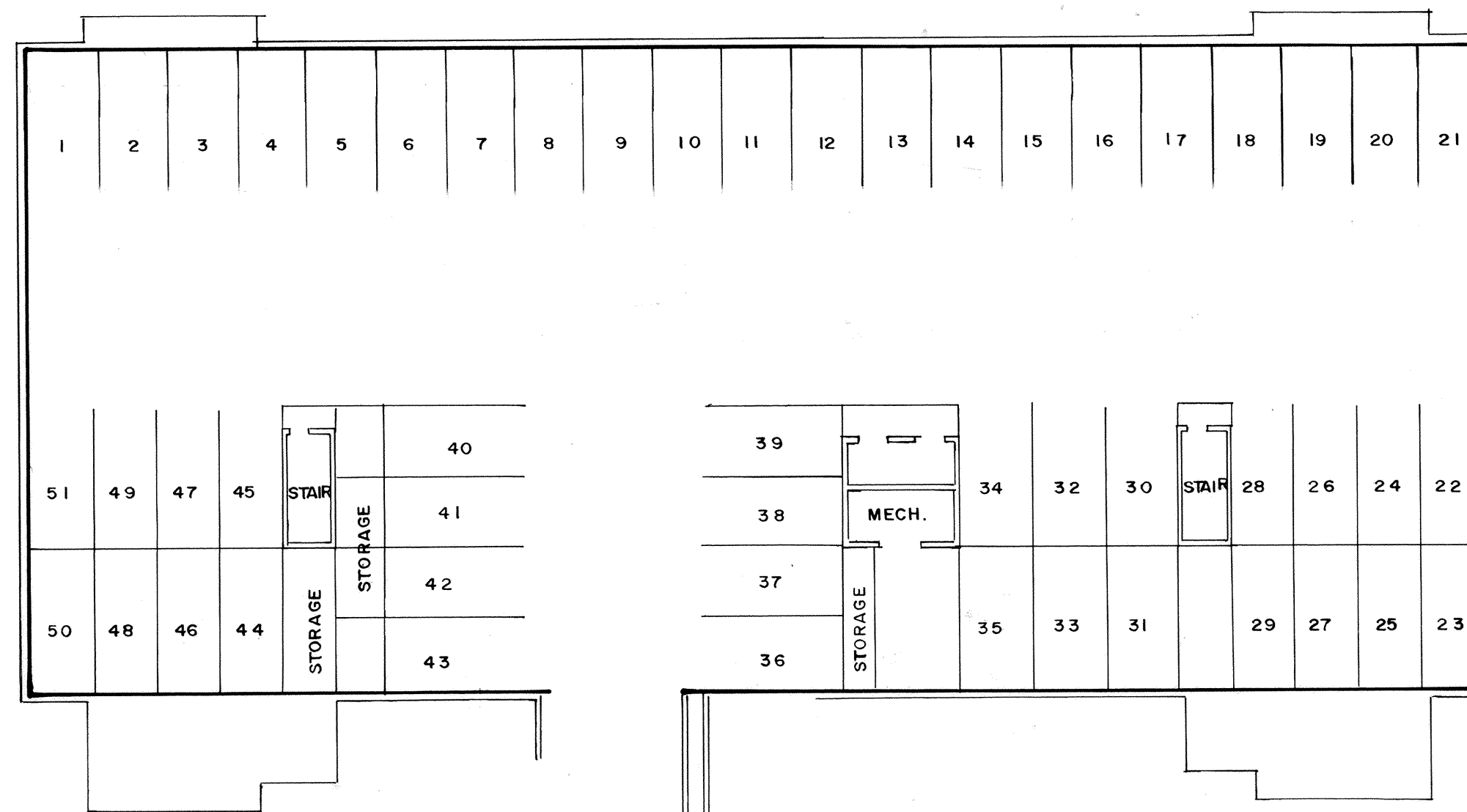
PARK CITY, UTAH. 84060 - PH. 801-649 9811



FLOOR PLAN
BUILDINGS 1E2
LOFT



FLOOR PLAN
BUILDINGS 1E2
FLOORS 2E3



BASEMENT GARAGE
BUILDINGS 1E2

- NOTES:
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I, James G. West, do hereby certify that the building specifications of SNOW FLOWER CONDOMINIUM, "A Utah Condominium Project" are and will be as shown on this plat.

May 31, 1978
DATE

James G. West
Registered Utah Land Surveyor
License No. 3082

SHEET 3 OF 3

SNOW FLOWER CONDOMINIUMS

"A UTAH CONDOMINIUM PROJECT"

LOCATED IN SOUTHWEST QUARTER OF SECTION 9 AND
NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 2
SOUTH RANGE 4 EAST S.L.B. & M.

RECORDED

RECORDED NO. 149678 Sept. 25, 1978

FILED AND RECORDED FOR Summit County Title

PAGE Filed BOOK

FEE \$ 56.00

Summit County Recorder

PREPARED BY

J. J. JOHNSON & ASSOCIATES

1700 PARK AVENUE, P.O. BOX 1661

PARK CITY, UTAH, 84060 - PH. 801-6499811

SNOW FLOWER CONDOMINIUMS, UNIT 75
(401 Silver King Drive)

February 10, 2022

PROJECT INTENT

Unit 75 of Snow Flower Condominiums is in Building 2 of the project and the plat was originally recorded September 25, 1978, as Entry No. 149678 and is located adjacent to Park City Mountain Resort.

When Unit 75 and other similar units were constructed in the late 1970s, the Loft level consisted of attic areas that were not part of the living space. These attic areas are designated as common ownership on the current recorded plat. The intent of this plat amendment application is to convert this common area attic space into private ownership to be used as living space for Unit 75.



SNOW FLOWER PROPERTY MANAGEMENT CO., LLC

401 Silver King Drive | P.O. Box 957 | Park City, UT 84060

435-649-6400 | 800-852-3101

snowflowerparkcity.com | info@snowflowerparkcity.com

January 24, 2022

To whom it may concern,

I have been the general manager of Snow Flower Property Management Company since its inception back in 1980. Snow Flower Property Management Company was the HOA management for 40 years.

I am writing to verify that the amendment to the Snow Flower Condominiums that was recorded June 29, 1993, was recorded after receiving over 66 2/3rds approval by the members. This amendment recorded the change in the Exhibit "C" which increased the square footage on Snow Flower 35, 38, 41, 69, 75 & 77. The amendment was completed with notarized signatures of the then 5 Management Committee members: Ron Stinson, Dave Picard, Bruce Berger, Norm Metcalf and Ken Tipton. This is recorded at Summit County, recording 00382099; book 0735; pages 0030-38.

Since this amendment, each individual owner paid the increase in both HOA dues and property taxes.

If you would prefer me to discuss this in person, I can be reached on my cell phone: 435-640-3743.

Regards,

Teri

Teri Whitney
General Manager/Owner

AMENDMENT TO CONDOMINIUM DECLARATION
SNOW FLOWER CONDOMINIUMS

This document constitutes the _____ Amendment to the Condominium Declaration for Snow Flower Condominiums, which Declaration is recorded as Entry No. 149679 in Book M120 beginning at Page 274 of the Official Records of Summit County, State of Utah. The Amendment is made pursuant to the vote of the required number of homeowners to perform such Amendment, which vote was received at the Annual Homeowners Meeting on Friday, November 27, 1992.

The Condominium Declaration for Snow Flower Condominiums is amended in and only in the following particulars:

1. Article VI, paragraph 2(g), beginning on page 9 of the Declaration and continuing on page 10 of the Declaration is deleted in its entirety and replaced and superceded by the following Article VI, paragraph 2(g):

2(g) No animals or birds of any kind shall be raised, bred, or kept in any Unit or on any portion of the Common Areas and Facilities, except that no more than one small dog under 25 pounds in weight or two (2) usual and ordinary household pets limited to cats or birds, may be kept by unit Owners, provided that they are not kept, bred, or maintained for any commercial purposes, and further provided they are kept under reasonable control at all times. Notwithstanding the foregoing, no pets may be kept by Unit Owners in such areas which, in the determination of the Management Committee, result in an unreasonable annoyance to other Unit Owners. No pets shall be brought into the Common Areas and Facilities by a Unit Owner except as may be permitted by rules of the Management Committee, as the same may be amended from

time to time, and in no case shall a dog enter the Common Areas and Facilities except while on a leash which is held by a person capable of controlling the dog. Notwithstanding anything herein to the contrary, no animals or birds of any kind, size or character shall be raised, bred or kept in any Unit or on any portion of the Common Areas and Facilities by any party, including, but not limited to, any lessee of a Unit, other than a Unit Owner.

2. Exhibit C to the Condominium Declaration is replaced and superceded by Exhibit C attached hereto, which Exhibit C from and after November 27, 1992 sets forth the proper common area percentages for the Units in Snow Flower Condominiums.

The undersigned, Ron Stinson, Dave Picard, Bruce

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

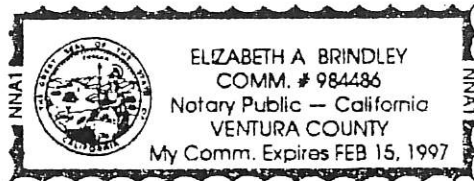
No. 5193

State of California
County of Ventura

On May 19, 1993 before me, Elizabeth A Brindley/Notary Public,
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"
personally appeared Bruce Berger * * *
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Elizabeth A Brindley
SIGNATURE OF NOTARY

OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☒ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT Amendment to Condominium Declaration

NUMBER OF PAGES 6 DATE OF DOCUMENT May 19, 1993

SIGNER(S) OTHER THAN NAMED ABOVE Ron Stinson, Dave Pickard Norm Metcalfe Ken Tipton

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

time to time, and in no case shall a dog enter the Common Areas and Facilities except while on a leash which is held by a person capable of controlling the dog. Notwithstanding anything herein to the contrary, no animals or birds of any kind, size or character shall be raised, bred or kept in any Unit or on any portion of the Common Areas and Facilities by any party, including, but not limited to, any lessee of a Unit, other than a Unit Owner.

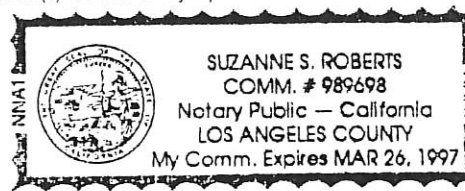
2. Exhibit C to the Condominium Declaration is replaced and superceded by Exhibit C attached hereto, which Exhibit C from and after November 27, 1992 sets forth the proper common area percentages for the Units in Snow Flower Condominiums.

The undersigned, Ron Stinson, Dave Picard, Bruce Berger, Norm Metcalf and Ken Tipton, constituting the Management Committee and the Board of Snow Flower Condominiums and pursuant to Article XXIII of the Declaration regarding Amendment, certify that this Amendment executed by the

STATE OF CALIFORNIA } AMENDMENT TO CONDOMINIUM
COUNTY OF Los Angeles } ss. DECLARATION- SNOW FLOWER
On May 10, 1993 before me, Suzanne S. Roberts, }
personally appeared Dave Pickard----- }
----- personally known to me (or proved
to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),
and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Suzanne S. Roberts

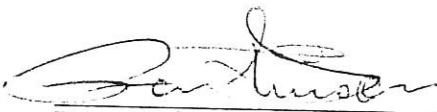


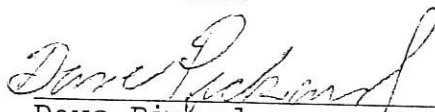
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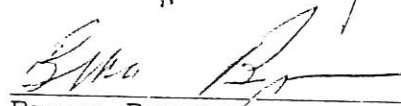
time to time, and in no case shall a dog enter the Common Areas and Facilities except while on a leash which is held by a person capable of controlling the dog. Notwithstanding anything herein to the contrary, no animals or birds of any kind, size or character shall be raised, bred or kept in any Unit or on any portion of the Common Areas and Facilities by any party, including, but not limited to, any lessee of a Unit, other than a Unit Owner.

2. Exhibit C to the Condominium Declaration is replaced and superceded by Exhibit C attached hereto, which Exhibit C from and after November 27, 1992 sets forth the proper common area percentages for the Units in Snow Flower Condominiums.

nm
The undersigned, Ron Stinson, Dave Picard, Bruce Berger, Norm Metcalf^e and Ken Tipton, constituting the Management Committee and the Board of Snow Flower Condominiums and pursuant to Article XXIII of the Declaration regarding Amendment, certify that this Amendment executed by the Management Committee constitutes in addition a certification that the vote or consent required by Article XXIII occurred at the aforesaid homeowners meeting to amend the Condominium Declaration as herein set forth. *mt*


Ron Stinson


Dave Picard


Bruce Berger

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

On May 6, 1993, before me, Christine B. Ross,
personally appeared Ron Skinson, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s) or the entity upon
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Christine B. Ross
Notary Public



00382099 Bx0735 Pg0034

Norm Metcalfe
Norm Metcalfe

Ken Tipton
Ken Tipton

STATE OF UTAH)
COUNTY OF Summit : ss;

On this 14 day of June, 1993, personally appeared before me Ron Stinson, Dave Picard, Bruce Berger, Norm Metcalf and Ken Tipton, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same

Levi Laheara
NOTARY PUBLIC
Residing at: Bank City, Utah

ALL-PURPOSE ACKNOWLEDGMENT

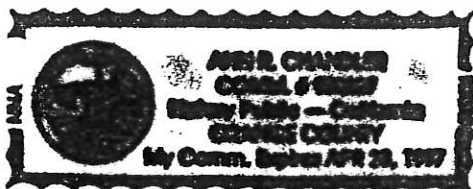
NO 209

State of California
County of Orange }

On May 12, 1993 before me, Ann R. Chandler, Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Norman Metcalfe
NAME(S) OF SIGNER(S)

☒ personally known to me - ~~OR~~ ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

Ann R. Chandler
SIGNATURE OF NOTARY

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL(S)
☐ CORPORATE OFFICER(S) _____ TITLE(S) _____
☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ SUBSCRIBING WITNESS
☐ GUARDIAN/CONSERVATOR
☒ OTHER: Board Member

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)
Snow Flower Condominiums

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:

Title or Type of Document _____
Number of Pages _____ Date of Document _____
Signer(s) Other Than Named Above _____

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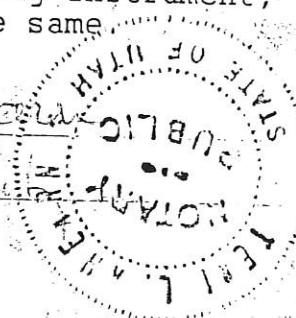
Norman Metcalfe
Norm Metcalfe

Ken Tipton
Ken Tipton

STATE OF UTAH)
COUNTY OF Summit : ss;

On this 14 day of June, 1993, personally appeared before me Ron Stinson, Dave Picard, Bruce Berger, Norm Metcalf and Ken Tipton, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same

Lori Laheara
NOTARY PUBLIC
Residing at: Park City, Utah



My Commission Expires:

Jan 18 1995

7704B

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Revised 11/27/92
Annual Homeowners
Meeting

EXHIBIT "C"
CONDOMINIUM DECLARATION
OF SNOW FLOWER CONDOMINIUMS

<u>Unit Designation</u>	<u>Square Footage</u>	<u>Percentage of Appurtenant Undivided Interest In Common Areas</u>
1	934	0.90%
2	1352	1.30%
3	1108	1.06%
4	452	0.43%
5	974	0.93%
6	1195	1.15%
7	1352	1.30%
8	1352	1.30%
9	1195	1.15%
10	974	0.93%
11	452	0.43%
12	1108	1.06%
13	1352	1.30%
14	1352	1.30%
15	1352	1.30%
16	1195	1.15%
17	452	0.43%
18	974	0.93%
19	1195	1.15%
20	1352	1.30%
21	1352	1.30%
22	1352	1.30%
23	1195	1.15%
24	974	0.93%
25	452	0.43%
26	1195	1.15%
27	1352	1.30%
28	1882	1.80%
29	1806	1.73%
30	1590	1.52%
31	595	0.57%
32	1354	1.30%
33	1590	1.52%
34	1806	1.73%
35 Bldg I	2338	2.24%

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<u>Unit Designation</u>	<u>Square Footage</u>	<u>Percentage of Appurtenant Undivided Interest In Common Areas</u>
36	1806	1.73%
37	1590	1.52%
(38) Bldg I	1474	1.41%
39	595	0.57%
40	1590	1.52%
(41) Bldg I	2326	2.23%
42	915	0.88%
43	1352	1.30%
44	1108	1.06%
45	452	0.43%
46	974	0.93%
47	1195	1.15%
48	1352	1.30%
49	1352	1.30%
50	1195	1.15%
51	974	0.93%
52	452	0.43%
53	1108	1.06%
54	1352	1.30%
55	1352	1.30%
56	1352	1.30%
57	1195	1.15%
58	452	0.43%
59	974	0.93%
60	1195	1.15%
61	1352	1.30%
62	1352	1.30%
63	1352	1.30%
64	1195	1.15%
65	974	0.93%
66	452	0.43%
67	1195	1.15%
68	1352	1.30%
(69) Bldg II	2297	2.20%
70	1806	1.73%
71	1590	1.52%
72	595	0.57%
73	1354	1.30%
74	1590	1.52%
(75) Bldg II	2326	2.23%
76	2047	1.96%
(77) Bldg II	2326	2.23%
78	1590	1.52%
79	1354	1.30%
80	595	0.57%
81	1590	1.52%
82	1806	1.73%
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Planning Commission Staff Report



Subject: 2346 Park Avenue – The Peaks Hotel
Application: PL-22-05132
Author: Makena Hawley
Date: May 11, 2022
Type of Item: Administrative – Conditional Use Permit
Temporary Structures

Recommendation

Staff recommends the Planning Commission (1) review the proposed Temporary Improvements for Peaks Hotel (2) review the proposed reduction of parking requirements for the Temporary Improvements and Outdoor Use and for Peaks Hotel, Versante on the Lawn, (3) conduct a public hearing, and (4) consider approving a Conditional Use Permit and a parking reduction for an Administrative Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Description

Applicant: Park City Peaks Hotel represented by Stephanie Samuels
Location: 2346 Park Avenue
Zoning District: Residential Development Medium Density (RDM) and Frontage Protection Zone (FPZ)
Adjacent Land Uses: Condos to the east and south, single-family homes to the west, directly across Park Avenue, and the Saddle View Office Park nearby.
Reason for Review: For tent requests that are longer than fourteen (14) days and more than five (5) times a year, the frequency must be approved by the Planning Commission consistent with Conditional Use criteria in LMC [§15-1-10](#).¹

Abbreviations

ACUP	Administrative Conditional Use Permit
CDC	Centers for Disease Control and Prevention
CUP	Conditional Use Permit
FPZ	Frontage Protection Zone
IBC	International Building Code
LMC	Land Management Code
RDM	Residential Development Medium Density

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

¹ LMC [§15-4-16](#)

On March 1, 2022 the Peaks Hotel submitted a Complete application for a Conditional Use Permit (CUP) for a 20' x 40' Temporary Structure (tent) in the rear section of the courtyard with the request to allow the tent to be erected for a total of 180 days out of 365 days of the year. The Peaks could dismantle and re-erect the tent per International Building Code (IBC) regulations for specific events not to exceed a total of 180 days in a calendar year.

This is the maximum amount of time a temporary structure may be erected per the International Building Code, enforced by the Building Department.

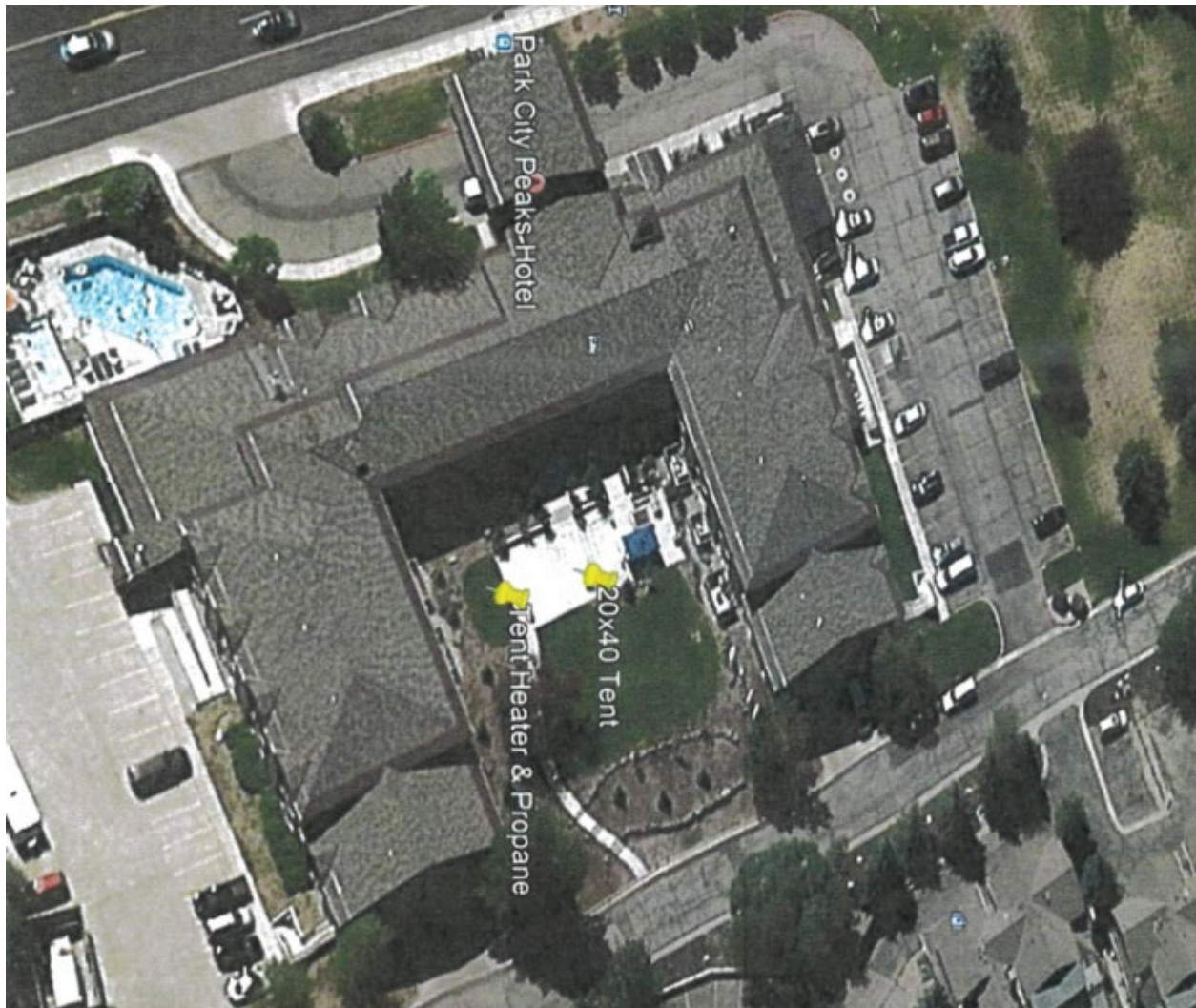


Figure 1 - Proposed placement of tent, interior courtyard area.

Background

The Peaks Hotel, constructed in 1985 is Lot 1 of the Parkview Subdivision (Exhibit C). The hotel contains 127 hotel rooms, 129 parking spots, and Versante restaurant on approximately 60,000 square feet (1.3 acres).

During the Covid-19 pandemic, many businesses found creative solutions to support health and Centers for Disease Control and Prevention (CDC) policies. For the Peaks hotel, this resulted in several permits and projects, namely, enclosing their outdoor patio to create more indoor area, creating Versante on the Lawn, and adding a tent to the inner courtyard to allow room for social distanced dining and sitting areas during the winter.

Previous Applications include:

Application Number	Brief Description
PL-20-04657	Enclose Outdoor Dining Area of Versante Approved with Conditions (Exhibit F)
PL-20-04570	Outdoor Event and Food Truck with Temporary Structures – Versante on the Lawn Aug 3, 2020 – Sept. 20, 2020 Approved with Conditions (Exhibit D)
PL-21-04764	Outdoor Event and Food Truck with Temporary Structures –Versante on the Lawn June 5, 2021-September 12, 2021 Approved with Conditions (Exhibit E)
PL-21-04827	Outdoor Event and Food Truck with Temporary Structures – Versante on the Lawn Processing

For temporary structures that are proposed for a duration longer than 14 days and more than 5 times a year, the LMC requires approval of a Conditional Use Permit (CUP).²

The Peaks has been using the inner-courtyard tent to allow for social distancing during traditional occupancy of the hotel. The Applicant proposes to continue utilizing the tent for what it was temporarily approved for, namely, hotel breakfasts, group seating, group events and morning yoga. All events are for hotel guests exclusively.

In addition to the continued use of the tent, under an Administrative Conditional Use Permit (ACUP) the Applicant is simultaneously proposing to continue their Versante on the Lawn event that includes outdoor dining, an outdoor grill/beverage service station, and outdoor music.

Analysis

(I) The proposal to have a temporary structure (tent) on site for periods longer than 14 days and more than 5 times per year complies with the Residential Development Medium (RDM) Zone and Frontage Protection (FPZ) Zone.

The Peaks Hotel is in the Residential Development Medium (RDM) Zoning District and the Frontage Protection Overlay. One of the purposes of the RDM Zoning District is to

² LMC [§15-4-16\(A\)7](#)

allow limited generated businesses that are Compatible with residential neighborhoods.³ Temporary Improvements are an Administrative Conditional Use in the RDM Zoning District.⁴ Longer durations are permitted within the LMC require a CUP which is approved by the Planning Commission.

One of the purposes of the FPZ is to preserve the scenic view corridors of Park City. The proposed tent will be located within the courtyard of the hotel which can be seen from Jupiter View Drive but is completely hidden from Park Avenue.

The table below outlines the Setback requirements in the RDM Zoning District and Frontage Protection Zone. The proposal complies.

Setback	RDM	FPZ	Proposal
Front	20'	30'	150'
Rear	10'	30'+	110'
Side	10'	30'+	197' & 360'

Eight (8) tents have been approved through a CUP process in the past that are similar to this application. A list can be found in Exhibit J.

(II) The proposal complies with the Conditional Use Permit criteria outlined in LMC [§ 15-1-10\(E\)](#).

A Temporary Structure that is proposed for a longer duration than 14 days or 5 times a year must comply with LMC [§ 15-1-10\(E\)](#), *Conditional Use Review*.⁵

There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

The Planning Commission shall approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards. The Planning Commission may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards. LMC [§ 15-1-10](#).

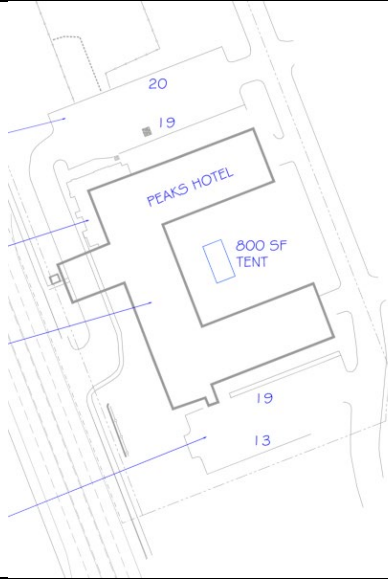
CUP Review Criteria	Analysis of Proposal
Size and Location of the Site	No Required Mitigation. The proposed 20' x 40' tent is appropriately placed in the rear courtyard of the hotel which surrounds the tent on 3 sides.

³ LMC [§ 15-2.14-1\(C\)](#).

⁴ LMC [§ 15-2.14-2\(B\)\(13\)-\(8\)](#).

⁵ LMC [§ 15-2.14-9](#).

Traffic	No Required Mitigation. The tent will be utilized by guests already at the hotel for breakfast, lounging, or morning yoga.
Utility Capacity	No Required Mitigation. There are no water hookups proposed, the Water Department and Public Utilities found no issues.
Emergency Vehicle Access	No Required Mitigation The parking lot located to the North of the Hotel and is large enough for emergency vehicle access. The tent would be unobstructed, located approximately 95', from Jupiter View Drive.
Location and Amount of Off-Street Parking	Please see Section III below. According to Parking Regulations Chapter § 15-3, the Peaks hotel would require 164.2 spaces total to meet the current requirements for the <i>existing uses</i>. The Peaks has 129 spaces existing currently. Pursuant to LMC §15-3-7 the Planning Commission may reduce the initial parking requirements to prevent excess parking and paving. The Applicant must prove by a parking study that the proposed parking is adequate. Please see Section III below.
Internal Vehicular and Pedestrian Circulation	Condition of Approval # 2 The tent is proposed to be set to the side of the rear doors of the hotel and does not create barriers for any other windows or doors, and pedestrian circulation will not be obstructed. The tent will not impede vehicular circulation.
Fencing, Screening, and Landscaping	No Required Mitigation. The tent is surrounded on three sides by the hotel as it sits right in the center of the U-shaped structure. The top of the tent is slightly visible over the berm from Jupiter View Drive and does not require further screening. The Peaks Has been operating the tent on a temporary basis since March 2020 and there have been no complaints registered with the City Code Enforcement or the Police Department.

	
Building Mass, Bulk and Orientation	No Required Mitigation. The tent is appropriately sized for its location on site.
Usable Open Space	No Required Mitigation. The tent will be placed on an existing concrete pad.
Signs and Lighting	Not Applicable. Condition of Approval # 8 & 9 There are no signs or exterior lighting proposed with this project.
Physical Design and Compatibility	No Required Mitigation The tent is compatible with the courtyard in a temporary nature. All mechanical equipment is screened, and the tent is screened by the hotel on three sides. The view from Jupiter view drive is minimal and does not require mitigation. See Exhibit B for the proposed plans.
Noise, Vibration, Odors, Steam and other Mechanical Factors	Condition of Approval #12, #13 & #14 The heater in the wintertime is the only mechanical factor involved in the tent which is screened from neighbors. No other mechanical equipment is proposed with the tent. The tent is a long distance from other uses and will be required to mitigate any noise, vibrations, or odors with conditions or approval 12, 13, and 14.
Control of Delivery and Service Vehicles	No Required Mitigation Delivery and Service vehicles will operate as normal.
Expected Ownership and Management	Not applicable. The tent will be owned and managed by the hotel/Applicant.
Appropriateness of the Proposed Structure to the Existing Topography of the Site	No Required Mitigation The tent will be located on an existing, flat, concrete slab.
Consistency with Goals and Objectives of the Park City General Plan	No Required Mitigation The Peaks Hotel is located in the Park Meadows Neighborhood. It's significant to the Park City entryway corridor. Park Meadows is also the highest population of full-time residents and has a

	high-quality aesthetic that should be preserved. The temporary tent will be sufficiently shielded to protect the view and entry corridor. The proposal to add activation to the existing site at the Peaks hotel supports the Park City goals of small town to grow inward. It also increases pedestrian/biking mobility by adding additional uses, like entertainment and outdoor dining near an area of high primary resident population. Adding the tent to the site helps the hotel support Goal 11 of Tourism Economy by enhancing their on-site amenities.
--	--

(III) Location and Off-Street Parking as outlined in Chapter [§ 15-3](#)

The Peaks hotel currently has the following parking spaces (Site plan can be found in Applicant's Parking study Exhibit I, p. 6):

North lot	39
Garage	58
South lot	32
	129 Spaces Total

Pursuant to Chapter [§ 15-3](#) the required parking ratio is shown in the table below:

Use	Parking Ratio Requirements per LMC 15-3-6:	Existing Condition at Peaks Hotel:	Required Number of Spaces:
Hotel, Minor and Major	1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space	127 Hotel Rooms	127
		1655 sq ft meeting/conference space	8.2
		800 sq. ft. Tent (Proposed additional Leasable Commercial Space)	4
Restaurant, Standard and Bar	1 space for every 100 sf of net leasable Area, including kitchen Areas	2013 sq ft. Front of House	20
		910 sq. ft. Back of House	9
		Hotel and Restaurant Total Spaces:	164.2
		Hotel, restaurant, and Tent Total Spaces:	168.2

LMC §15-3-7 describes that the Planning Commission may reduce parking requirements if the Applicant can provide a parking study that ensures the parking is adequate. The parking study shall analyze the following:

1. Parking Uses will overlap;
2. Commercial spaces within the project will serve those residing within the project rather than the general public;
3. Or other factors that support the conclusion that the project will generate less parking than this Code would otherwise require.

The Applicant employed Canyon Engineering to complete a parking study in March 2020 (Exhibit I). The report states that the highest levels of occupancy for Peaks Hotel guests takes place in July for the summer and February for the winter. The study takes place over a two-week period in peak winter season to evaluate parking space availability.

The provided research identifies that with a hotel occupancy of 92% for the month of February, “parking space occupation peaks at less than 70 spaces, or just over 50% of the total available spaces” (129 spaces total).

According to the research compiled in the parking study, the report concludes that the existing parking facilities at Peaks Hotel are adequate to serve the existing uses including, hotel rooms, conference space, Versante restaurant and the proposed uses including the 800 sf. temporary tent, Versante on the lawn activities and the food and beverage station.

The required parking stated by the LMC may call for higher amounts of parking spaces because the code does not address uses that overlap on the same property. The Hotel, restaurant and conference areas are overlapping uses at the Peaks hotel, often serving many of the same guests on the same property.

Reported by the Applicant, less than 50% of hotel guests stay without a car. On average, approximately 20% of diners at Versante are guests of the hotel. The Manager of the Peaks Hotel also stated that when events or weddings are held at the hotel parking information is sent to the guests prior to the event. Currently parking is mitigated by helping guests arrange for buses or other options for transportation to the Hotel. Additionally, the Manager noted that during peak hours, representatives of her team will be outside to ensure there is no encroachment on the neighbor’s side of the street.

Finally, due to the parking study focused solely on the winter peak season, the Applicant has agreed to Condition of Approval #17 to complete an additional parking study during the month of August. This will include the intensified use of Versante on the Lawn. The completed study will be submitted to the Planning Department for review and the Planning Director shall make a determination of the sufficiency of parking to allow the Outdoor Dining to continue annually.

Staff finds that with parking space utilization at an average of 55% or less, during peak

winter season, the 800-sf. temporary tent will not increase parking needs past what exists at the Peaks Hotel.

Conditions of approval #11 and #16 are put in place to give the Planning Director authority to modify the operations or add additional restrictions and conditions of approval to mitigate community impacts.

(IV) A Review of the Peaks Hotel Parking Holistically

The Peaks Hotel is concurrently proposing an ongoing ACUP to continue Versante on the Lawn and the related Food and Beverage Station for the summer months of June - September annually.

On June 26, 2020 the Special Events Department approved a Special Event Permit to allow Versante Restaurant to use the lawn area of the Peaks as an extension of premise for outdoor dining and local vendors to increase physical distancing space as a mitigation effort from impacts of Covid-19 from June 27 - August 2, 2020. As stated in the Special Event Permit (Exhibit G):

“The Special Event Permit is issued to support the existing guest and hotel and restaurant use, and is temporary in nature to facilitate a phased reopening of the economy due to the impacts of Covid-19. Any future consideration outside of express dates of this permit shall be reviewed denovo.”

On July 31, 2020, the Planning Department issued an ACUP approval to extend the Use of Versante on the Lawn from August 3 – September 20, 2020, per Summit County Health Department and CDC recommendations for continued mask wearing and social distancing precautions.

On March 25, 2021, the Planning Department issued an ACUP approval to allow an Outdoor Use for Versante on the Lawn from June 5 – September 12, 2021. Again, this supported the Summit County Health Department and CDC guidelines to take precautions while supporting local businesses.

On March 1, 2022, the Planning Department received a complete application for an ACUP for Outdoor Dining and an Outdoor Event (Outdoor grill/beverage service station) to continue Versante on the Lawn during the summer months of June to September, annually.

Outdoor Dining and Outdoor Events are an Administrative Conditional Use in the RDM Zoning District which requires review and approval by the Planning Director. However, pursuant to [§ 15-3-7](#) only the Planning Commission may reduce parking requirements. Although the Planning Commission will not be approving the ACUP for the Outdoor Uses proposed for Versante on the Lawn, a review of the parking requirements may be reviewed in conjunction with the proposal for the temporary structure to holistically review the proposed uses at 2346 Park Avenue.

(a) Location and Off-Street Parking as outlined in LMC [§ 15-3 for the proposed Outdoor Uses](#)

Use	Parking Ratio Requirements per LMC 15-3-6:	Existing condition:	Required Number of Spaces:
Hotel, Minor and Major	1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space	127 Hotel Rooms	127
		1655 sq ft meeting/conference space	8.2
		800 sq. ft. Tent (Additional Leasable Commercial Space)	4
Restaurant, Standard and Bar	1 space for every 100 sf of net leasable Area, including kitchen Areas	2013 sq ft. Front of House	20
		910 sq. ft. Back of House	9
Restaurant, Outdoor Dining	Based on Site specific review at the time of CUP		
Temporary Improvement	1 per employee plus 2 guest spaces (2 extra parking spots and an additional spot per extra employee needed.	2 spaces	2
		6 employees	6
Hotel and Restaurant; Total Spaces:			164.2
Hotel, Restaurant, and Tent; Total Spaces			168.2
Hotel, Restaurant, Tent, and Outdoor Uses; Total Spaces:			176.2

The parking study provided by the Applicant shows the 129 spaces existing, still provide sufficient parking availability as the peak season identifies approximately a maximum of 55% usage of the parking spaces.

As Versante on the Lawn has taken place for two years now, in addition to the parking study, and the accessibility of a bus stop located in front of the property, the Peaks have

pursued several options to incentivize non-automobile forms of travel such as:

- Purchasing ads on the City Bus to provide 20% discount to those who bike or ride the bus to Versante.
- Provided 2 bike racks for guests riding their bikes.
- Added a reflective walking path across the parking lot to increase pedestrian circulation and safety.

Staff finds that, with an approval of an ACUP by the Planning Director, the parking requirements can be mitigated to support the intensified use of adding Versante on the Lawn as a regular summer outdoor dining experience.

Conditions of approval #11 and #16 are put in place to give the Planning Director authority to modify the operations or add additional restrictions and conditions of approval to mitigate community impacts.

Department Review

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application and did not find any issues.

Notice

Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on April 27, 2022. Staff mailed courtesy notice to property owners within 300 feet on April 27, 2022. The *Park Record* published notice on April 27, 2022. LMC [§ 15-1-21](#).

Public Input

Public input is attached as Exhibit X *or*
Staff did not receive any public input at the time this report was published.

Alternatives

- The Planning Commission may approve the Conditional Use Permit for a Temporary Structure;
- The Planning Commission may approve the Conditional Use Permit for a Temporary Structure and reduce parking requirements for the Administrative Conditional Use Permit conditioned on approval by the Planning Director;
- The Planning Commission may deny the Conditional Use Permit for a Temporary Structure and direct staff to make Findings for the denial; or
- The Planning Commission may deny the Conditional Use Permit for a Temporary Structure and deny the reduced parking requirements for the Administrative Conditional Use Permit and direct staff to make Findings for the denial; or
- The Planning Commission may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Action Letter
Exhibit B: Project Description and Plans
Exhibit C: 1984 Parkview Subdivision
Exhibit D: Approved Action Letter for ACUP Outdoor Use and Temporary Improvement
Exhibit E: Final Action Letter ACUP for Outdoor Use and Temporary Improvement
Exhibit F: Final Action Letter Admin Permit Enclose Dining Area in FPZ
Exhibit G: Special Events Permit that expired on August 2, 2020
Exhibit H: ACUP Project Description and Plans
Exhibit I: Peaks Parking Study
Exhibit J: CUP Tent Approvals List



Planning Department

May 11, 2022

Stephanie Samuels
Peaks Hotel
2346 Park Avenue
Park City, UT 84060

CC: Stephanie Samuels

NOTICE OF [PLANNING COMMISSION OR PLANNING DIRECTOR] ACTION

Description

Address: 2346 Park Avenue

Zoning District: Residential Development Medium Density (RDM)

Application: Conditional Use Permit (CUP) for a Temporary Structure (Tent) to be located onsite for a duration longer two (2) weeks at a time and 5 times a year.

Project Number: PL-22-05132

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: May 11, 2022

Project Summary: On May 11, 2022, the Park City Planning Commission made an official determination of approval of your Conditional Use Permit for a Temporary Structure to located on site at Peaks Hotel for a maximum of 180 days in a calendar year.

Action Taken

On May 11, 2022, the Planning Commission conducted a public hearing and approved the Conditional Use Permit according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. On March 1, 2022 the Peaks Hotel submitted a Complete application of a Conditional Use Permit (CUP) for a 20' x 40' Temporary Structure (tent) in the rear section of the courtyard.



Planning Department

2. The Peaks Hotel was constructed in 1985.
3. The Peaks Hotel is located on Lot 1 of the Parkview Subdivision.
4. The hotel contains 127 hotel rooms, 129 parking spots, 12 parallel parking spots on Jupiter View Way, and Versante restaurant on approximately 60,000 square feet (1.3 acres)
5. The Applicant is concurrently proposing an Administrative Conditional Use Permit to allow Outdoor Dining and Uses on the nearby lawn that requires a parking reduction.
6. The Site is located in the Residential Development – Medium Density (RDM) Zoning District. The proposed CUP Temporary Improvement is a Conditional Use in the Zone.
7. The proposed Tent complies with setbacks.
8. The Site is within the Frontage Protection Zone (FPZ). The Tent location is proposed more than 30' from S.R. 224, Park Avenue and shielded by the hotel.
9. The Size and Location proposed for the temporary structure is appropriately placed.
10. The tent will be utilized by guests already at the hotel so it will not require mitigation as traffic will not be affected.
11. No water hookups are proposed.
12. The existing emergency vehicle access will remain in the parking lot located to the North of the hotel and is sufficient to reach the tent.
13. The Tent location will not affect internal vehicular or pedestrian circulation.
14. The tent location is screened on 3 sides by the hotel.
15. The tent is appropriately sized for its location on site.
16. The tent will be placed on an existing, flat, concrete pad.
17. There are no signs or exterior lighting proposed with this project.
18. The tent is compatible with the courtyard in a temporary nature. All mechanical equipment is screened, and the tent is screened by the hotel on three sides. The view from Jupiter view drive is minimal and does not require mitigation.
19. A heater in the wintertime is the only mechanical equipment proposed in the wintertime, none will be proposed in the summer.
20. Delivery and service vehicles will not be affected by the tent and will operate as normal.
21. The Peaks Hotel is located in the Park Meadows Neighborhood.
22. The Peaks hotel has 129 parking spaces directly on site and 12 spaces along Jupiter View Way that is owned and maintained by the Peaks Hotel.



Planning Department

23. The LMC requires 168.2 parking spaces for the Peaks Hotel Uses including a hotel, Restaurant, and Tent.
24. LMC §15-3-7 states the Planning Commission may reduce parking requirements.
25. The Applicant completed a parking study identifying that the on-site parking lots held an average of 50% capacity at peak season (hotel capacity at a maximum of 97% during study).
26. Staff finds the temporary tent will not increase the parking needs for the Peaks Hotel.
27. Outdoor Dining and Outdoor Events are an Administrative Conditional Use in the RDM zone which requires review and approval by the Planning Director.
28. Staff finds that, dependent on the approval of the ACUP by the Planning Director, the parking requirements can be mitigated to support the intensified use of adding Versante on the Lawn as a regular summer dining experience.
29. The Development Review Committee reviewed this application and did not identify any issues.
30. Notice was posted on the Utah Public Notice website and posted to the property April 27, 2022.
31. Notice was published in the Park Record on April 27, 2022.

Conclusions of Law

1. The Application Permit, as conditioned, is consistent with LMC § 15-1-10 Conditional Use Review Process and LMC § 15-2.14 Residential Development Medium Density.
2. The proposed Use, as conditioned, will be compatible with the surrounding structures in Use, scale, mass, and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Condition(s) of Approval

1. The Temporary Structure (Tent) within the courtyard shall be operable for a maximum of 180 days out of 365 days a year.
2. All temporary structures require a permit issued by the Building Department. All temporary structures must be inspected by the Building Department prior to occupancy. The Building Department will inspect the structure, circulation, emergency access, and all other applicable public safety measures.
3. Prior to installing a temporary structure, the Planning Department must sign off on a building permit and record the date within the CUP application folder.
4. The proposed project shall be in accordance with all adopted codes, including, but not necessarily limited to the Land Management Code; International Building,



Planning Department

- Fire and related Codes (including ADA compliance); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of Park City.
5. Applicant shall comply with all City, County, and State health and licensing requirements.
 6. The Use shall not violate the Summit County Health Code or State Regulations on mass gathering.
 7. Tents shall be secured to the ground with stakes or weights and are subject to Building Department review and approval.
 8. All exterior lights must conform to the City outdoor lighting code.
 9. No exterior advertising signs or lighting are approved with this Conditional Use Permit.
 10. The Applicant will be required to receive a Fire Permit for each occasion the tent is erected.
 11. Should the Applicant receive a complaint regarding traffic, parking, or noise generated from the Outdoor Use, they shall notify Park City within one business day. The City shall notify the Applicant upon receiving any Outdoor Use complaint within one business day. Upon the notice of 3 complaints, the Planning Director will review the approval of this Permit. The Planning Director Reserves the right to modify the operations, add additional restrictions and/or Conditions of Approval to mitigate community impacts from the Outdoor Use.
 12. The Outdoor Use shall comply with Municipal Code of Park City Chapter 6-3, *Noise*, which establishes a maximum of 55 dBA from 6:00 A.M. through 10:00 P.M.
 13. No amplified music is approved with this Permit. The applicant will orient any music inward toward the hotel courtyard area, as opposed to facing any street.
 14. All proposed mechanical equipment must be screened.
 15. Operation of the temporary structure with expired permits from any applicable City Department may result in the CUP becoming void. Building and Fire Permits must be up to date to operate the temporary structure.
 16. If the Applicant cannot maintain parking for uses on site, including hotel, restaurant, and outdoor uses within the existing parking spaces, the Planning Department will provide notice to the Applicant and they may be required to reduce attendance of the event, terminate programming, or create additional mitigation strategies to stay within parking spaces on site. If the Outdoor Use parking exceeds on-site parking, the Planning Director reserves the right to terminate this CUP.



Planning Department

17. The Applicant will hire an engineering firm to complete a parking study for the Peaks Hotel in August. The final study shall be given to the Planning Department to review.
18. No on-street parking is permitted on Jupiter View Drive, S.R. 224 (Park Avenue), or in the nearby residential areas. The Applicant shall manage parking to ensure that parking for Versante on the Lawn remains on site. If parking cannot be accommodated on site, the Applicant shall cap the guests allowed on-site parking becomes available.

If you have questions or concerns regarding this Final Action Letter, please call (435) 6115-5059 or email Makena.hawley@parkcity.org.

Sincerely,

John Phillips
Planning Commission, Chair

Cc: Makena Hawley, Planner II



4/27/2021

Park City Peaks Hotel made the purchase of a 20' x 40' white tent in fall of 2021 to assist with seating for our hotel guests during COVID. We now own the tent and would like to continue use throughout the summer season for breakfast and group event seating. Winter use for hotel guests attending Paint Mixer, group events and morning Yoga.

We will operate during summer months with no walls or heaters. Just a shaded top. During winter months the side walls and heating units will operate.

The tent is tucked away in our courtyard behind the hotel and not viewable from the road.

We look forward to hearing from you and thank you for your consideration.

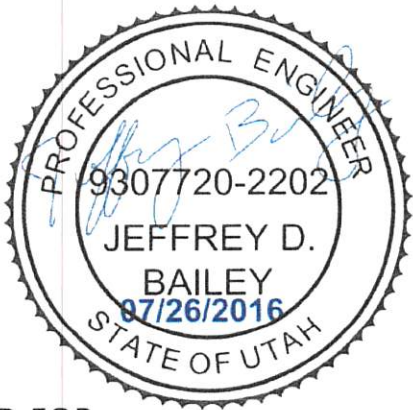
Best,

Stephanie Samuels



STRUCTURAL CALCULATIONS

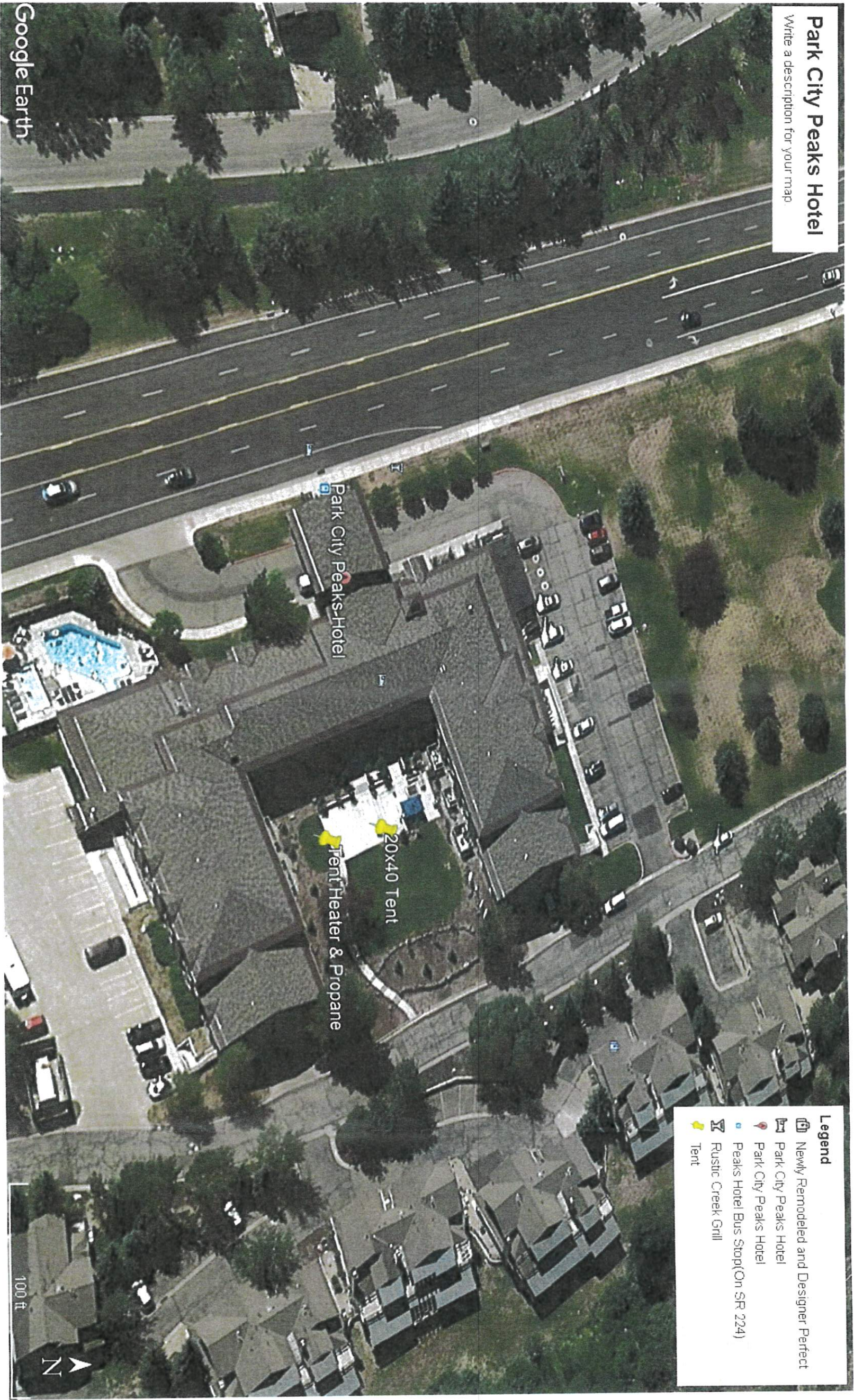
20' Wide Traditional Tent Under Lateral Force



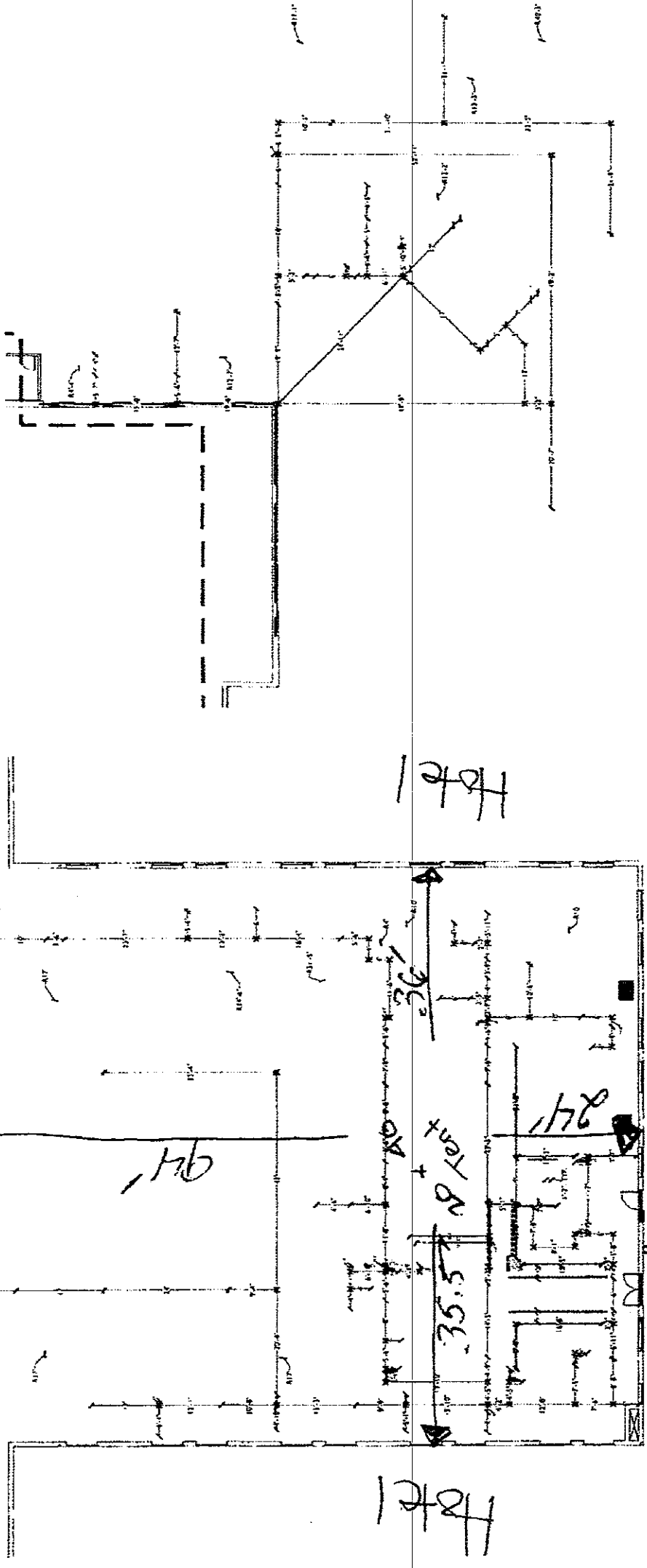
PREPARED FOR:

All Out Tent & Event Rental
Louis Boss

July 26, 2016



2346 PARK AVENUE, PARK CITY, UTAH 84060
PEAKS HOTEL - PHASE I
Landscape Architecture & Land Planning
1000 South Main Street, Suite 200
Park City, Utah 84060
Phone: (435) 243-1111
Fax: (435) 243-1112
www.peakshotel.com



POOL AREA (PHASE II)

BACK COURTYARD (PHASE I)

NOTES
1. ALL WALL MEASUREMENTS ARE MEASURED TO THE CENTER LINE OF CONCRETE OR CMU PORTION OF WALL (EXCLUDING VENEER/FINISH).

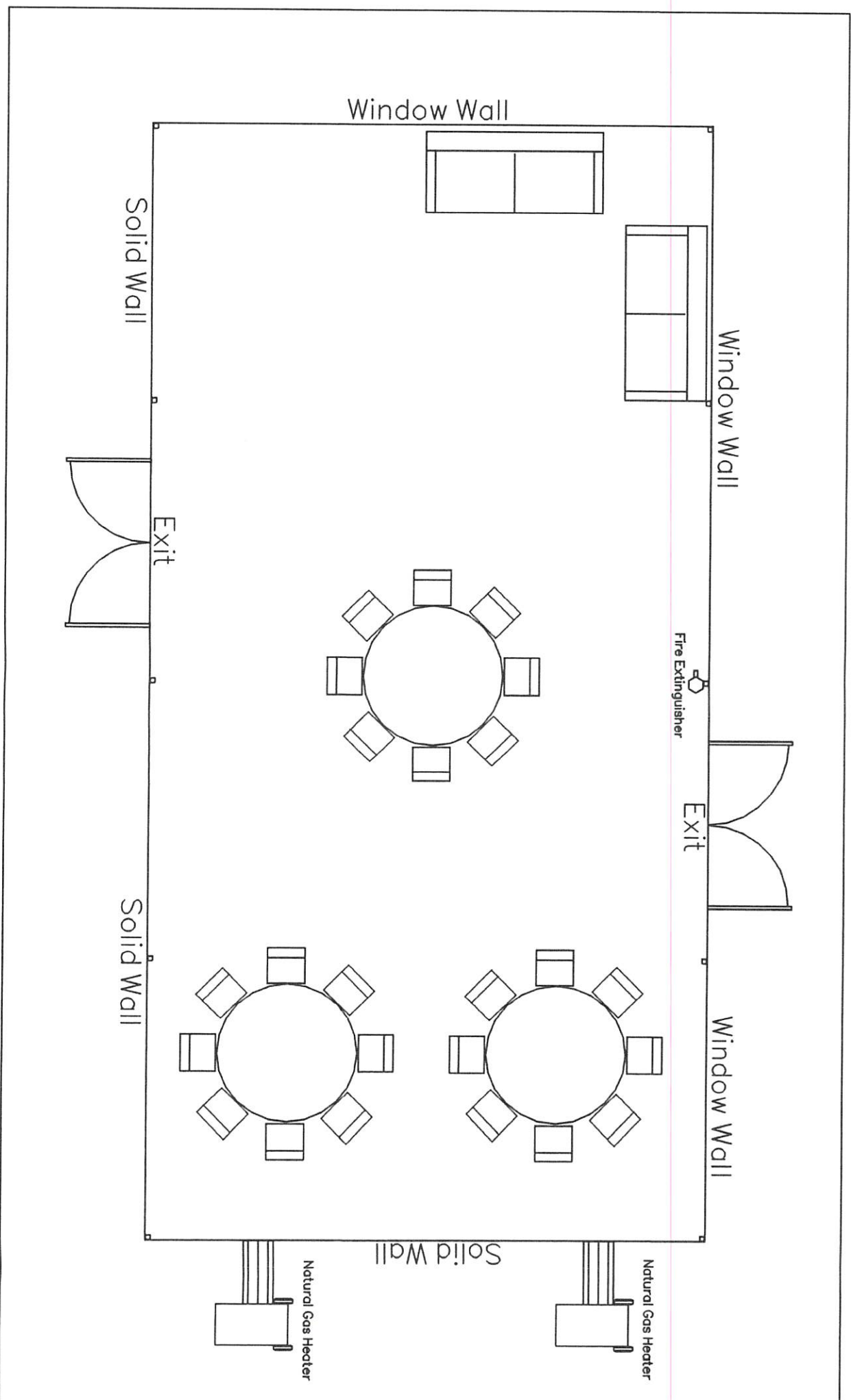
100% REVIEW SET
L300
NORTH
SCALE 1" = 10' ON 11x17 1/2 SHEET
0 10' 20' 40'

DIMENSION PLAN

ATTENTION: PRIOR TO PROCEEDING WITH ANY WORK ON THIS PROJECT, THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND ALL UTILITIES AND MEASUREMENTS THAT MAY BE NECESSARY FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS TO ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS TO ORIGINAL OR BETTER CONDITION.



Park City Peaks Hotel
2346 Park Avenue
Park City, UT
20' x 40' Tent



NOTE: ANY FUTURE SUBDIVISION OF LOT 2 WHICH IS SUBJECT TO PARK CITY APPROVAL SHALL REQUIRE ONLY THE CONSENT OF THE OWNERS OF LOT 2 AND FILING OF A PLAT AFFECTING LOT 2.

BOUNDARY DESCRIPTION

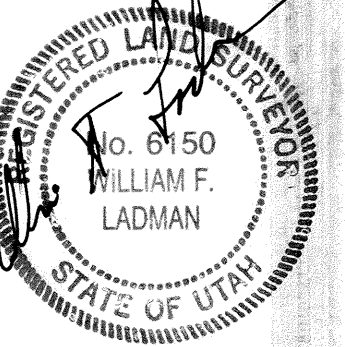
Beginning at a point which is South 0° 16' 20" West 49.50 feet along a section line and West 573.84 feet from the Northeast Corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on a 1407.05 foot radius curve to the right (center bears South 68° 35' 06" West 1407.50 feet of which the central angle is 7° 12' 14"); thence southeasterly along the arc of said curve 176.97 feet; thence South 14° 12' 40" East 631.40 feet to the northerly boundary of the Windrift Condominiums as recorded; thence South 68° 44' 00" West along said northerly boundary 215.23 feet; thence South 21° 16' 00" East along the westerly boundary of said Windrift Condominiums 100.77 feet to the northerly right-of-way line of Saddle View Way; thence South 68° 44' 00" West along said northerly right-of-way line 50.00 feet; thence North 21° 16' 00" West 378.81 feet; thence South 68° 44' 00" West 235.00 feet to the easterly right-of-way line of State Highway U-224; thence North 21° 16' 00" West along said easterly right-of-way line 700.49 feet to the southerly right-of-way line of the Holiday Ranch Loop Road, as dedicated, thence due East along said southerly right-of-way line 189.53 feet to a point on a 909.60 foot radius curve to the left (center bears due North 909.60 feet of which the central angle is 13° 30' 00"); thence easterly along the arc of said curve and southerly right-of-way line 214.32 feet to a point on a 900.00 foot radius reverse curve to the right (center bears South 13° 30' 00" East 900.00 feet of which the central angle is 13° 30' 00"); thence easterly along the arc of said curve and southerly right-of-way line 212.06 feet to the point of beginning. Contains 9.8160 acres, more or less.

SURVEYOR'S CERTIFICATE

I, W. Fred Lodman, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 6150 as prescribed under the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land as described and shown on this plat and have subdivided said tract of land into lots and streets, hereafter to be known as Parkview Subdivision and that same has been correctly surveyed and staked on the ground as shown on this plat.

10 Dec 84
Date

William F. Lodman
W. Fred Lodman, Registered
Land Surveyor, No. 6150 Utah



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into two lots, numbered 1 and 2, both inclusive, together with easements as set forth on the attached plat, hereafter to be known as Parkview Subdivision. The existing 40-foot Jupiter View Drive is not dedicated to the public, but shall be for the use of the lot owners, their invitees and guests.

Also, the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over Jupiter View Drive and 10 feet on the easterly side adjoining Jupiter View Drive for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

Executed this 10th day of December 1984.

PARKVIEW DEVELOPMENT CORP., A Utah Corporation

A. Blaine Huntsman Jr., Chairman

Jeffrey J. Jones, Assistant Secretary

ACKNOWLEDGEMENT

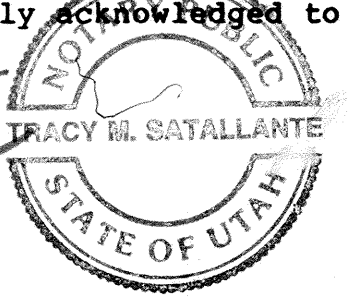
STATE OF UTAH)
COUNTY OF SUMMIT)
On the 10th day of December, 1984, personally appeared before me Jeffrey J. Jones, who, being by me duly sworn, did say that he is the assistant secretary of Parkview Development Corporation, a Utah Corporation and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation and duly acknowledged to me that said corporation executed the same.



ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT)
On the 10th day of December, 1984, personally appeared before me A. Blaine Huntsman Jr., who, being by me duly sworn, did say that he is the chairman of Parkview Development Corporation, a Utah Corporation and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation and duly acknowledged to me that said corporation executed the same.

Tracy M. Sattallante
Notary Public
My Commission Expires: 5/27/85
Residing at: Salt Lake Co.



PARKVIEW SUBDIVISION
LOCATED IN THE NORTHEAST
QUARTER OF THE NORTHEAST
QUARTER OF SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4
EAST, S.L.B. & M. IN PARK CITY,
SUMMIT COUNTY, UTAH.

CITY COMMISSION APPROVAL

PRESENTED TO THE PARK CITY COMMISSIONERS THIS 17 DAY OF December A.D. 1984, AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED
MAYOR
ATTEST: CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS TWELFTH DAY OF December A.D. 1984.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY CITY PLANNING COMMISSION ON THIS 12th DAY OF December A.D. 1984.
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 18 DAY OF December A.D. 1984.
CITY ATTORNEY

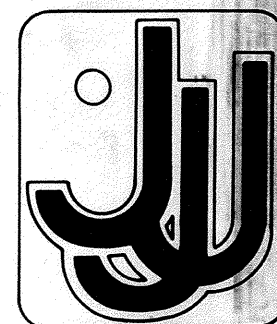
RECORDED

No. 228344 recorded: 12-18-84
STATE OF Utah at: 2:30
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF:
Associated Title Co.
\$16.00
FEES
Alan Spriggs
COUNTY RECORDER

J.J. Johnson & Associates

Park Meadows Plaza,
Highway 248
P.O. Box 1661
Park City, Utah 84060

(801) 649-9811
JOB NO. 1-473-85 G.O.



NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY & TO OBTAIN GROUND ELEVATIONS FOR A CONTOUR MAP PRIOR TO DEVELOPMENT BY THE OWNER.

ELEVATION DATUM IS BASED OFF THE COMMERCIAL RENOVATION OF PEAKS HOTEL SITE PLAT. THIS INFORMATION WAS PROVIDED BY OUR SHARPLY OF CANYON ENGINEERING TO PARK CITY SURVEYING. THIS DATUM IS APPROXIMATELY 4.7' HIGHER THAN NAVD83.

THIS SURVEY MAP WAS GENERATED USING 2 (TWO) FOOT CONTOURS.

EXISTING SURVEY MONUMENTS IN ADJACENT ROADWAYS AND LOTS WERE USED TO REESTABLISH THE PROPERTY CORNERS.

THE BASIS OF BEARINGS IS SHOWN HEREON. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE THE EQUIVALENT OF RECORD, UNLESS NOTED.

EXISTING BUILDING LOCATION IS TO AS-BUILT LOCATION OF BUILDING WALL CORNERS. ACTUAL FOUNDATION LOCATION MAY DIFFER.

RTK GPS AND ROBOTIC TOTAL STATION INSTRUMENTS WERE USED ON THIS SURVEY.

SURVEY COMPLETED: 01-14-2020

ZONING FOR THIS LOT IS RESIDENTIAL DEVELOPMENT - MEDIUM DENSITY (RMD), PER PARK CITY ARC GIS ZONING MAP. ACCESS ON 01-20-2020. URL: <https://parkcitymaps.arcgis.com/home/webmap/viewer.html?webmap=AA328E9C7DF4C8EBE8A542AD0F9A03>

THIS SITE IS IN ZONE "X", AN AREA OF MINIMAL FLOOD HAZARD, PER FEMA FLOOD MAP SERVICE. ACCESS ON 01-20-2020. URL: www.fema.gov. FIRM MAP NUMBER 4904300917C. PANEL 817 OF 1022. EFFECTIVE DATE: MARCH 16, 2006.

WHILE THE LEGAL DESCRIPTION FOR THIS PARCEL IS LOT 1 OF PARKVIEW SUBDIVISION, A STRIP OF LAND WAS GRANTED TO ADJUT FOR THE WIDENING OF STATE ROUTE 224. THE CURRENT DAY CONFIGURATION OF THIS BOUNDARY REFLECTS CURRENT DAY INFORMATION.

SEE SAID OFFICIAL PARKVIEW SUBDIVISION PLAT FOR ANY EASEMENTS, SETBACK REQUIREMENTS, BUILDING DEVELOPMENTS AND BUILDING LOT RESTRICTIONS. NOTE: OTHERS MAY APPLY.

THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT. THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.

EVIDENCE FOR THIS SURVEY WAS TAKEN FROM RECORDED DEEDS, RECORDS OF SURVEYS, PLATS AND PHYSICAL EVIDENCE OBTAINED IN THE FIELD. ALL FOUND EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY AS SHOWN HEREON.

THIS SURVEY IS IN COMPLIANCE WITH THE GENERALLY ACCEPTED STANDARDS OF CARE AND STANDARDS OF ACCURACY FOR THIS TYPE OF SURVEY IN THIS LOCALITY.

NOTE:

ANY VISIBLE UTILITIES OR IMPROVEMENTS ARE SHOWN HEREON. HOWEVER IT IS POSSIBLE THAT SOME NATURAL FEATURES, UTILITIES AND IMPROVEMENTS MAY HAVE BEEN OBSERVED.

LEGAL DESCRIPTION

LOT 1, PARKVIEW SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, SUMMIT COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 88.55 FEET AND WEST 855.79 FEET FROM THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE SOUTH 21°16'00" EAST 544.72 FEET TO A POINT ON A 230 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 87°14'46" WEST 230 FEET OF WHICH THE CENTRAL ANGLE IS 6°03'37"), THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 24.33 FEET TO A POINT ON A 190 FOOT RADIUS REVERSE CURVE TO THE LEFT (CENTER BEARS SOUTH 81°08'09" EAST 190 FEET OF WHICH THE CENTRAL ANGLE IS 8°14'35"), THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 27.34 FEET; THENCE SOUTH 68°44'00" WEST 288.70 FEET, THENCE NORTH 21°16'00" WEST 700.49 FEET, THENCE EAST 189.53 FEET TO A POINT ON A 909.60 FOOT CURVE TO THE LEFT (CENTER BEARS NORTH 0°00'00" EAST 909.60 FEET OF WHICH THE CENTRAL ANGLE IS 8°54'02"), THENCE EASTERLY ALONG THE ARC OF SAID CURVE 141.30 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT, TO WIT:

A PARCEL OF LAND FOR THE WIDENING OF STATE ROUTE 224 KNOWN AS PROJECT NO. 060, BEING PART OF AN ENTIRE TRACT OF PROPERTY CONSISTING OF LOT 1, PARKVIEW SUBDIVISION IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 21°16'00" WEST 700.49 FEET ALONG THE WESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE EAST 67.60 FEET; THENCE SOUTH 34°24'00" WEST 48.38 FEET TO A POINT 55 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE CENTERLINE OF SAID PROJECT; THENCE SOUTH 21°12' EAST 648.68 FEET ALONG A LINE PARALLEL TO SAID CENTERLINE, TO THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 68°44'00" WEST 22.29 FEET ALONG SAID SOUTHERLY BOUNDARY LINE TO THE POINT OF BEGINNING.

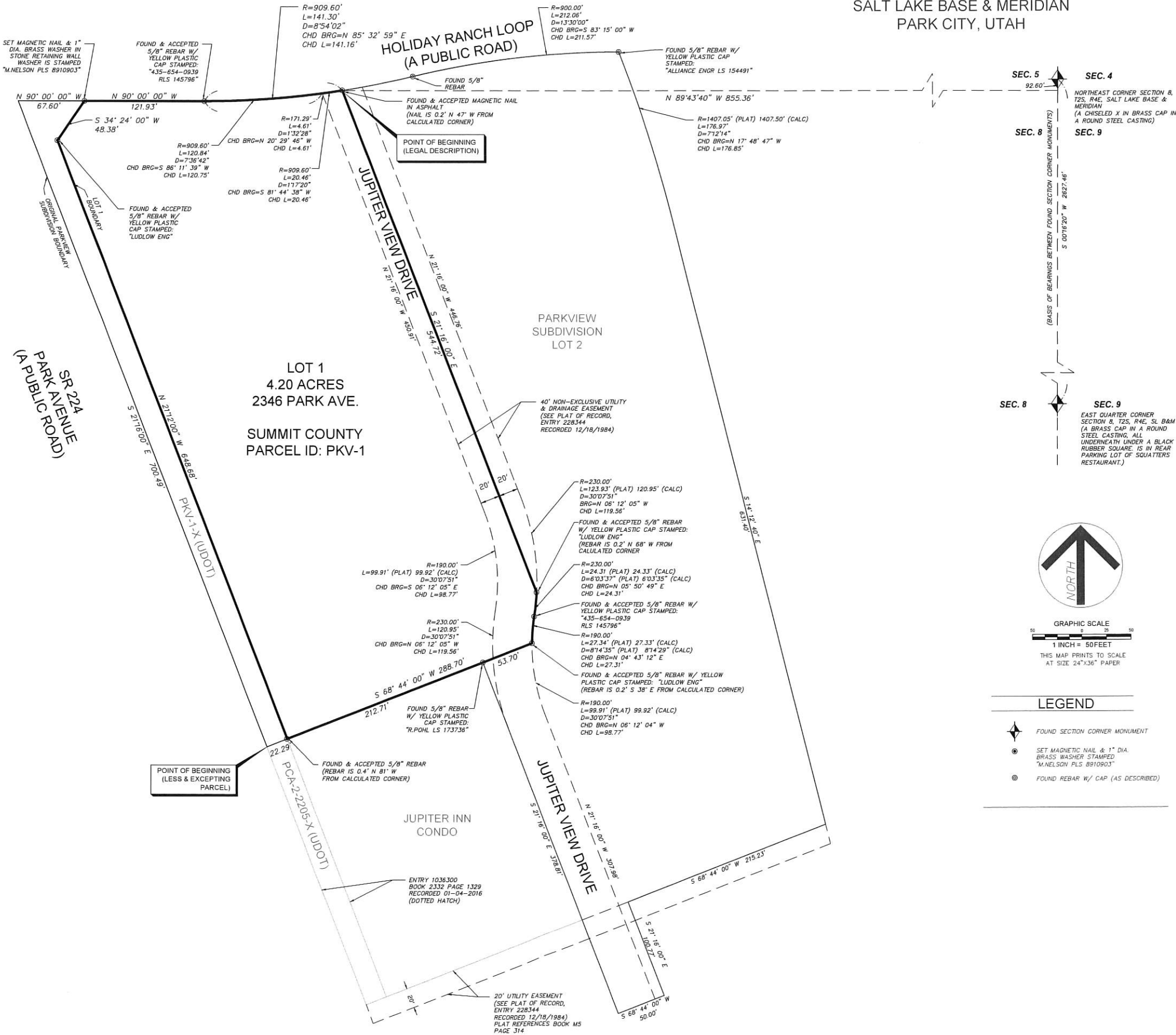
SURVEYOR'S CERTIFICATE

I, MARTINA NELSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING LICENSE NO. 8910903. I FURTHER CERTIFY I HAVE PERFORMED A SURVEY ON THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.



RECORD OF SURVEY & AS-BUILT MAP

LOT 1 OF THE PARKVIEW SUBDIVISION
LYING WITHIN THE NORTHEAST QUARTER OF
SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH



Park City
Surveying

THIS DRAWING SHALL REMAIN THE PROPERTY OF PARK CITY SURVEYING. NO PART THEREOF SHALL BE COPIED, DISCLOSED TO OTHERS OR USED IN CONNECTION WITH ANY WORK OR PROJECT FOR ANY PURPOSE OTHER THAN FOR THE SPECIFIC PROJECT FOR WHICH THIS MAP HAS BEEN PREPARED.

SURVEYED BY:
KR/GB
DRAFTED BY:
KR/MN
CHECKED BY:
MN

DATE:
JANUARY 29, 2020

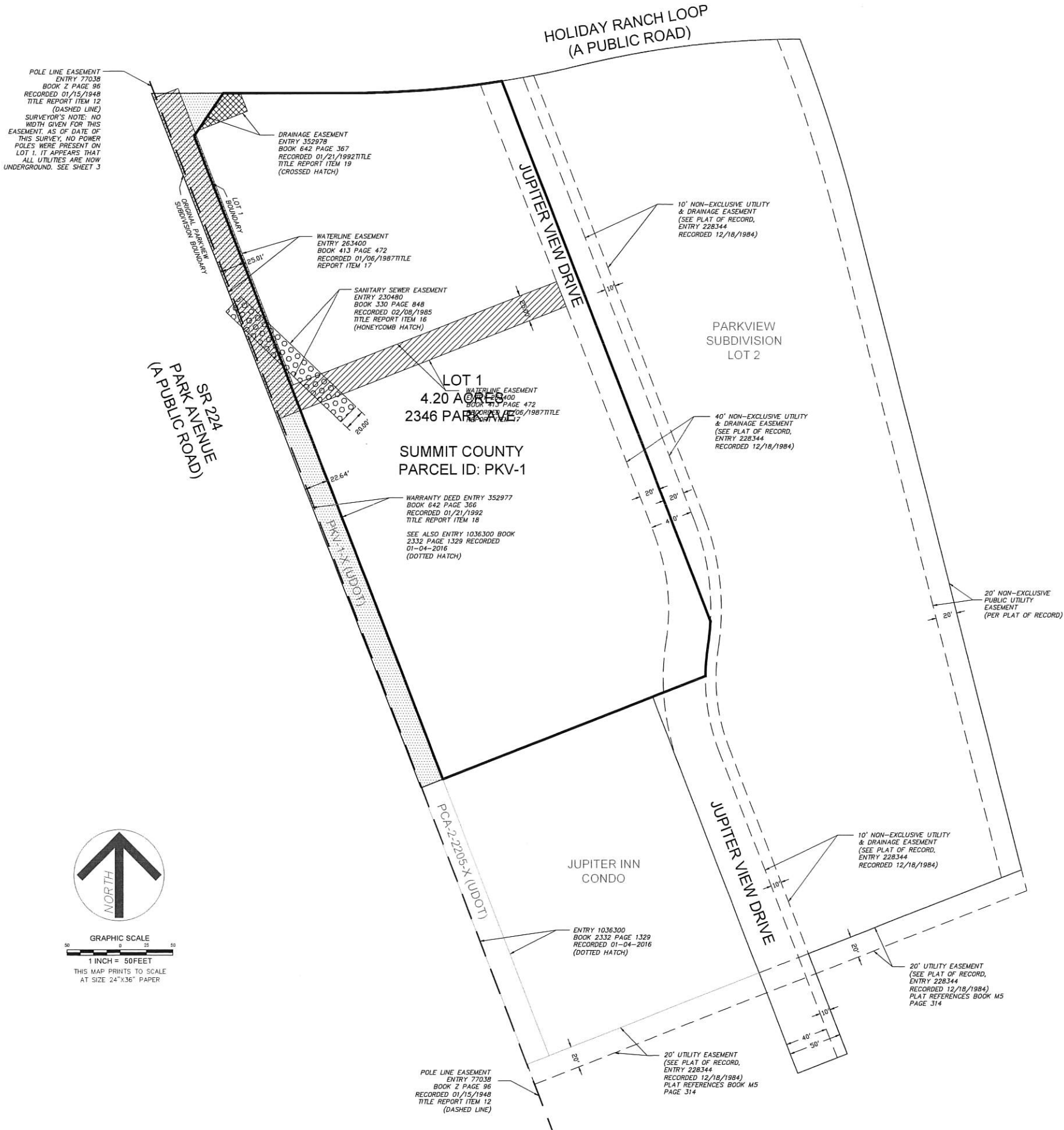
RECORD OF SURVEY & AS-BUILT MAP
LOT 1
PARKVIEW SUBDIVISION

DWG: PARKVIEW 1 ROS-ASB.dwg

FOR: DAMON NAVARRO

RECORD OF SURVEY & AS-BUILT MAP

LOT 1 OF THE PARKVIEW SUBDIVISION
LYING WITHIN THE NORTHEAST QUARTER OF
SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH



TITLE REPORT DETAILS

TITLE REPORT VIA PARK CITY TITLE COMPANY
FILE NO. 31527
EFFECTIVE DATE: OCTOBER 29, 2019 AT 7:55 A.M.

9. This property is within the Snyderville Basin Sewer Improvement District and the Park City Water Service District, and is subject to the charges and assessments thereof.

10. Excepting all oil, gas, and other minerals of every kind and description underlying the surface of the subject property.

11. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.

12. Pole Line Easement in favor of Utah Power & Light Company for a perpetual easement and right-of-way for the erection and continued maintenance, repair, alteration and replacement of the electric transmission, distribution and telephone circuits of the Grantee and no guy anchors and 5 poles, with the necessary guys, stubs, crossarms and other attachments thereon, and recorded January 15, 1948 as Entry No. 77038 in Book 2 at page 96, records of Summit County, Utah.

13. Subject to those items as disclosed on the plat recorded for Parkview Subdivision December 18, 1984 as Entry No. 228344, records of Summit County, Utah.

14. Declaration of Easements and Covenants for Parkview Subdivision recorded December 18, 1984 as Entry No. 228345 in Book 323 at page 844, records of Summit County, Utah.

15. Reserving all ores and minerals situated in, upon or under the subject property, as reserved in that certain Special Warranty Deed recorded December 18, 1984 as Entry No. 228346 in Book 323 at page 850, records of Summit County, Utah.

Letter recorded December 18, 1984 as Entry No. 228350 in Book 324 at page 27, records of Summit County, Utah, regarding access to mineral rights reserved above.

16. Grant of Easement in favor of Snyderville Basin Sewer Improvement District for the right, privilege and authority to construct, operate, replace, repair and maintain sewers and pipes including all necessary fixtures under, across and upon a described portion of the subject property, and recorded February 8, 1985 as Entry No. 230480 in Book 330 at page 848, records of Summit County, Utah.

17. Grant of Easement in favor of Park City Municipal Corporation for the right, privilege and authority to construct, operate, replace, repair and maintain water main pipes including all necessary fixtures under, across and upon a described portion of the subject property, and recorded January 6, 1987 as Entry No. 263400 at page 413 at page 472, records of Summit County, Utah.

18. Any surrender of abutters rights as shown in that certain Warranty Deed in favor of Utah Department of Transportation recorded January 21, 1992 as Entry No. 352977 in Book 642 at page 366, records of Summit County, Utah.

19. Easement in favor of Utah Department of Transportation for a perpetual easement upon a portion of the subject property for the purpose of constructing and maintaining thereon a drainage facility and appurtenant parts thereof incident to, and recorded January 21, 1992 as Entry No. 352978 in Book 642 at page 367, records of Summit County, Utah.

20. Easement Agreement regarding a private road recorded July 28, 1998 as Entry No. 513562 in Book 1168 at page 348, records of Summit County, Utah.

21. Those matters as disclosed by the ALTA/ACSM survey performed by Ludlow Engineering February 12, 2015 - not recorded in the Summit County Recorder's Office.

22. A Deed of Trust, Security Agreement and Fixture Filing, dated January 1, 2016, executed by PEAKS PARK CITY LLC, a Delaware limited partnership, as Trustor, and PARK CITY TITLE COMPANY, as Trustee, to THAYNES CAPITAL ADVISORS LLC, as Beneficiary, to secure the payment of \$5,500,000.00 and interest, and recorded January 4, 2016 as Entry No. 1036300, in Book 2332 at Page 1329, records of Summit County, Utah.

SURVEYOR'S CERTIFICATE

I, MARTINA NELSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING LICENSE NO. 8910903. I FURTHER CERTIFY I HAVE PERFORMED A SURVEY ON THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.



MARTINA NELSON
P.L.S. 8910903

RECORD OF SURVEY & AS-BUILT MAP

LOT 1
PARKVIEW SUBDIVISION

FOR: DAMON NAVARRO

DWG: PARKVIEW 1 ROS-ASB.dwg



July 31, 2020

Stephanie Samuels
Peaks Hotel
2346 Park Avenue
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-20-04570
<u>Address</u>	2346 Park Avenue
<u>Description</u>	Administrative Conditional Use Permit (Admin CUP) for an Outdoor Event and Temporary Improvement
<u>Action Taken</u>	Approved
<u>Date of Action</u>	July 31, 2020

On July 31, 2020, the Park City Planning Department Staff made an official determination of approval of your Administrative Conditional Use Permit for a Temporary Improvements and Outdoor Event (Versante on the Lawn) beginning on August 3, 2020 and ending on September 20, 2020.

Findings of Fact:

1. This Site is within the Residential Development – Medium Density (RDM) Zoning District. The proposed Admin CUP Temporary Improvements and Outdoor Event details are not within Setback Areas for this Zone.
2. This Site is within the Frontage Protection Zone (FPZ), but as this is a Temporary Use the restrictions in this section do not apply. The Temporary Structures are more than 30' from the nearest highway Right-of-Way. The Temporary fencing is wooden rail fencing.
3. The City Special Events Department issued a Special Event Permit (Level 3) for this activity (see Exhibit C for event details – staff is reviewing and making a final determination for this Admin CUP based on the information in Exhibits A through C). That Permit states the event will be Friday through Sunday, 3:00 P.M. to 8:00 P.M. June 27 through September 7, 2020 and Monday through Thursday, 4:00 P.M. to 8:00 P.M. June 27 through August 2, 2020. The Applicant is requesting to continue this activity through September 20, 2020. This Admin CUP has been requested due to economic impacts of the COVID-19 pandemic, which has been taken into consideration for review of this Permit.
4. The Event series activity will be held on the lawn Area of the Park City Peaks Hotel property, located at 2346 Park Avenue. Outdoor Event and Temporary Structure details include:
 - a. Expected attendance of up to 100 a maximum of people.

- b. 5 Tents for shade, up to 3 vendor Tents, 25 tables with umbrellas, and a perimeter fence. All Structures are Temporary. The Tents are 10' x 10' each.
 - c. Saturday and Sunday from 5:00 P.M. to 8:00 P.M. one acoustic musician will play music.
- 5. The Peaks Hotel has 133 parking spaces available. Event attendance is projected to be mainly from onsite hotel or restaurant guests. All parking will take place onsite.
- 6. The Event Area, as measured by the Applicant, is 113' 7" from Park Avenue, 59' 5" from Holiday Ranch Loop Road, and 78' 10" from Jupiter View Drive.
- 7. This Event dates exceed the 14 day maximum requirement of

Conclusions of Law:

- 1. The Application Permit, as conditioned, is consistent with LMC 15-1-10 Conditional Use Review Process, LMC 15-2.14-2 Uses, LMC 15-2.14-3 Lot and Site Requirements, LMC 15-2.14-9 Outdoor Events and Music, and LMC 15-4-16 Temporary Structures, Tents, and Vendors.
- 2. The proposed Use, as conditioned, will be compatible with the surrounding structures in Use, scale, mass, and circulation.
- 3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval:

- 1. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code; International Building, Fire and related Codes (including ADA compliance); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
- 2. Applicant shall comply with any City, County, and State health and licensing requirements. The Use shall not violate the Summit County Health Code or State Regulations on mass gathering.
- 3. Applicant is responsible for obtaining any City permits that apply to the scope of work for this Permit.
- 4. Applicant shall not exceed the hours of operation listed in Finding of Fact 3.
- 5. No exterior advertising signs or lighting are approved with this Administrative Conditional Use Permit.
- 6. Applicant shall apply for a fire permit from the Building Department for the propane cooking appliance. The Applicant may only use this device upon That Permit's approval from the City.
- 7. Should the Applicant receive a complaint regarding traffic, parking, or noise generated from the Event, they shall be required to notify Park City, and the City will notify the Applicant upon receiving any complaint. Upon the notice of 3 such complaints, the Planning Director will review the approval of this Permit. The Planning Director Reserves the right to modify the operations, add additional restrictions and/or Conditions of Approval in order to mitigate community impacts from the event.
- 8. Applicant is responsible for any trash removal from the Site.

9. Use Shall comply with Municipal Code Chapter 6-3 Noise.
10. No amplified music is approved with this Permit. Music is limited from 5:00 P.M. to 9:00 P.M. on Saturdays and Sundays, as stated by the Permit proposal. The applicant will orient any noise inward toward the Event Area, as opposed to facing any street.
11. Any existing vegetation that is impacted by this Admin CUP shall be replaced in-kind.
12. This Permit will expire on September 20, 2020. Applicant shall remove all aspects of the Use from the property by September 21, 2020. Tents shall be secured to the ground with stakes or weights.

If you have any questions regarding your project or the action taken please don't hesitate to contact the project planner at (435) 615-5065 or liz.jackson@parkcity.org.

Sincerely,

Bruce Erickson, AICP
Planning Director

Park City Planning Department, PO Box 1480, Park City, Utah 84060



March 25, 2021

Stephanie Samuels
Peaks Hotel
2346 Park Avenue
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-21-04764
<u>Address</u>	2346 Park Avenue
<u>Description</u>	Administrative Conditional Use Permit (Admin CUP) for an Outdoor Use and Temporary Improvement
<u>Action Taken</u>	Approved
<u>Date of Action</u>	March 25, 2021

On March 25, 2021, the Park City Planning Department Staff made an official determination of approval of your Administrative Conditional Use Permit for a Temporary Improvements and Outdoor Use (Versante on the Lawn) beginning on June 5, 2021 and ending on September 12, 2021.

Findings of Fact:

1. This Site is within the Residential Development – Medium Density (RDM) Zoning District. The proposed Admin CUP Temporary Improvements and Outdoor Use comply with Setbacks for this Zone.
2. This Site is within the Frontage Protection Zone (FPZ). The Temporary Structures are more than 30' from S.R. 224, Park Avenue. The Temporary fencing is wooden rail fencing.
3. The Outdoor Use is located within the northern lawn Area of the Park City Peaks Hotel property, located at 2346 Park Avenue. Outdoor Use and Temporary Structure details include:
 - a. Outdoor dining Monday – Sunday, 4:00 P.M. – 8:30 P.M.,
 - b. Up to 100 people in the Outdoor Use area,
 - c. Four temporary 10' x 10' weighted tents for shade, eight temporary tables with umbrellas, and a temporary wooden Outdoor Use perimeter fence.
 - d. A temporary food station.
 - e. Two bike racks.
 - f. Outdoor restroom facilities.
 - g. Acoustic music on Friday and Saturday from 6:00 P.M. to 8:00 P.M.
4. The Peaks Hotel has 133 parking spaces available. Event attendance is projected to be mainly from onsite hotel or restaurant guests. All parking shall take place onsite.

5. The Outdoor Use, as measured by the Applicant, is 113' 7" from Park Avenue, 59' 5" from Holiday Ranch Loop Road, and 78' 10" from Jupiter View Drive. The area totals 15,475 square feet.

Conclusions of Law:

1. The Application Permit, as conditioned, is consistent with LMC § 15-1-10 Conditional Use Review Process, LMC § 15-2.14-2 Uses, LMC § 15-2.14-3 Lot and Site Requirements, LMC § 15-2.14-9 Outdoor Events and Music, and LMC § 15-4-16 Temporary Structures, Tents, and Vendors.
2. The proposed Use, as conditioned, will be compatible with the surrounding structures in Use, scale, mass, and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval:

1. The proposed project shall be in accordance with all adopted codes, including, but not necessarily limited to the Land Management Code; International Building, Fire and related Codes (including ADA compliance); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of Park City.
2. Applicant shall comply with all City, County, and State health and licensing requirements.
3. The Use shall not violate the Summit County Health Code or State Regulations on mass gathering.
4. Tents shall be secured to the ground with stakes or weights and are subject to Building Department review and approval.
5. Outdoor dining is capped at twelve (12) tables.
6. Applicant is responsible for obtaining any City permits that apply to the scope of work for this Permit.
7. Applicant shall not exceed the hours of operation listed in Finding of Fact 3.
8. No exterior advertising signs or lighting are approved with this Administrative CUP.
9. All exterior lights must conform to the City outdoor lighting code.
10. Applicant shall apply for a fire permit from the Building Department for the propane cooking appliance. The Applicant may only use this device upon Permit approval from the City.
11. Should the Applicant receive a complaint regarding traffic, parking, or noise generated from the Outdoor Use, they shall notify Park City within one business day. The City shall notify the Applicant upon receiving any Outdoor Use complaint within one business day. Upon the notice of 3 complaints, the Planning Director will review the approval of this Permit. The Planning Director Reserves the right to modify the operations, add additional restrictions and/or Conditions of Approval to mitigate community impacts from the Outdoor Use.
12. Applicant is responsible for all trash removal from the Site.
13. The Outdoor Use shall comply with Municipal Code of Park City Chapter 6-3, *Noise*, which establishes a maximum of 55 dBA from 6:00 A.M. through 10:00 P.M.

14. No amplified music is approved with this Permit. Acoustic music is restricted to 5:00 P.M. to 8:00 P.M. on Fridays and Saturdays, as stated by the Permit proposal. The applicant will orient any music inward toward the Outdoor Use area, as opposed to facing any street.
15. Any existing vegetation that is impacted by this Admin CUP shall be replaced in-kind.
16. The Applicant shall install two bike racks by June 5, 2021, so that cyclists to safely leave their bikes and access Versante on the Lawn. Bike racks must accommodate bike storage medium-security racks, in which both the bicycle frame and the wheels may be locked by the user. The spaces must be designed to prevent damage to the bikes and to facilitate easy and secure storage without interference from or to adjacent bikes. Bike racks must be anchored and be of solid construction, resistant to rust, corrosion, hammers, and saws.
17. Versante on the Lawn signs must comply with Municipal Code of Park City Title 12, the Sign Code. A separate sign permit shall be required.
18. The Applicant shall secure a State Department of Alcoholic Beverage Control license to serve liquor in the outdoor area and shall comply with State law.
19. The Applicant shall obtain a Business License for outdoor food sold through Point of Sale that is not Versante's Point of Sale.
20. The temporary food station shall be located on gravel or a concrete pad and shall not encroach into any parking spaces.
21. This Permit will expire on September 12, 2021. Applicant shall remove all aspects of the Use from the property by September 13, 2021.
22. No artist vendors are allowed as part of this Administrative CUP.
23. No on-street parking is permitted on Jupiter View Drive, S.R. 224 (Park Avenue), or in the nearby residential areas. The Applicant shall manage parking to ensure that parking for Versante on the Lawn remains on site. If parking cannot be accommodated on site, the Applicant shall cap the guests allowed until on-site parking becomes available.
24. If the Applicant cannot maintain parking for uses on site, including hotel, restaurant, and outdoor uses within the existing 133 parking spaces, the Planning Department will provide notice to the Applicant and they may be required to reduce attendance of the event, terminate programming, or create additional mitigation strategies to stay within parking spaces on site. If the Outdoor Use parking exceeds on-site parking, the Planning Director reserves the right to terminate this Administrative CUP.

If you have any questions regarding this approval, please contact the project planner at (435) 615-5067 or aiden.lillie@parkcity.org.

Sincerely,



Gretchen Millikin,
Planning Director



October 19, 2020

Stephanie Samuels
Peaks Hotel
2346 Park Avenue
Park City, UT 84060
CC: Jonathan DeGray

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-20-04657
<u>Address</u>	2346 Park Avenue
<u>Description</u>	Administrative Permit for Enclosing the existing Outdoor Dining Area within the Frontage Protection Zone (FPZ)
<u>Action Taken</u>	Approved
<u>Date of Action</u>	October 19, 2020

On October 19, 2020, the Park City Planning Department Staff made an official determination of approval of your Administrative Permit.

Findings of Fact:

1. This Site is within the Residential Development – Medium Density (RDM) Zoning District.
 - a. The proposed enclosure is not within Setback Areas for either Zone.
 - b. The RDM Zone height is a maximum of twenty eight feet (28') from Existing Grade. The tallest wall top plate is nine feet (9') in height.
 - c. A Restaurant Use is listed as a Conditional Use for the Zone, but is Allowed as a secondary or support Use to the primary Development. Park City Peaks Hotel is the primary Development regarding this Restaurant.
2. This Site is within the Frontage Protection Zone (FPZ), per the Park City GIS Zoning map, and per Land Management Code (LMC) 15-2.20-3, except as otherwise provided herein, no Structure shall be allowed within thirty feet (30') of the nearest highway Right-of-Way. This Structure is fifty two feet (52') as measured from Park Avenue (Highway 224).
3. The deck/pergola Area was approved via Building Permits 6967-92 and BD-16-22788.
4. Per LMC 15-2.20-4(C), Minor remodels and facade improvements for existing Structures within the FPZ, including free standing signs shall require an Administrative Permit with approval by the Planning, Engineering, and Building Departments. These Departments have reviewed the proposed plans and do not have concerns with the proposal at this time. The Planning Director has determined that as the proposal will

- be enclosing, and not expanding, the already existing Outdoor Dining Area, this project is considered a façade improvement.
5. This Permit has been requested due to economic impacts of the COVID-19 pandemic, which has been taken into consideration for review of this Permit.
 6. The Applicant has confirmed that as this will be enclosing the already existing Outdoor Dining Area, and utilizing the existing pergola Structure and the existing footprint. Occupancy and occupant load will not change, as confirmed by the Applicant.
 7. The Peaks Hotel has 133 parking spaces available. All parking will take place onsite.
 8. A virtual public hearing was held for this project on October 16, 2020. No public comments were submitted for this Permit. Discussion at this hearing was taken into consideration for this Final Action.
 9. The Applicant has submitted a letter of support from the Parkview Homeowner's Association (HOA) for this proposal. See Exhibit B.

Conclusions of Law:

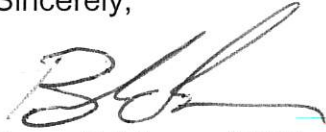
1. The Application Permit, as conditioned, is consistent with LMC 15-2.14-2 Uses, LMC 15-2.14-3 Lot and Site Requirements, and LMC 15-2.20.
2. The proposed Use, as conditioned, will be compatible with the surrounding structures in Use, scale, mass, and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval:

1. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code; International Building, Fire and related Codes (including ADA compliance); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
2. Applicant shall comply with any City, County, and State health and licensing requirements. The Use shall not violate the Summit County Health Code or State Regulations on mass gathering.
3. Applicant is responsible for obtaining any City permits that apply to the scope of work for this Permit.
4. No exterior advertising signs are approved with this Administrative Permit.
5. Should the Applicant receive a complaint regarding traffic or excess parking generated from the Use, they shall be required to notify Park City, and the City will notify the Applicant upon receiving any complaint. Upon the notice of 3 such complaints, the Planning Director will review the approval of this Permit. The Planning Director Reserves the right to modify the operations and/or add additional restrictions and/or Conditions of Approval in order to mitigate community impacts from the Use.
6. Any existing vegetation that is impacted by this Admin CUP shall be replaced in-kind.
7. Any exterior lighting shall be down-directed and shielded, per LMC 15-5-5(J).

If you have any questions regarding your project or the action taken please don't hesitate to contact the project planner at (435) 615-5065 or liz.jackson@parkcity.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'BE', is positioned above a horizontal line.

Bruce Erickson, AICP
Planning Director

Exhibit A – Project Proposal and Plans
Exhibit B – Parkview HOA Letter

Exhibit C



SPECIAL EVENT PERMIT

Type of Permit: Level 3
Event Name: Versante on the Lawn
Event Date(s): Saturday through Sunday, June 27 through August 2, 2020
Event Time(s): Friday through Sunday, 3:00 p.m. – 8:00 p.m.
Monday through Thursday, 4:00 p.m. – 8:00 p.m.
Event Location: Park City Peaks Hotel
Permittee: Park City Peaks Hotel, Versante
Contact Person: Richard Samaniego,
Richard@parkcitypeaks.com 435-659-7503
Approved By: X Special Events Department
Approval Date: Friday, June 26, 2020

The Special Events Coordinator has approved a Level Three Special Event Permit for the Versante on the Lawn event to be held at the Park City Peaks Hotel during the following days and times: Friday through Sunday, 3:00 p.m. to 8:00 p.m. June 27 through September 7, 2020 and Monday through Thursday, 4:00 p.m. to 8:00 p.m., June 27 through August 2, 2020. This Special Event Permit has been issued under the authority described within the Park City Municipal Code Section 4A-2 based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact:

1. The Versante on the Lawn event to be held at the Park City Peaks Hotel during the following days and times: Friday through Sunday, 3:00 p.m. to 8:00 p.m. June 27 through September 7, 2020 and Monday through Thursday, 4:00 p.m. to 8:00 p.m., June 27 through August 2, 2020. The purpose of the event is to allow Versante Restaurant to use the Lawn area of the Peaks Hotel property as an extension of premise for outdoor dining room and local vendors during the summer to increase physical distancing space as a mitigation effort from the impacts of Covid 19, consistent with general health protocols, Governor's Phased Recovery Guidelines and Summit County Health Department recommendations. The Special Event Permit is issued to support the existing guest and hotel and restaurant use, and is temporary in nature to facilitate a phased reopening of the economy due to the impacts of Covid 19. Any future consideration outside of express dates of this permit shall be reviewed denovo.
2. Staff has determined the application to be permitted as a Special Event under the Park City Municipal Code Section 4A-1.1.7 (A). The event is a unique activity, occurring for a fixed duration that impacts the use of City property and requires licensing and services beyond the scope of normal business including impacts on streets and parking, amplified sound above what is defined in Title 6 of the Park City Municipal Code, Requires Licensing and services beyond normal scope of business and is an outdoor or temporary event that does not normally occur with the permitted venue use

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3. Staff has determined that the Special Event to be a Level Three Event based on section 4A-1-.7(B)(3) and the degree of City impacts including anticipated attendance of 100 people, reoccurring in a consecutive series, privately owned venue, and moderate parking/transportation impacts including a required parking mitigation plan.
4. The Versante on the Lawn event is to be held on the lawn area of the Park City Peaks Hotel property. Staff anticipates minimal impact to City Services. There are no street closures with this approval and parking will be available at the Park City Peaks Hotel.
5. The event will be conducted on the lawn area of the Park City Peaks Hotel property. Public transportation and other vehicular and pedestrian traffic in the area will not be interrupted as The Peaks Hotel has multiple roadways for traffic to circulate.
6. The size and scope of the event will not require the need for City police, fire or other services. Police, fire, or other essential public employees will not be diverted from their normal duties to protect the remainder of the City from the impacts of this event and can be conducted through routine patrol.
7. The event is expecting a maximum of 100 people at one time, which can be accommodated at the site and with existing parking of 133 spaces on the property, and will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.
8. The Majority of the attendees are expected to be on the site as either a hotel or restaurant guest. The Event is not intended to bring incremental users to the site, but rather allow socially distanced, traditional occupancy of the restaurant that is currently limited by 50% per the Utah Leads Recovery Guidelines.
9. All parking for the event will take place in the 133 onsite parking stalls on the Park City Peaks Hotel property. No on street overflow parking is permitted on Jupiter Lane, 224 or in the residential areas. The Permittee will manage parking and ensure no street or residential parking will occur.
10. Due to the anticipated attendance and type of event, staff has determined there is not be an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
11. There are no other Special Events that would substantially interfere with another Special Event Permit that has been granted with the provision of City services in support of other such events or governmental functions.
12. The event has approval for up to three (3) vendors to be located on the lawn area of the Park City Peaks Hotel property on Saturdays and Sundays during the event and shall be inspected by the Fire Marshal before the event begins.
13. The Permittee will be following COVID-19 socially distancing protocols and guidelines that pertain to Restaurant and vendors that have been submitted and reviewed by the City, which are attached as part of this permit. The applicant understands as such protocols change they are required to comply with the conditions outlined in the permit.
14. The Applicant has been provided with a Special Event City Services Fee Estimate, and agrees to pay such costs.
15. The Permittee, The Park City Peaks Hotel, Richard Samaniego has worked with City Staff to ensure that all conditions of the event will be met. The Applicant has provided permission from the Property owner to conduct the event and demonstrated an ability and willingness to conduct the event pursuant to the terms and conditions of the Park City Municipal Code.

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Conclusions of Law:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4A, Chapter 2.

Conditions of Approval:

1. The Permittee shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided by the permittee.
2. As according to section 6-3-11 of the Municipal Code, a permit for relief from the noise restrictions on the basis of undue hardship has been made to the Chief of Police. The permittee has been granted a permit for relief from the noise restrictions by the Chief of Police not to exceed 80 dbls for the following dates and times:
3. Friday through Sunday, June 27 through August 2, 2020 (weather dependent) from 3:00 p.m. – 8:00 p.m.
4. The permittee shall work to orient noise activities to minimize sound impacts to the neighboring residents, businesses and public facilities. If a complaint is received by Park City Police Department, they will investigate the complaint. If asked by the Park City Special Events or Police Department, the permittee shall turn noise down to mitigate concerns of noise from surrounding residents, businesses or public facilities.
5. All plans for tents, stages and other temporary structures shall be submitted to the Building Department for review and permitting by Thursday, June 25, 2020. If changes are required for temporary structures, the Applicant must provide 5 days notice in order to gain review and approval. The Applicant is required to keep track of vendors weekly, and provide an updated list to City staff including Special Events, Finance, Code Enforcement, Police, or the Building Department as requested.
6. The Permittee will work with Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the Permittee.
7. The Permittee shall ensure that all activities abide by the laws and parameters set forth by Standards for License Approval section 4A-2-4.
8. The Permittee is required to provide supplemental documents including a Transportation and traffic control plan, Contingency plans, Site Identification and detailed map showing specifics of event operations as described in section 4A-2-11. Such documents shall be reviewed and approved with conditions administratively by the Special Events Manager in coordination with from the Chief of Police, Transportation Manager, Chief Building Official, Planning Director and Economic Development Manager or their designee.
9. Should the Permittee receive a complaint regarding traffic, parking, or noise generated from the event, the Permittee shall be required to notify Park City, and the City will notify the applicant upon receiving any complaint. Upon the notice of 3 such complaints, the approval of this event will be reviewed by the special event manager who reserves the right to modify operations, add additional restriction or conditions of approval to ensure any impacts of the event will be mitigated.
10. If the Permittee cannot maintain parking for all uses on the site, including hotel, restaurant, and event attendees within the existing 133 parking spaces onsite, , the City will provide notice to the Applicant and they maybe required to reduce the attendance of the event, terminate any programming, or create additional mitigation

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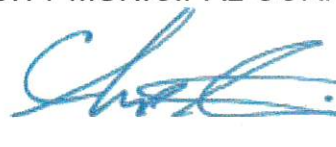
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strategies to stay within parking spaces as defined. If the event cannot be parked on site, the City reserves the right to terminate the event approval.

11. The Permittee is required to provide a sufficient number of traffic controllers, signs and other equipment as required by City, not limited to barriers, fencing, traffic devices, monitors for crowd control and safety, and such measures as directed by City, County or State Staff in order to ensure that any safety, health, or sanitation equipment, services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety and the environment, adequate offsite parking and traffic circulation in the vicinity of the event and other services or facilities as necessary to ensure compliance with City ordinances in a plan approved by the Transportation Director, Chief of Police and Chief Building Official in accordance with the Transportation Demand Management Plan, Park City Risk Assessment and International Building and Fire Code.
12. The Park City Special Events, Trails, Police, Fire, Building Official/Fire Marshal and Emergency Management Departments have the right to cancel the event upon any condition, violation or weather that jeopardizes the life, safety or property of the residents or visitors of Park City. The Permittee agrees to follow State, County and City Phased Guidelines during Covid Recovery, and understands if new requirements are enacted, they must immediately comply in order to operate under the Event Permit herein.
13. All City, County and State permit approvals required for this event shall be secured by Thursday, June 25, 2020 and submitted to Park City Municipal.
14. The approval identification provided with the approval of this permit must be in possession of the permittee at all times while on location and must be made available for inspection when requested by City authorities or the public. The permittee is responsible for providing a schedule of events, and access to any site for purposes of Code Enforcement or Public Safety as outlined by Park City Municipal Code 4A-2-6.
15. The Permittee is required to provide proof of liability insurance in the amount of two million dollars (\$2,000,000) per occurrence / four million dollars (\$3,000,000) aggregate, two million dollars (\$2,000,000) in auto liability, and proof of workman's comp in the amount of five hundred thousand (\$1,000,000) for each disease and accident as required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as additional insured. The obligation to provide the insurance shall be considered a binding contract. All Permittees shall further indemnify the City from liability occurring at the event except for any claim arising out of the sole negligence or intentional torts of the City or its employees.
16. The permittee will be responsible for paying for City Services within 30 days of receiving an invoice from Park City.
17. Vendors are required to park in one of the 133 parking spaces as outlined as part of the parking plan, and cannot park in residential areas or streets. No vendors are permitted Monday through Friday.

APPROVED this Friday, the 26th day of June, 2020.

PARK CITY MUNICIPAL CORPORATION

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Chris Phinney, Special Events Coordinator
435.602.3539 chris.phinney@parkcity.org

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SITE PLANS INCLUDED

- Summer & off season site plan proposal : please see the attached
 - Please show where everything is going. All picnic tables, server station, toilets (amount), bike racks, firepit, trailer, bar, lighting, pizza oven, Adirondack chairs, etc. DONE
 - It would be great to see a detailed plan and a plan showing where the area sits in relation to overall property (If you can do it on the same plan that's great, whatever is easier though) DONE
 - Emergency vehicle access/turnaround areas – can you note where these are located on both winter and summer plans? DONE
- Again, we could use a plan that indicates where the fire pit is going, chairs, lighting, trailer. Also, a larger scale plan that looks at the proposal in regard to the property. DONE
- Where are curbside pickup parking spots located? DONE

SUMMER PLANS

- How many additional customers are you expecting?
*No more additional than our previous CUP / 12 picnic tables.
(max 90 people)*
- How many additional employees will be required?
6 more employees
- How many additional parking spots will be needed/provided?
We have 133 spots on property and own the back of the private road
- Any signage proposed? *No - we were not allowed with our last CUP*
- Will live music still be proposed? *Yes, Saturday and Sunday*
- Toilets? (How many toilets are there going to be?) *2*
- Length of time? *6pm - 8pm*
- Liquor license:
 - What does this include in terms of time allowed? *I will have to request an extension of our current license to cover the summer lawn months every spring and approved by our compliance officer. Terms: ALL Liquor must be locked overnight in the Versante Liquor closet. All handlers must be 21 with certification. Fenced in the area of service.*
 - Certain dates? *Full V on Lawn Summer dates TBD June - Sept*
- If certain months are proposed for this activity please indicate. *June - Sept*

WINTER PLANS

- Length of time? *4pm - 9pm*
- Any signage proposed? *No*
- If any type of outdoor dining is proposed, verify this. *No - space to wait for order by the fire in chairs*
- Dining globes? *No*
- If certain months are proposed for this activity please indicate. *Year round*

GENERAL QUESTIONS:

- What is being proposed as year round use
Food trailer, pergola, firepit, chairs, bistro lighting
- Is the food truck going to be consistent or are different food trucks going to be coming in every once in a while? *No, we have poured a concrete pad with full hook ups including a sewer return line into our existing grease trap for Versante*
- Parking study
 - What has been the experience thus far?
 - Any parking taking place on Jupiter or Park etc.? *yes, we find that summer business has brought trailers, boats and more to our hotel as guests travel more by car and not air in the summer right now. We are telling these guests to park on our half of Parkview that we own. Winter time we do not have an issue as there are way more guests without transportation.*
 - What management tactics have been put in place? *We have placed TOWING signs on the end of our streets with no parking signage. We have worked with the City Bus system and purchased ads reflecting a 20% discount to those who bike or bus to Versante on the lawn. We are in the process of repaving our current lot to put in new lines for more accurate parking.*
 - Have you needed to cap guests ever? *No, we have had to walk in the lots when the hotel is full and show people to our underground parking area. We have left the garage doors open in the early evening to encourage people to use the parking garage and not just outside.*
 - What mitigation measures are being taken?
 - How many parking spaces do you have currently? 133
 - How many total? 133 plus street parking for hotel guests
 - How many for Peaks guests? All included
 - How many for Versante guests?
 - Any more for lawn guests?
 - How many ADA? 5 *(in garage and out on the lawn)*
 - Any spots currently confirmed as take out waiting only? *We use the front of the hotel for curbside at this time and would like to designate 2 or 3 in front of the trailer as Curbside pick up*
- Any vegetation removal necessary? (Any additional vegetation added?)
no - We are adding grasses, more trees and flowers in the summer. We have just replaced the 5 dying crab apple trees in the front of the hotel with new red trees. In the retaining wall of the trailer pad we added large vegetation beds for the above. The back of the hotel we have added over 12 trees too. All damaged sod during construction has been replaced.
- What is Versante guest capacity? 96
 - Average employee requirements? 32
- What is the lawn capacity? 76
 - Average employee requirements? 6

- Noise

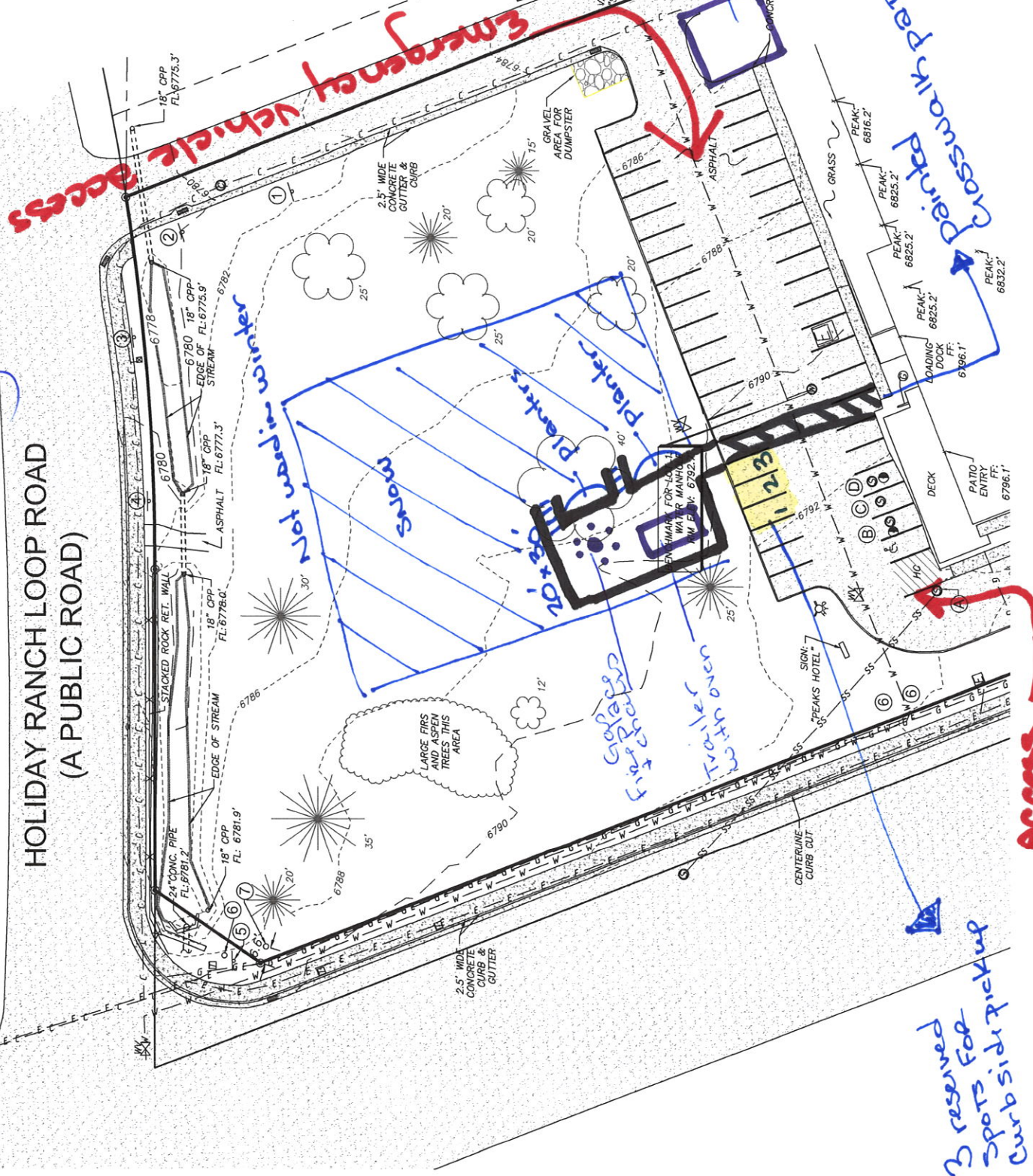
- Any complaints thus far? *No noise complaints so far. Request for a dumpster enclosure that we agreed upon and building has been completed this summer.*

- Pedestrian circulation

- Are there any markings for people to cross the parking lot from the hotel or Versante to the lawn? *Yes, we have repaved the parking lot and entrance with the addition of a reflective walking path across the parking lot.*

Fall/Winter/ Spring

HOLIDAY RANCH LOOP ROAD
(A PUBLIC ROAD)



PARKING STUDY

PEAKS HOTEL

PARK CITY, UTAH

DATE: MARCH, 2022

PROJECT NO. 15015

PREPARED BY: **CANYON ENGINEERING**
PARK CITY, UTAH

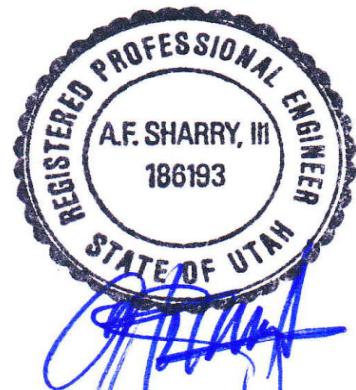


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- 1 Site Plan - Existing Condition
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Salt Lake City, Utah
Aspen, Colorado
- 3 Sample Parking Count Sheets and Photographs
- 4 Hotel Occupancy
- 5 Conditional Use Permit Application
- 6 PCMC Code Excerpts
- 7 Salt Lake City Code Excerpts
- 8 Aspen, Colorado Code Excerpts

NARRATIVE

Peaks Hotel has filed a Conditional Use Permit application for an 800 square foot (SF) tent to serve as outdoor meeting space. In fact, the tent was erected in December, 2020 to provide some additional breathing space during the C19 epidemic. In response to review comments by Park City Planning (PCMC), this report summarizes a just completed study of parking facilities and use with an eye toward whether additional parking spaces may be warranted.

EXISTING PARKING FACILITIES

Existing parking spaces total as follows:

North lot: 39; Garage: 58; South lot: 32; total = 129

Jupiter View Drive: 12

See site plan in Appendix 1.

REGULATORY POLICIES

PCMC advises a total of 177 parking spaces may be required based on a strict application of the generalized use/parking values presented in the municipal code section 15-3-6. The code also allows for alternative parking calculation approaches and required minimum space counts (15-3-7). See Appendix 6 for PCMC code excerpts.

For parking calculations in matrix form, see Appendix 2, Municipal Code Comparison - Parking Requirements. This matrix includes existing uses at Peaks Hotel, including the 800 SF tent. For comparison, also included are calculations using code requirements for Salt Lake City, Utah (Appendix 7) and Aspen, Colorado (Appendix 8).

CURRENT PARKING DATA

Peaks Hotel has just completed detailed counts for actual parking lot use during the peak of their winter season. These counts conducted in January and February, 2022 show that parking space occupation peaks at less than 70 spaces, or just over 50% of the total available spaces. Hotel occupancy came in at 92% for the month of February, and the subject 800 SF tent was in use during these counts. See Appendix 3 for sample counts and photos.

In summer, Peaks Hotel occupancy is typically highest in July, and in 2021 tallied very close to the February, 2022 numbers just compiled...

July, 2021:	93% occupancy;
February, 2022:	92% occupancy;

See Appendix 4 for occupancy tabulation for the period 2017 - 2021.

PCMC CRITERIA FOR REDUCED PARKING

Overlapping Uses - the two largest components of total parking demand, hotel rooms and Versante, overlap. That is, the peak parking demand for each can be expected to occur within the early evening hours. Using the PCMC strict code approach, these two uses account for 88% of total parking required. It's fair to say that the 800 SF tent does not attract more patrons to Versante, nor does it result in an increase in hotel room occupancy. And it is certainly not billed as a destination meeting space. As opposed to increasing intensity of use at Peaks, the tent serves only to provide additional outdoor elbow room for uses that have already been permitted.

Parking Spaces Serve Commercial Use - the three parking lots are not open to the general public for parking disassociated from hotel and restaurant uses. And the hotel regularly monitors parking areas to ensure compliance in this regard.

Although not included in the existing total parking space tally of 129, there are 12 parallel parking spaces on hotel property along the west side of Jupiter View Drive. These spaces are available for overflow in the case of a rare event.

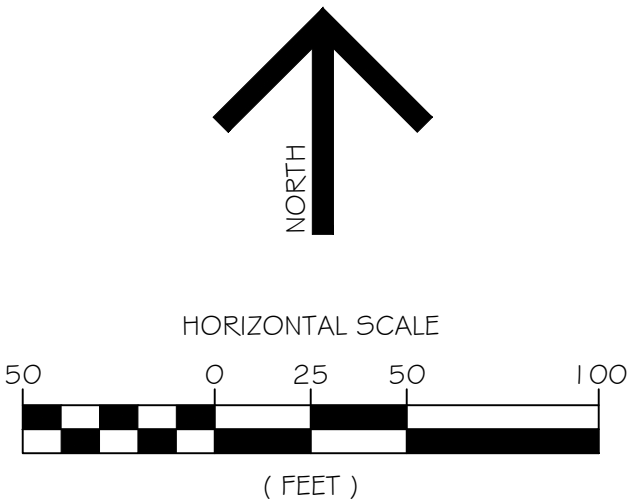
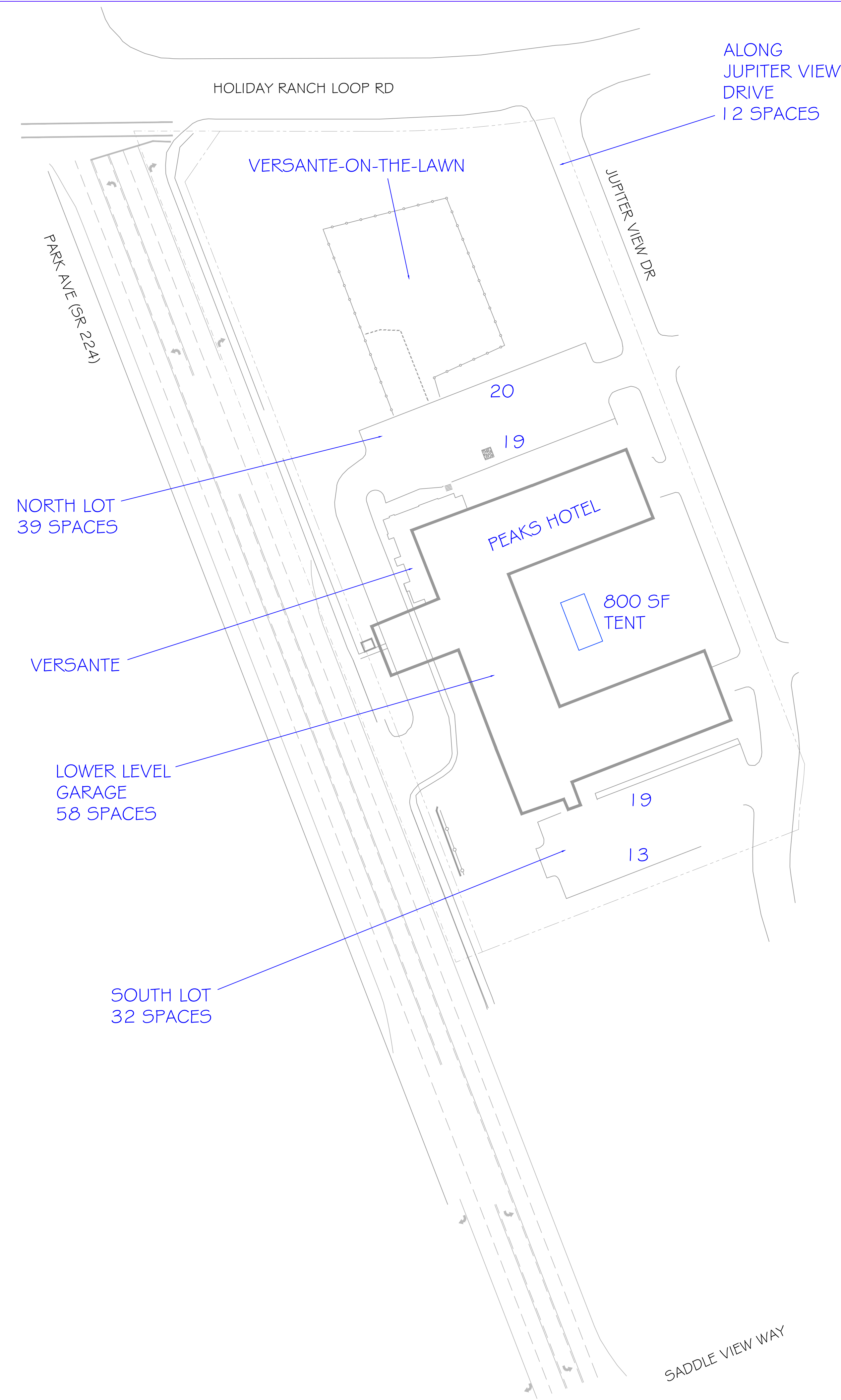
CONCLUSION

The generalized parking formulae in municipal codes best represent a starting point, or benchmark from which analysis can proceed. As most codes recognize, each case is unique. Further, evolving technology and transportation options are forcing municipalities to completely rethink their parking code requirements to keep up with societal changes. No doubt such changes are evident in the recently completed counts at Peaks Hotel.

We conclude that there is ample evidence to support the contention that existing parking facilities at Peaks Hotel are adequate to serve the existing uses, namely:

Hotel rooms, meeting space, Versante restaurant (lawn and interior), food truck, and the subject 800 SF tent.

APPENDIX 1



LEGEND

EXISTING SURFACE RUNOFF DIRECTION	>
PROPOSED SURFACE RUNOFF DIRECTION	▶
EXISTING SPOT GRADE # SURFACE CONTOUR	x 7.208.00 --- 7290 T&G ----- 7292
PROPOSED SPOT GRADE # SURFACE CONTOUR	--- 6400.0 --- 7270 FG --- 7276
PROPOSED ELEVATIONS AT TOP & BOTTOM OF WALL	50.0 TW 46.8 BW (FG AT TOE)
SOIL EVALUATION TEST PIT	1012-2
PERC TEST	1012-A
PROPERTY LINE	---
SETBACK LINE	---
EASEMENT LIMIT	---
EX UNDERGROUND GAS LINE	---G---
EX UNDERGROUND POWER LINE	---E---
EX OVERHEAD WIRE	---OHW---
EX UNDERGROUND COMMUNICATIONS	---CO---
EX UNDERGROUND WATER LINE	---W---
EX SANITARY SEWER LINE	---SS---

SITE DATA

PARCEL AREA: 4.2± AC.
ZONING DISTRICT: RD-M (RESIDENTIAL DEVELOPMENT - MEDIUM DENSITY)
OVERLAY ZONE: FPZ (FRONTAGE PROTECTION ZONE)
EXISTING USE: HOTEL

PARKING TABULATION

EXISTING CONDITION

INTERIOR		
STD	56	
HC ACCESS	2	
SUBTOTAL	58	
EXTERIOR		
STD	71	
HC ACCESS	1	
JV DRIVE	12	
SUBTOTAL	83	
TOTAL	141	

ABBREVIATIONS

ACP	ASPHALT CONCRETE PAVEMENT
BLDG	BUILDING
CB	CATCH BASIN
CT5	CUBIC FEET PER SECOND
CIP	CAST-IN-PLACE
CL	CENTERLINE
CMH	COMMUNICATIONS MANHOLE
CMP	CORRUGATED METAL PIPE
CMU	CONCRETE MASONRY UNIT
CO	CLEANOUT
CONM	COMMUNICATIONS
DIA	DIAMETER
DMH	DRAIN MANHOLE
EG	EXISTING GRADE
EL	ELEVATION
EMH	ELECTRIC MANHOLE
ESHGW	ESTIMATED SEASONAL HIGH GROUNDWATER
EX	EXISTING
FDN	FOUNDATION
FE	FLARED END
FG	FINISH GRADE
FRP	FIBERGLASS REINFORCED PLASTIC
GPM	GALLONS PER MINUTE
GW	GROUNDWATER
HDCI	HEAVY DUTY CAST IRON
HDPE	HIGH DENSITY POLYETHYLENE
HP	HIGH POINT
ID	INSIDE DIAMETER
INT	INTERSECTION
INV	INVERT
LD	LONGEST DIMENSION
LF	LINEAR FEET
LOD	LIMIT OF DISTURBANCE
LP	LOW POINT
MD	MAXIMUM DRY DENSITY
MEG	MATCH EXISTING GRADE
MUTCD	MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES
OD	OUTSIDE DIAMETER
PC	POINT OF CURVATURE
FCC	PORTLAND CEMENT CONCRETE
FE	PLAIN END
FID	PUSH-ON JOINT DUCTILE IRON
PRC	PRECAST REINFORCED CONCRETE
PVC	POLYVINYL CHLORIDE; POINT OF VERTICAL CURVATURE
PVI	POINT OF VERTICAL INTERSECTION
PVT	POINT OF VERTICAL TANGENCY
RCP	REINFORCED CONCRETE PIPE
S	SLOPE
SBED	STREAM BED
SD	STORM DRAIN
SMH	SEWER MANHOLE
SS	SANITARY SEWER; STAINLESS STEEL
T&G	TOP BACK OF CURB
TC	TOP OF CONCRETE
TO	TOP OF
TP	TOP OF PAVEMENT
TW	TOP OF WALL
TYP	TYPICAL
UD	UNDERDRAIN
UP	UTILITY POLE
WMH	WATER MANHOLE
WS	WATER SURFACE

ABBREVIATIONS - AGENCY

COE	US ARMY CORPS OF ENGINEERS
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
PCMC	PARK CITY MUNICIPAL CORPORATION
RMP	ROCKY MOUNTAIN POWER
SBWRD	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
SCEH	SUMMIT COUNTY ENVIRONMENTAL HEALTH
UDOT	UTAH DEPARTMENT OF TRANSPORTATION
WCEH	WASATCH COUNTY ENVIRONMENTAL HEALTH

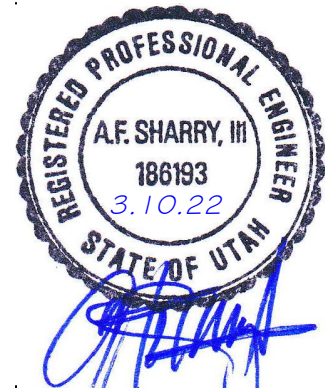
REFERENCES

1. AERIAL PHOTO BASE OBTAINED FROM STATE OF UTAH AUTOMATED GEOGRAPHIC REFERENCE CENTER.
2. TOPOGRAPHIC AND BOUNDARY SURVEY PROVIDED BY LUDLOW ENGINEERING, NEPHI, UTAH, SEPTEMBER, 2015.

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- ☐ PLANNING ☐ CONSTRUCTION
☒ PERMIT ☐ CONSTRUCTION RECORD

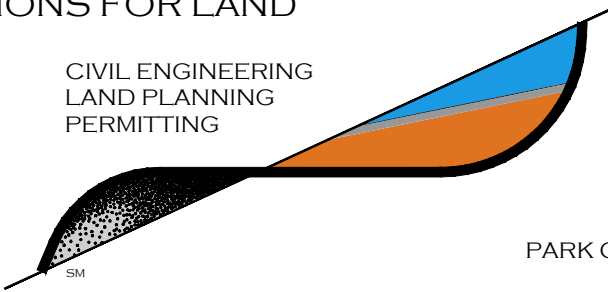
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NO.	DATE	BY	CHK	REVISION DESCRIPTION

CANYON ENGINEERING
SOLUTIONS FOR LAND

CIVIL ENGINEERING
LAND PLANNING
PERMITTING



PO BOX 982131
PARK CITY, UTAH 84098
VOICE: 435.640.7373 EMAIL: GUS@CANYONENG.COM
WWW.CANYONENG.COM

PARKING STUDY

PARKING PLAN

PEAKS HOTEL
TAX ID NO. PKV-1
2346 PARK AVENUE, PARK CITY, UTAH

PREPARED FOR: PPC LLC
PARK CITY, UTAH
PLS GRID LOCATION: S8 T2S R4E
5LB4M

DES. BY: AFS	DATE: MARCH 2022	JOB: 15015	1 OF 1
CHK. BY: AFS	CANYON ENGINEERING		

APPENDIX 2

Municipal Code Comparison - Parking Requirements

Peaks Hotel
Park City, Utah

LAND USE DESCRIPTION	PARKING SPACES REQUIRED					
	Park City, Utah		Salt Lake City, Utah		Aspen, Colorado	
	formula	value	formula	value	formula	value
Hotel	1 per room	127	0.5 per room	64	0.5 per room	64
Restaurant	1 per 100 SF (10 per 1,000)	29	2 per 1,000 SF	6	3 per 1,000 SF	9
Meeting/Conference	1 per 200 SF (5 per 1,000)	13	3 per 1,000 SF	8	3 per 1,000 SF	8
Versante-on-the-Lawn Mobile Food Court	1 per employee plus 2	8	no minimum		NSR	
TOTALS		177		78		81

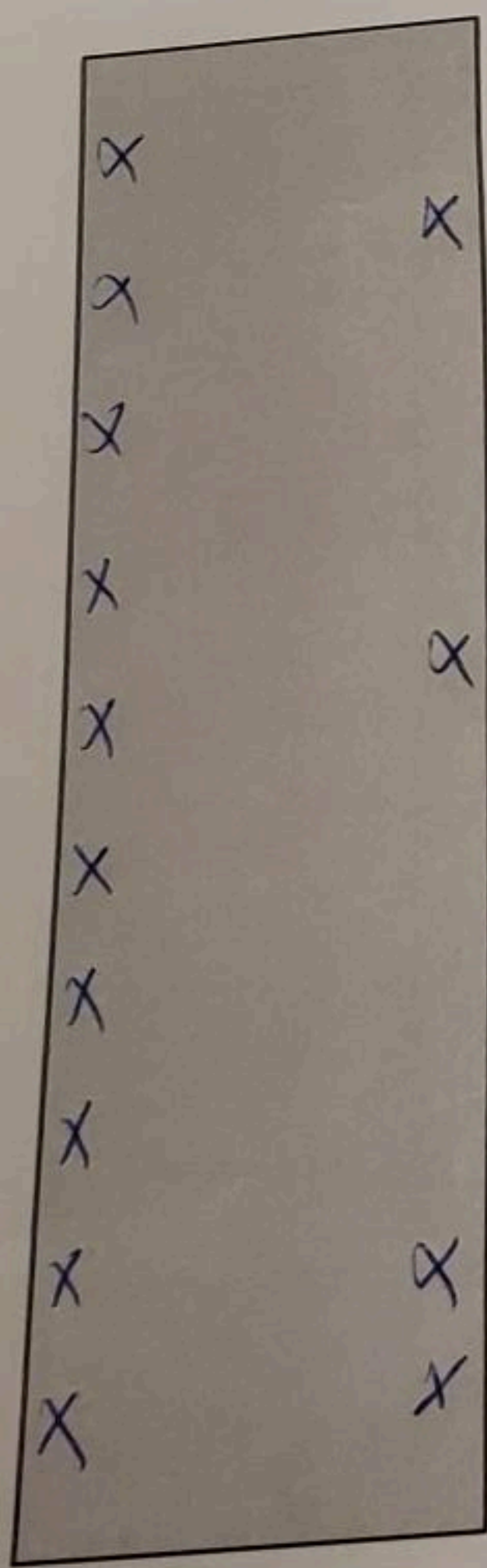
NOTES:

SF = square feet net leasable floor area
NSR = no specific requirement

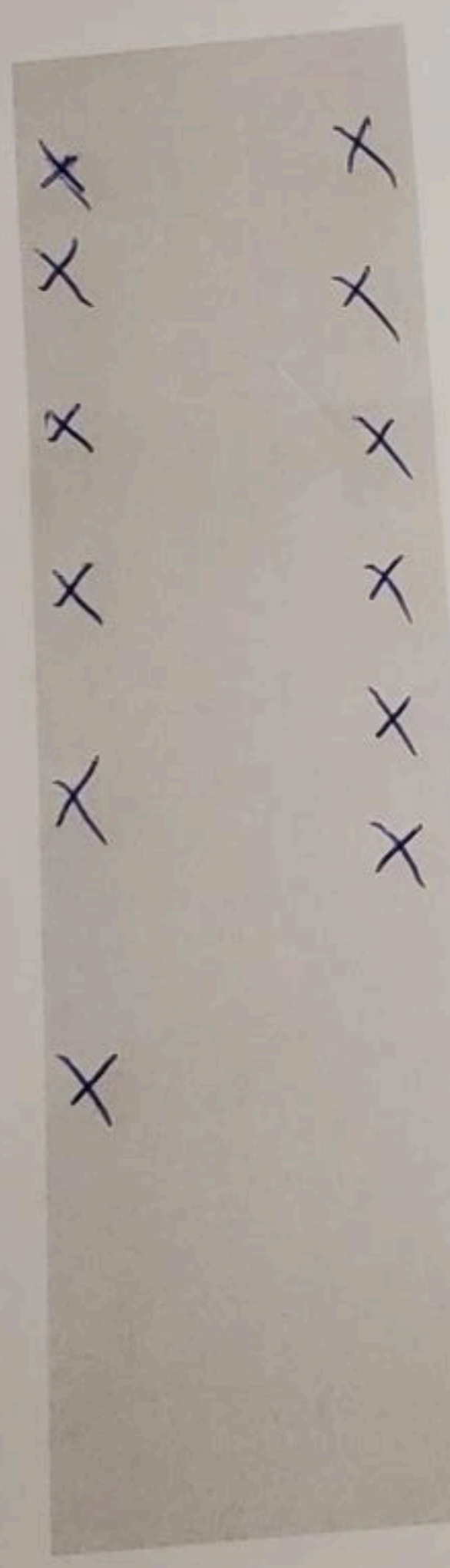
Hotel rooms = 127
Restaurant front and back = 2,923 SF
Meeting/conference = 2,455 SF, including 800 SF tent
Mobile food court = 12 tables

APPENDIX 3

JUPITER VIEW DRIVE : DATE 1/29 TIME 8am

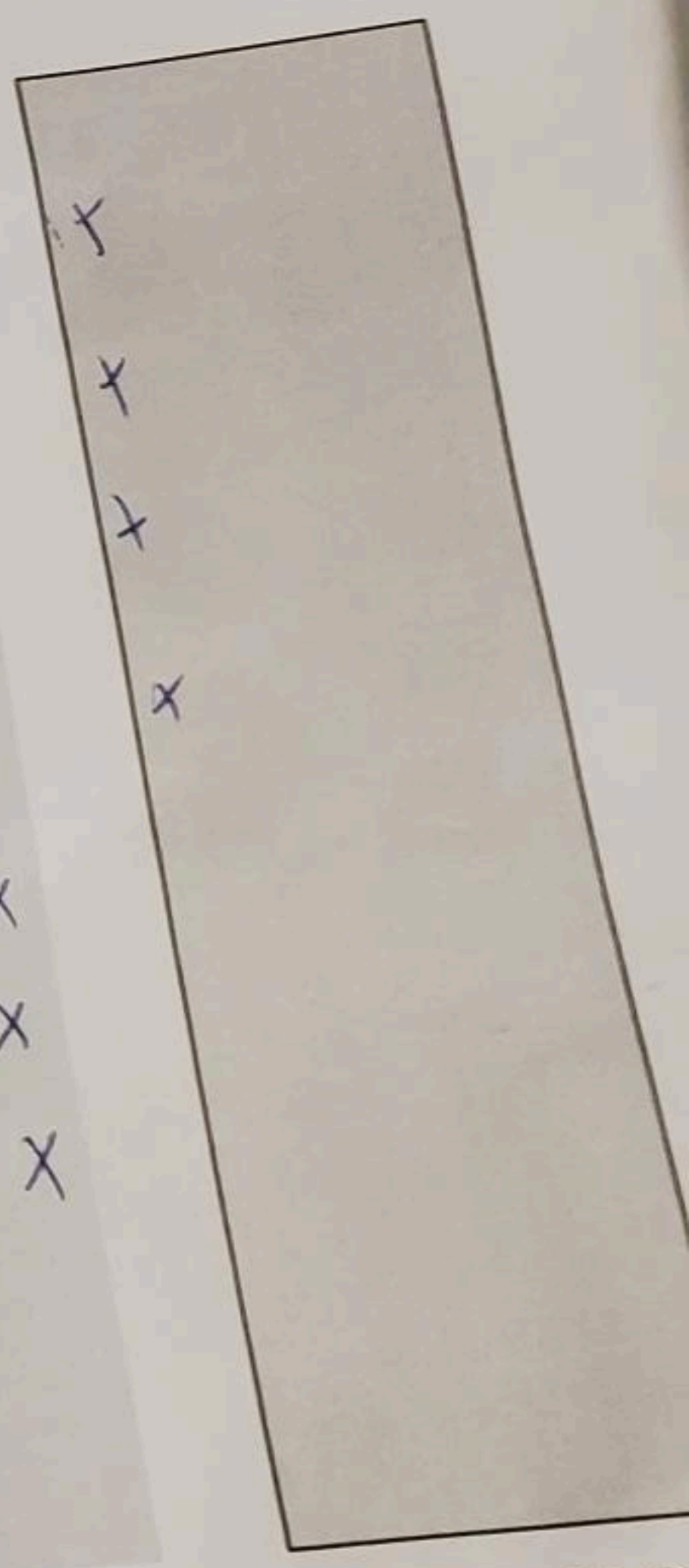
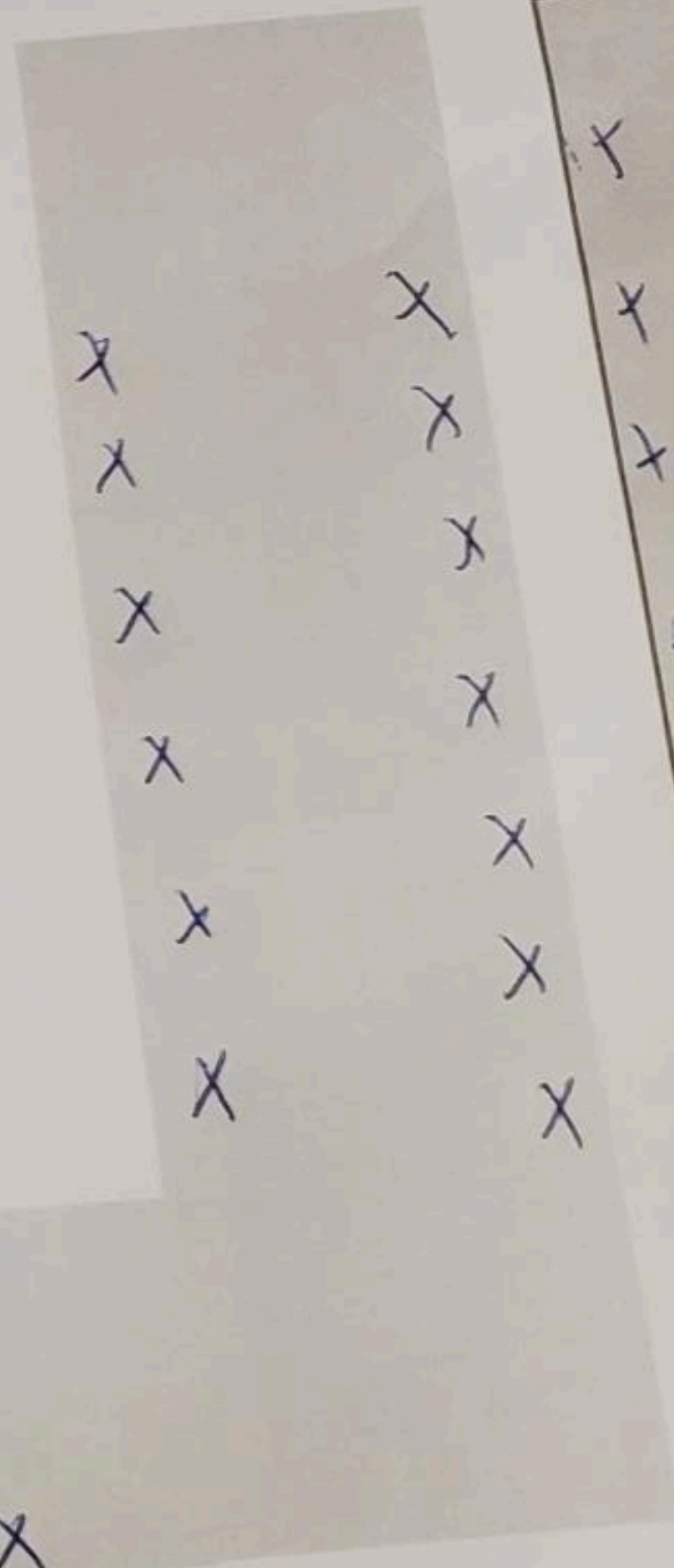


NORTH LOT



X X X X

GARAGE



SOUTH LOT

TOTAL PARKING SPOTS OCCUPIED: 47



Feb 12, 2022 4:51:28 PM
2256 Jupiter View Drive
Park City
Summit County
Utah



Feb 12, 2022 12:39:15 PM
2260 Jupiter View Drive
Park City
Summit County
Utah

16 feb 2022, 12:05:49
2346 Park Ave
Park City UT 84060
Stati Uniti



PEAKS HOTEL 7 DAY PARKING SURVEY				
DATE: 1.29.22		SATURDAY	HOTEL OCCUPANCY 94%	
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS
8:00 AM	14	29	4	47
9:00 AM	11	23	2	36
10:00 AM	10	22	3	35
11:00 AM	8	19	0	27
12:00 PM	6	18	0	24
1:00 PM	6	16	1	23
2:00 PM	10	16	0	26
3:00 PM	14	22	0	36
4:00 PM	17	22	0	39
5:00 PM	31	24	1	56
6:00 PM	32	29	6	67
7:00 PM	31	30	4	65
8:00 PM	30	28	2	60
9:00 PM	29	29	2	60
DATE: 1.30.22		SUNDAY	HOTEL OCCUPANCY 82%	
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS
8:00 AM	15	22	3	40
9:00 AM	13	20	2	35
10:00 AM	15	16	2	33
11:00 AM	7	12	2	21
12:00 PM	4	13	0	17
1:00 PM	6	13	0	19
2:00 PM	5	13	0	18
3:00 PM	12	20	2	34
4:00 PM	14	23	2	39
5:00 PM	24	24	3	51
6:00 PM	26	23	3	52
7:00 PM	30	23	5	58
8:00 PM	12	23	3	38
9:00 PM	12	24	3	39
DATE: 1.31.22		MONDAY	HOTEL OCCUPANCY 82%	
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS
8:00 AM	7	19	2	28
9:00 AM	7	21	4	32
10:00 AM	8	21	3	32
11:00 AM	6	20	1	27
12:00 PM	6	18	1	25
1:00 PM	5	21	1	27
2:00 PM	8	22	1	31
3:00 PM	12	22	1	35
4:00 PM	13	21	2	36
5:00 PM	14	22	3	39
6:00 PM	20	24	3	47
7:00 PM	31	23	1	55
8:00 PM	24	22	1	47
9:00 PM	21	24	2	47
DATE: 2.1.22		TUESDAY	HOTEL OCCUPANCY 81%	

HOTEL CHECK OUT 1

HOTEL CHEK IN

VERSAPTEEN

HOTEL CHECK OUT 1

HOTEL CHEK IN

VERSAPTEEN

HOTEL CHECK OUT 1

HOTEL CHEK IN

VERSAPTEEN

TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS	
8:00 AM	10	24	1	35	
9:00 AM	10	22	1	33	
10:00 AM	8	18	1	27	
11:00 AM	8	22	0	30	HOTEL CHECK OUT 1
12:00 PM	7	19	0	26	
1:00 PM	6	24	0	30	
2:00 PM	10	19	0	29	
3:00 PM	11	19	0	30	
4:00 PM	17	21	1	39	HOTEL CHEK IN
5:00 PM	24	17	1	42	VERSAPONTEN
6:00 PM	31	18	3	52	
7:00 PM	31	23	4	58	
8:00 PM	23	22	1	46	
9:00 PM	15	23	3	41	
DATE: 2.2.22		WEDNESDAY	HOTEL OCCUPANCY 93%		
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS	
8:00 AM	8	20	1	29	
9:00 AM	9	26	2	37	
10:00 AM	10	24	1	35	
11:00 AM	8	23	0	31	HOTEL CHECK OUT 1
12:00 PM	6	18	0	24	
1:00 PM	5	16	1	22	
2:00 PM	5	18	0	23	
3:00 PM	10	21	0	31	
4:00 PM	19	16	1	36	HOTEL CHEK IN
5:00 PM	22	18	1	41	VERSAPONTEN
6:00 PM	28	18	0	46	
7:00 PM	25	21	2	48	
8:00 PM	22	23	3	48	
9:00 PM	21	19	0	40	
DATE: 2.3.22		THURSDAY	HOTEL OCCUPANCY 98%		
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS	
8:00 AM	12	17	1	30	
9:00 AM	12	22	1	35	
10:00 AM	12	18	2	32	
11:00 AM	11	18	1	30	HOTEL CHECK OUT 1
12:00 PM	8	20	2	30	
1:00 PM	8	18	2	28	
2:00 PM	12	20	2	34	
3:00 PM	15	24	2	41	
4:00 PM	16	28	1	45	HOTEL CHEK IN
5:00 PM	19	23	1	43	VERSAPONTEN
6:00 PM	29	22	1	52	
7:00 PM	30	23	1	54	
8:00 PM	24	24	1	49	
9:00 PM	21	26	3	50	
DATE: 2.4.22		FRIDAY	HOTEL OCCUPANCY 97%		
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS	
8:00 AM	10	24	2	36	

9:00 AM	12	22	2	36	HOTEL CHECK OUT 1
10:00 AM	7	25	2	34	
11:00 AM	8	24	2	34	
12:00 PM	8	19	2	29	
1:00 PM	5	20	2	27	
2:00 PM	8	21	2	31	HOTEL CHEK IN
3:00 PM	10	24	3	37	
4:00 PM	18	26	4	48	
5:00 PM	30	23	2	55	
6:00 PM	28	36	4	68	
7:00 PM	27	27	4	58	
8:00 PM	29	34	4	67	
9:00 PM	18	40	4	62	

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PEAKS HOTEL 7 DAY PARKING SURVEY							
DATE: 2.12.22		SATURDAY	HOTEL OCCUPANCY 96%				
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS			
8:00 AM	13	18	6	37			
9:00 AM	13	15	4	32			
10:00 AM	15	17	1	33			
11:00 AM	12	14	1	27	HOTEL CHECK OUT 11AM		
12:00 PM	9	16	0	25			
1:00 PM	12	14	1	27			
2:00 PM	9	18	1	28			
3:00 PM	9	19	2	30			
4:00 PM	27	20	2	49	V E R S A O N P T E N	HOTEL CHEK IN 4PM	
5:00 PM	24	19	3	46			
6:00 PM	26	28	6	60			
7:00 PM	30	30	7	67			
8:00 PM	29	28	7	64			
9:00 PM	27	26	7	60			
DATE: 2.13.22		SUNDAY	HOTEL OCCUPANCY 88%				
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS			
8:00 AM	12	25	2	39			
9:00 AM	10	24	2	36			
10:00 AM	9	21	1	31			
11:00 AM	10	18	1	29	HOTEL CHECK OUT 11AM		
12:00 PM	6	14	0	20			
1:00 PM	8	15	1	24			
2:00 PM	12	15	1	28			
3:00 PM	14	14	6	34			
4:00 PM	16	20	2	38	V E R S A O N P T E N	HOTEL CHEK IN 4PM	
5:00 PM	27	20	2	49			
6:00 PM	28	25	2	55			
7:00 PM	23	26	2	51			
8:00 PM	27	25	3	55			
9:00 PM	27	28	3	58			
DATE: 2.14.22		MONDAY	HOTEL OCCUPANCY 90%				
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS			
8:00 AM	18	29	2	49			
9:00 AM	5	28	19	52			
10:00 AM	14	24	4	42			
11:00 AM	10	20	2	32	HOTEL CHECK OUT 11AM		
12:00 PM	7	19	2	28			
1:00 PM	7	20	2	29			
2:00 PM	7	21	2	30			
3:00 PM	10	23	3	36			
4:00 PM	14	20	3	37	V E R S A O N P T E N	HOTEL CHEK IN 4PM	
5:00 PM	25	30	4	59			
6:00 PM	30	32	6	68			
7:00 PM	32	32	5	69			
8:00 PM	30	32	6	68			
9:00 PM	31	33	5	69			

DATE: 2.15.22		TUESDAY	HOTEL OCCUPANCY 91%				
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS			
8:00 AM	18	31	3	52			
9:00 AM	27	28	2	57			
10:00 AM	15	24	1	40			
11:00 AM	17	22	0	39	HOTEL CHECK OUT 11AM		
12:00 PM	13	21	0	34			
1:00 PM	13	20	0	33			
2:00 PM	13	20	0	33			
3:00 PM	25	29	1	55			
4:00 PM	22	26	1	49	V E R S A O N P T E N	HOTEL CHEK IN 4PM	
5:00 PM	25	24	0	49			
6:00 PM	20	29	0	49			
7:00 PM	23	27	1	51			
8:00 PM	23	27	3	53			
9:00 PM	18	30	4	52			
DATE: 2.16.22		WEDNESDAY	HOTEL OCCUPANCY 88%				
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS			
8:00 AM	10	25	2	37			
9:00 AM	13	31	4	48			
10:00 AM	13	30	4	47			
11:00 AM	11	27	2	40	HOTEL CHECK OUT 11AM		
12:00 PM	7	26	2	35			
1:00 PM	6	19	0	25			
2:00 PM	9	26	0	35			
3:00 PM	8	29	0	37			
4:00 PM	14	28	2	44	V E R S A O N P T E N	HOTEL CHEK IN 4PM	
5:00 PM	17	26	2	45			
6:00 PM	19	23	2	44			
7:00 PM	32	27	3	62			
8:00 PM	25	25	4	54			
9:00 PM	20	24	3	47			
DATE: 2.17.22		THURSDAY	HOTEL OCCUPANCY 95%				
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS			
8:00 AM	11	26	2	39			
9:00 AM	12	29	2	43			
10:00 AM	8	28	2	38			
11:00 AM	9	21	2	32	HOTEL CHECK OUT 11AM		
12:00 PM	8	21	2	31			
1:00 PM	9	19	2	30			
2:00 PM	12	22	3	37			
3:00 PM	13	21	3	37			
4:00 PM	15	21	2	38	V E R S A O N P T E N	HOTEL CHEK IN 4PM	
5:00 PM	18	17	1	36			
6:00 PM	32	23	2	57			
7:00 PM	33	24	1	58			
8:00 PM	30	27	2	59			
9:00 PM	23	26	3	52			

DATE: 2.18.22		FRIDAY	HOTEL OCCUPANCY 96%				
TIME	PARKING LOT NOTH	GARAGE	PARKING LOT SOUTH	TOTAL CARS			
8:00 AM	12	23	0	35			
9:00 AM	9	23	2	34			
10:00 AM	9	21	1	31			
11:00 AM	7	16	1	24	HOTEL CHECK OUT 11AM		
12:00 PM	8	16	1	25			
1:00 PM	8	16	1	25			
2:00 PM	9	21	3	33			
3:00 PM	11	25	3	39			
4:00 PM	26	22	2	50	HOTEL CHEK IN 4PM		
5:00 PM	32	24	4	60	V E R S A O N P T E N		
6:00 PM	34	26	4	64			
7:00 PM	33	24	4	61			
8:00 PM	27	22	3	52			
9:00 PM	18	22	2	42			

APPENDIX 4

PEAKS HOTEL

Tent event space 800 SQ FT

Meeting room spaces 1655 SQ FT

127 rooms

Average room statistics based on pre COVID and current trend for 22

Yearly occupancy goal is 55%

Month	Average Occupancy	Group occupancy	Transient occupancy	Utah Guests o business %	Out of State Guests % of business
DEC	56%	13%	43%	4%	96%
JAN	68%	45%	23%	2%	98%
FEB	85%	42%	43%	3%	97%
MARCH	79%	32%	47%	3%	97%
APRIL	17%	5%	12%	19%	81%
MAY	21%	8%	13%	24%	76%
JUNE	45%	23%	22%	21%	79%
JULY	53%	13%	40%	15%	85%
AUG	51%	16%	35%	23%	77%
SEPT	57%	23%	34%	21%	79%
OCT	33%	8%	25%	26%	74%
NOV	26%	7%	18%	31%	69%

APPENDIX 5

PARK CITY MUNICIPAL CORPORATION
PLANNING DEPARTMENT
445 MARSAC AVE ° PO BOX 1480
PARK CITY, UT 84060
(435) 615-5060

RECEIVED

JAN 04 2021

PARK CITY
PLANNING DEPT.



CONDITIONAL USE PERMIT

For Office Use Only

PLANNING COMMISSION

PROJECT PLANNER

APPLICATION #

APPROVED

DATE RECEIVED

DENIED

EXPIRATION

PROJECT INFORMATION

NAME:

Park City Peaks Courtyard tent

ADDRESS:

2346 Park Ave

Park City UT 84060

TAX ID:

47-3662421

OR

SUBDIVISION:

Park View Sub

OR

SURVEY:

LOT #:

PKV 1

BLOCK #:

APPLICANT INFORMATION

NAME:

Stephanie Samuels

MAILING

ADDRESS:

Park City Peaks Hotel

Po Box 1778

Park City UT
84060

PHONE #:

(801) 865-11071

FAX #:

(435) 608-6435

EMAIL:

Stephanie@parkcitypeaks.com

APPLICANT REPRESENTATIVE INFORMATION

NAME:

Same as above

PHONE #:

() -

EMAIL:

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

SUBMITTAL REQUIREMENTS – All of the following items must be included in order for the Planning Department to take the application.

1. Completed and signed application form.
 2. A written statement describing the request and any other information pertaining to the conversion of the proposed project.
 3. Review fees - \$1140.00 per application.
 4. Two (2) 24"x36" professionally prepared schematic plans drawn to scale containing items below:
 - North arrow and name of project
 - Date of drawing
 - Adjoining property lines, owners, and uses within 100' of subject property.
 - Total acreage of the property, dimensions of all lot lines, all landscaped areas, parking areas, snow storage area. Etc.
 - **Note:** Schematic plans may include, by are not limited to, site plan, landscaping plan, floor plans, and elevations.
 5. Two (2) 11"x17" reduction of plans outlined in #4
 6. Current Title Report – with an issue date no longer than 30 days from the application submittal date.
 7. An electronic Excel spreadsheet with property owner, Summit County Assessor Parcel Number, and mailing address for properties within 300 feet, measured from the property line. Template is available through <https://www.parkcity.org/departments/planning>.
-

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

PROJECT DESCRIPTION

1. On a separate sheet of paper, give a general description of the proposal and answer the questions below. Attach it to the application (See Submittal Requirement #2).

- How will the proposed use "fit-in" with surrounding uses?
- What type of service will it provide to Park City?
- Is the proposed use consistent with the current zoning district and with the General Plan?
- Is the proposed use similar or compatible with other uses in the same area?
- Is the proposed use suitable for the proposed site?
- Will the proposed use emit noise, glare dust, pollutants, and odor?
- What will be the hour of operation and how many people will be employed?
- Are there other special issues that need to be mitigated?

2. Existing Zoning: RDM Residential Development Med

3. Is the project within the Sensitive Lands Overlay?

Yes

No

4. Current use of the property: Hotel / Restaurant / Courtyard

5. Total Project Area: _____ acres 800 square feet 20 x 40 tent

6. Number of parking spaces per Title 15 Land Management Code, Chapter 3, Off Street Parking:
_____ required 133 proposed

12 off street

7. Project access via: (check one)

Public Road

Private Road

Private Driveway

8. Occupancy type: (check one)

Owner Occupied

Lease

Nightly Rental

Condominium

Timeshare

9. Utility service availability:

Existing

Requires extension of City service

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review three days prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Email: _____

Type of Application: _____

[Handwritten Signature]
Stephanie Samuels
PRINTED
Po Box 1778
2346 Park Ave Park City UT 84060
801-865-1471
Stephanie@parkcitypeaks.com
Conditional use permit

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action. I further affirm that I am aware of the City policy that no application will be accepted nor work performed for properties that are tax delinquent.

Name of Owner: _____

Mailing Address: _____

Street Address/ Legal Description of Subject Property: _____

Signature: _____

Date: _____

Damon Navarro / Peaks Park City LLC
PRINTED
112 Greeman St.
MT Pleasant S.C. 294644721
2346 Park Ave Peaks hotel
Park City UT 84060
[Handwritten Signature] 12/21/21

1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership
4. If a Home Owner's Association is the applicant than the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

Please note that this affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to Final Action.

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

APPENDIX 6

15-3-6 Parking Ratio Requirements For Specific Land Use Categories

- A. **RESIDENTIAL USES**. Off-Street parking shall be provided for each land Use as listed in this section, in the Parking Ratio Requirements tables. When applying the tables, the parking requirements stated for each Use, or combination of Uses, applies to each Dwelling Unit within the Structure. Specific Uses, and the related parking ratio requirements are also shown below: Also refer to 15-15 Definitions for clarification of Uses.

RESIDENTIAL PARKING RATIO REQUIREMENTS		
USE		PARKING RATIO (NUMBER SPACES)
Accessory Apartment		1 per bedroom
Lockout Unit in Single Family and Duplex Dwellings		1 per bedroom
Single Family Dwelling		2 per Dwelling Unit
Duplex Dwelling		2 per Dwelling Unit (4 total)
Triplex Dwelling		2 per Dwelling Unit (6 total)
Multi-Unit Dwelling	Apartment/Condominium not greater than 1,000 sf floor Area	1 per Dwelling Unit
	Apartment/Condominium greater than 1,000 sf and less than 2,000 sf floor Area	1.5 per Dwelling Unit
	Apartment/Condominium 2,000 sf floor Area or greater	2 per Dwelling Unit
Dormitory		1 per 200 sf floor Area devoted to accommodations
Boarding House, Hostel		1 per 2 beds; and 1 per manager's unit
Secondary Living Quarters		1 per bedroom in addition to requirements for primary residence
Guest House		1 per Unit Parking for the first six (6) bedrooms is based on the parking requirement for the dwelling. An additional space is required for

		every additional two (2) bedrooms utilized by the Nightly Rental Use. Parking for Historic Structures may be allowed on the Street adjacent to the Property, if approved by the Planning, Engineering, and Building Department
Nightly Rental		

- B. **NON-RESIDENTIAL USES**. In non-residential projects, or for non-residential space associated with primarily residential Structures, the following parking requirements shall apply: Also refer to LMC Chapter 15-15, Definitions, for clarification of Uses.

NON-RESIDENTIAL PARKING RATIO REQUIREMENTS	
USES	PARKING RATIO REQUIREMENTS (NUMBER SPACES)
Group Care Facility	1 per 2 bedrooms plus 1 per employee per shift, or 2 per 3 employees per shift, whichever is greater
Child Care Center	1 per on-duty staff per shift and 1 per 6 children
Public and Quasi-Public Institution, church and school; Public Utility Uses; and Cemetery	1 space per 5 seats, or 2 spaces per 3 employees, or 1 space per 1,000 sf of floor Area, whichever is greater
Auditorium and Assembly Hall	1 space per every 5 seats
Bed and Breakfast Inn	1 space per bedroom and 1 space per on-duty manager
Hotel, Minor and Major	1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space
Offices, General	3 spaces per 1,000 sf of leasable floor Area
Offices, Intensive	5 spaces per 1,000 sf of leasable floor Area
Office and Clinic, Medical	5 spaces per 1,000 sf of leasable floor Area
Hospital, Limited Care	1 space per 2 beds
Hospital, General	3 spaces per bed
Automobile Sales/Rental	1 space per vehicle plus one space per employee
Financial Institution, with and without drive-up	3 spaces per 1,000 sf of net leasable floor Area
Retail & Service Commercial, Minor, Personal Service	3 spaces for each 1,000 sf of net leasable floor Area
Retail & Service Commercial, Major	5 spaces for each 1,000 sf of net leasable floor Area
Retail & Service, outdoor storage	3 spaces per 1,000 sf of inside net leasable floor Area
Retail & Service, Auto Related and Gas Stations	5 spaces per 1,000 sf of net leasable floor Area

Shopping centers or complexes of multi-tenant retail spaces	3.5 spaces per 1,000 sf of leasable floor Area, excluding corridors and service Areas not related to individual tenant retail spaces
Convenience Store, Support Commercial Uses	5 spaces per 1,000 sf of net leasable floor Area
Cafe/Deli	3 spaces per 1,000 sf of net leasable floor Area
Restaurant, Standard and Bar	1 space for every 100 sf of net leasable Area, including kitchen Areas
Restaurant, Outdoor Dining	Based on Site specific review at the time of CUP
Restaurant, With Drive-up	15 per 1,000 sf of net leasable floor Area
Light Industrial and Wholesale establishments	1 for every 2 employees in the largest shift plus 1 space for each vehicle used in conducting the business and wholesale, storage uses at 1 per 1,000 sf of floor Area and light manufacturing at 2.5 per 1,000 sf of floor Area
Temporary Improvement	1 per employee plus 2 guest spaces
Tramway Station/Ski Base Facility	See Chapter 8.20
Recreation Facility, Private or HOA	Minimum of 1 space per 4 persons maximum rated capacity
Recreation Facility, Public	1 space per 4 seats or 5 spaces per 1,000 sf of floor Area, or 1 per 3 persons rated capacity depending on type of facility
Indoor Entertainment, Theater	1 space per 4 seats or 5 spaces per 1,000 sf of floor Area depending on type of facility
Commercial Outdoor Recreation and Stables, Riding Academy	1 space per 3 persons maximum rated capacity
Master Planned Developments	As determined by Planning Commission based on proposed Uses
Mining Operations	2 spaces per 3 employees
Airports/Heliports	As determined by the Planning Commission based on traffic generation study

- C. **CALCULATION OF SPACES.** If a project incorporates two Uses, the Use requiring higher number of Parking Spaces shall govern. Whenever the calculation results in a fractional number, the number of spaces required must be rounded up to the next whole number.

HISTORY

Adopted by Ord. [00-25](#) on 3/30/2000

Amended by Ord. [06-22](#) on 4/27/2006

Amended by Ord. [07-25](#) on 4/19/2007

Amended by Ord. [12-37](#) on 12/20/2012

15-3-7 Parking In Master Planned Developments And Conditional Use Permits

- A. In Master Planned Developments and in review of Conditional Use permits, the initial parking requirement is determined by referring to the requirements for the Use and the underlying zone. The Planning Commission may reduce this initial parking requirement to prevent excessive parking and paving. The Applicant must prove by a parking study that the proposed parking is adequate. The parking study must analyze whether:
1. parking Uses will overlap,
 2. commercial spaces within the project will serve those residing within the project rather than the general public,
 3. or other factors that support the conclusion that the project will generate less parking than this Code would otherwise require.
- B. Master Planned Developments with a parking demand of eight (8) or fewer Parking Spaces may not reduce required parking under any circumstance.
- C. See LMC Chapter 10, Master Planned Developments, for Parking Area Landscaping Requirements for MPDs.

HISTORY

Adopted by Ord. [00-25](#) on 3/30/2000

APPENDIX 7

Chapter 21A.44

OFF STREET PARKING, MOBILITY AND LOADING

21A.44.010: PURPOSE AND SCOPE:

- A. Purpose Statement: The regulations of this chapter are intended to promote the orderly use of land and buildings by identifying minimum and maximum standards for accessory parking and loading facilities that will promote safe and convenient vehicular transportation and movement of goods. These requirements are also intended to help lessen traffic congestion and promote public health and welfare through a cleaner environment by reducing the number of vehicle trips. Encouraging nonmotorized transportation and relating parking requirements to the local land use/transportation system are consistent with the objectives of this chapter.
- B. Intensification Of Use: When the intensity of any building, structure or premises is increased through the addition of dwelling units, gross floor area, seating capacity, or other units of measurement specified herein for required parking, additional parking shall be provided in the amount by which the requirements for the intensified use exceed those for the existing use.
- C. Change In Use: When the use of an existing building or structure is changed to a different type of use, parking shall be provided in the amount required for such new use. However, if an existing building or structure was established prior to the effective date hereof, any increase in required parking shall be limited to the amount by which the new use exceeds the existing use except in the downtown D-1, D-2 and D-3 districts where a change of use shall not require additional parking or loading facilities.
- D. Existing Parking And Loading Facilities: If parking and loading facilities are below these requirements, they shall not be further reduced.
- E. Voluntary Provision Of Additional Parking And Loading Facilities: The voluntary establishment of off street parking spaces in excess of the maximum allowable parking specified in this title shall not be permitted unless established through the transportation demand management standards found in section [21A.44.050](#) of this chapter. Voluntary establishment of loading facilities in excess of the requirements of this title to serve any use shall be permitted provided that all regulations herein governing the location, design and operation of such facilities are satisfied.
- F. Damage Or Destruction: For any conforming or nonconforming use which is involuntarily damaged or destroyed by fire, collapse, explosion or other cause, and which is reconstructed, reestablished or repaired, off street parking or loading facilities in compliance with the requirements of this chapter need not be provided, except that parking or loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored or continued in operation. It shall not be necessary to restore or maintain parking or loading facilities in excess of those required by this title for equivalent new uses or construction.
- G. Submission Of A Site Plan: Any application for a building permit shall include a site plan, drawn to scale and fully dimensioned, showing any off street parking or loading facilities to be provided in compliance with this title.

H. **Parking Lots With Noncomplying Setbacks:** A parking lot existing prior to April 12, 1995, that is noncomplying with respect to landscaped setbacks, may be reconstructed, subject to the following requirements:

1. Compliance with subsection D of this section; and
2. Development shall be reviewed through the site plan review process to consider the feasibility of redesign of parking layout to provide required landscaped setbacks without a reduction in the number of existing parking spaces. (Ord. 62-13, 2013)

21A.44.020: GENERAL OFF STREET PARKING REGULATIONS:

- A. **Location Of Parking Spaces:** All parking spaces required to serve buildings or uses erected or established after the effective date hereof shall be located on the same lot as the building or use served, unless off site parking is approved as an alternative to the required parking spaces as specified in section [21A.44.040](#) of this chapter and allowed in the underlying zoning district.
- B. **Access:** All off street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with automobile, bicycle and pedestrian traffic movement. Parking lots in excess of five (5) spaces shall be designed to allow vehicles to enter and exit the lot in a forward direction. All vehicular access roads/driveways shall be maintained as hard surface.
- C. **Utilization Of Required Parking Spaces:** Except as otherwise provided in this section, required off street parking facilities provided for uses listed in section [21A.44.030](#) of this chapter shall be solely for the parking of passenger automobiles of guests, patrons, occupants, or employees of such uses.
- D. **Parking For Persons With Disabilities:** Any parking area to be used by the general public shall provide parking spaces designated and located to adequately accommodate persons with disabilities and these shall be clearly marked as such. Parking spaces for persons with disabilities shall be located in close proximity to the principal building. The designation of parking spaces for persons with disabilities shall constitute consent by the property owner to the enforcement of the restricted use of such spaces to motorists with disabilities by the city. Parking spaces for persons with disabilities shall conform to the standards of the Americans with disabilities act. The number of required parking spaces accessible to persons with disabilities shall be as follows:

Required Minimum Total In Parking Lot Spaces		Number Of Accessible Spaces
1 to 25		1
26 to 50		2
51 to 75		3
76 to 100		4
101 to 150		5

151 to 200		6
201 to 300		7
301 to 400		8
401 to 500		9
501 to 1,000		2 percent of total
1,001 and over		20, plus 1 for each 100 over 1,000

E. Off Street Parking Dimensions:

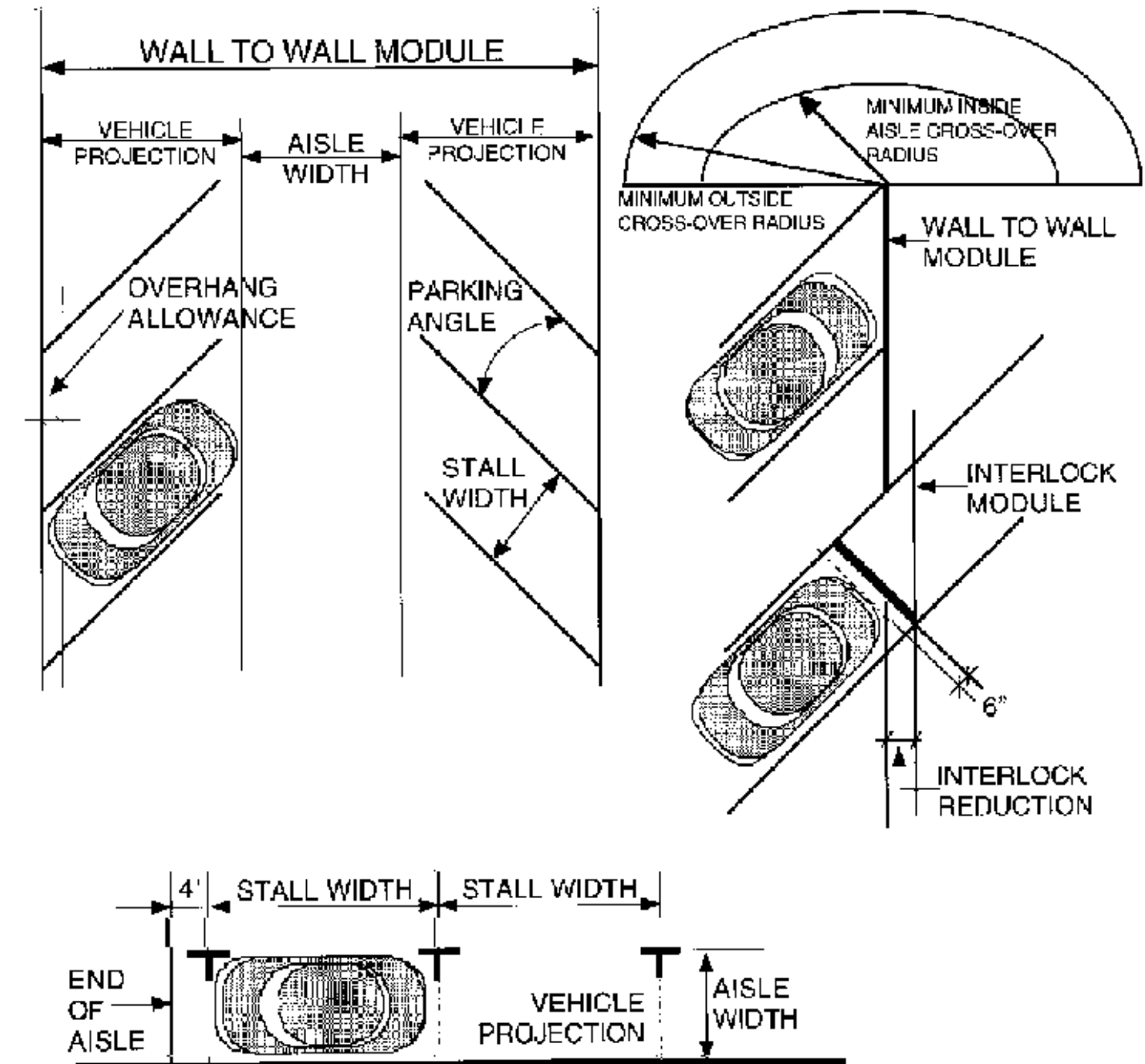
1. The dimensions for parking spaces and associated aisles are established by the transportation division and are set forth in table 21A.44.020 of this section.
2. The following modifications and additions to the dimensions set forth in table 21A.44.020 of this section shall apply:
 - a. Parking spaces located adjacent to walls or columns shall be one foot (1') wider to accommodate door opening clearance and vehicle maneuverability;
 - b. Requests for parking angles other than those shown on table 21A.44.020 of this section (including parking angles between 0 degrees and 45 degrees, and between 75 degrees and 90 degrees) may be approved by the city transportation director;
 - c. If a public alley is used as a parking aisle for single-family dwellings, two-family dwellings or twin homes, additional space shall be required on the lot to provide the full width of aisle as required on table 21A.44.020 of this section. The parking design for all other uses shall not require backing into an alley or right of way;
 - d. The dimensions of parking spaces in a valet attended parking lot can be modified with approval of the city transportation director; and
 - e. Parking spaces in an automated parking garage are exempt from the off street parking dimensions found in this subsection provided the design of the automated parking garage has been approved by the city transportation director.

TABLE 21A.44.020
OFF STREET PARKING DIMENSIONS

Parking Angle	Stall Width	Vehicle Projection	Aisle Width	Wall To Wall Module Width	Interlock Reduction	Overhang Allowance
0	22'0"	8'3"	12'8"	29'2"	0'0"	2'0"
45	8'3"	16'10"	14'11"	48'7"	2'3"	2'0"
50	8'3"	17'5"	15'6"	50'4"	2'0"	2'0"
55	8'3"	17'11"	16'2"	52'0"	1'10"	2'1"
60	8'3"	18'3"	16'10"	53'4"	1'7"	2'2"
65	8'3"	18'6"	17'9"	54'9"	1'4"	2'3"

Parking Angle	Stall Width	Vehicle Projection	Aisle Width	Wall To Wall Module Width	Interlock Reduction	Overhang Allowance
70	8'3"	18'7"	18'7"	55'9"	1'1"	2'4"
75	8'3"	18'6"	20'1"	57'1"	0'10"	2'5"
90	8'3"	17'6"	24'10"	59'10"	0'0"	2'6"
0	22'0"	8'6"	11'11"	28'11"	0'0"	2'0"
45	8'6"	16'10"	14'2"	47'10"	2'3"	2'0"
50	8'6"	17'5"	14'9"	49'7"	2'0"	2'0"
55	8'6"	17'11"	15'5"	51'3"	1'10"	2'1"
60	8'6"	18'3"	16'1"	52'7"	1'7"	2'2"
65	8'6"	18'6"	17'0"	54'0"	1'4"	2'3"
70	8'6"	18'7"	17'10"	55'0"	1'1"	2'4"
75	8'6"	18'6"	19'4"	56'4"	0'10"	2'5"
90	8'6"	17'6"	24'1"	59'1"	0'0"	2'6"
0	22'0"	8'9"	10'8"	28'2"	0'0"	2'0"
45	8'9"	16'10"	13'5"	47'1"	2'3"	2'0"
50	8'9"	17'5"	14'0"	48'10"	2'0"	2'0"
55	8'9"	17'11"	14'8"	50'6"	1'10"	2'1"
60	8'9"	18'3"	15'4"	51'10"	1'7"	2'2"
65	8'9"	18'6"	16'3"	53'3"	1'4"	2'3"
70	8'9"	18'7"	17'1"	54'3"	1'1"	2'4"
75	8'9"	18'6"	18'7"	55'7"	0'10"	2'5"
90	8'9"	17'6"	23'4"	58'4"	0'0"	2'6"
0	22'0"	9'0"	9'5"	27'5"	0'0"	2'0"
45	9'0"	16'10"	12'6"	46'4"	2'3"	2'0"
50	9'0"	17'5"	13'3"	48'1"	2'0"	2'0"
55	9'0"	17'11"	13'11"	49'9"	1'10"	2'1"
60	9'0"	18'3"	14'7"	51'1"	1'7"	2'2"
65	9'0"	18'6"	15'6"	52'6"	1'4"	2'3"
70	9'0"	18'7"	16'4"	53'6"	1'1"	2'4"
75	9'0"	18'6"	17'10"	54'10"	0'10"	2'5"
90	9'0"	17'6"	22'7"	57'7"	0'0"	2'6"

OFF STREET PARKING DIMENSIONS



F. Design And Maintenance: Parking lots shall be designed to ensure safe and easy ingress, egress and movement through the interior of the lot. The number of curb cuts onto major roads should be minimized. Shared access driveways between adjacent sites are encouraged. Parking lot islands should be provided on the interior of the parking lot to help direct traffic flow and to provide landscaped areas within such lots.

1. Design Elements: Parking lots shall be designed in accordance with applicable city codes, ordinances and guidelines with respect to:
 - a. Minimum distances between curb cuts;
 - b. Proximity of curb cuts to intersections;
 - c. Provisions for shared driveways;
 - d. Location, quantity and design of landscaped islands; and
 - e. Design of parking lot interior circulation system.
2. Plan: The design of parking facilities shall be subject to the approval of the development review team and shall conform to the standards developed by the city transportation director.
3. Landscaping And Screening: Landscaping and screening shall be provided in accordance with the requirements of [chapter 21A.48](#) of this title.
4. Lighting: Where a parking area or parking lot is illuminated, direct rays of light shall not shine into adjoining property or into a street.
5. Signs: Accessory signs shall be permitted on parking areas in accordance with the provisions specified in chapter 21A.46 of this title.
6. Parking Lot Surface: All open parking areas or lots shall be improved and maintained as hard surface.
7. Driveway Standards: In addition to further restrictions elsewhere in this title or [title 12](#), "Vehicles And Traffic", of this code, the following standards shall apply to driveways:
 - a. Driveway Location:
 - (1) Nonresidential Districts: For lots in nonresidential districts with a width of less than one hundred feet (100'), only one curb cut shall be allowed per street frontage. For lots in nonresidential districts with a width of one hundred feet (100') or greater, more than one curb cut shall be allowed per street frontage provided they are at least one hundred feet (100') apart.
 - (2) Residential Districts: With the exception of legal shared driveways, driveways shall be at least six feet (6') from abutting property lines, twenty feet (20') from street corner property lines and five feet (5') from any public utility infrastructure such as power poles, fire hydrants and water meters. Except for entrance and exit driveways leading to properly located parking areas, no curb cuts or driveways are permitted.
 - b. Driveway Widths: In front and corner side yards, driveway widths shall not exceed twenty two feet (22') in SR-1 and SR-3 residential districts or sixteen feet (16') in the MH district. In all other districts, the driveways in front and corner side yards shall have a minimum single lane driveway width of twelve feet (12') and shall not exceed thirty feet (30') in width.
 - c. Shared Driveways: Shared driveways, where two (2) or more properties share one driveway access, may be permitted by the development review team.
 - d. Circular Driveways: Circular driveways that connect to a driveway extending to a legal parking location shall be constructed of concrete, brick pavers, block or other hard surface material other than impermeable asphalt. The circular driveway shall be situated such that the street front edge is situated parallel to the property line and shall not be used for overnight parking. In residential districts, circular driveways shall be set back at least fifteen feet (15') from the front property line

no wider than twelve feet (12') in width. In commercial districts, circular driveways shall be set back at least five feet (5') from the property line and no wider than twenty feet (20') in width.

- e. Driveway Surface: All driveways providing access to parking areas or lots shall be improved and maintained as hard surface.
 - f. Exceptions: Exceptions to these standards may be approved by the development review team through the site plan review process, based on the slope of the roadway or lot and location of drive approaches serving abutting properties.
8. Pedestrian Access: All surface parking lots for nonresidential uses shall provide a clear pedestrian pathway from the parking lot to the entry of the building and the public sidewalk. The pedestrian pathway should be clearly marked with pavement marking, landscaping, change in surface material, curb separation or grade separation.
9. Vehicle And Equipment Storage: In CG, M-1, M-2 and EI zoning districts, vehicle and equipment storage without hard surfacing may be allowed as a special exception provided:
- a. The lot is used for long term vehicle storage, not for regular parking and/or maneuvering.
 - b. The vehicles stored are large and/or on tracks that could destroy normal hard surfacing.
 - c. The parking surface is compacted with six inches (6") of road base and other semihard material with long lasting dust control chemical applied annually.
 - d. A hard surfaced wash bay is installed to wash wheels to prevent tracking of mud and sand onto the public way.
 - e. A minimum of fifty feet (50') paved driveway from the public street property line is provided.
 - f. City transportation director's approval.
- G. Parking For Low Density Residential Districts: The following regulations shall apply to single-family detached, single-family attached and two-family dwellings in the FP, FR-1/43,560, FR-2/21,700, FR-3/12,000, R-1/12,000, R-1/7,000, R-1/5,000, SR-1, SR-3 and R-2 districts:
- 1. Parking spaces satisfying the requirements of section [21A.44.030](#) of this chapter shall be located only in an interior side yard or a rear yard unless approved as a special exception in accordance with subsection [21A.44.060B](#) of this chapter.
 - 2. The provisions of parking spaces elsewhere on the lot shall conform to the other applicable requirements of this chapter. Requirements for garages shall be as specified in chapter 21A.40 of this title.
 - 3. No park strip shall be used for parking.
 - 4. A maximum of four (4) outdoor parking spaces shall be permitted per lot. Recreational vehicle parking, where permitted, shall be included in this maximum.
- H. Legalization Of Converted Garages And Associated Front Yard Parking In Residential Zoning Districts: The intent of this section is to facilitate the legalization of attached garages that have been converted to living space without building permits and without replacing parking in a legal location on the lot. Attached garages converted prior to April 12, 1995, including the associated front yard parking, may be legalized subject to obtaining a building permit for all building modifications associated with converting the garage to living space. The building services division shall inspect the conversion for substantial life safety compliance. Additional requirements include the following:

1. The driveway leading to the converted garage shall not be removed without replacing the same number of parking spaces in a location that is authorized by this title.
2. The driveway shall not be wider than the original garage unless a permit is issued to extend a driveway into the side or rear yard for additional parking. No other portion of the front yard may be used for parking.
3. Parking on the driveway in the front yard is restricted to passenger vehicles only.

I. Short Term Parking Provisions For The D-1, D-2 Or D-3 District:

1. Intent: The intent of this subsection is to establish short term parking requirements within the Main Street retail core area and to limit required parking increases resulting from a change in use.
2. Applicability: The regulations of this subsection shall apply to parking structures or lots located within, or partially within, the Main Street retail core area, as defined in chapter 21A.30 of this title. These regulations shall also apply to parking structures or lots established to serve uses located wholly or partially within the area defined in chapter 21A.30 of this title. The regulations of this subsection shall apply to all uses in the D-1, D-2 and D-3 districts.
3. Short Term Parking Requirements: That number of parking spaces required to serve retail goods or retail service establishments located within the Main Street retail core area shall be designated as short term parking spaces (i.e., for less than 1 day). These spaces shall be at the retail level (not necessarily the ground level) of a parking structure, or the spaces closest to the retail use shall be designated for short term parking.
4. Change Of Use: Any legally established use in the D-1, D-2 or D-3 district may be changed to any other legal use without providing any additional off street parking, provided that the change of use does not require any expansion to the existing principal structure greater than one thousand (1,000) square feet.

J. Recreational Vehicle Parking: The parking of recreational vehicles shall conform to the standards set forth below:

1. Standards:
 - a. Recreational vehicle parking spaces shall be in addition to, and not in lieu of, other required off street parking spaces.
 - b. Recreational vehicle parking is prohibited in the front yard.
 - c. Recreational vehicle parking is permitted in any enclosed structure conforming to building code and zoning requirements for the zoning district in which it is located.
 - d. Recreational vehicle parking in side or rear yards may be permitted subject to the following conditions:
 - (1) Recreational vehicle parking permitted for each residence shall be limited to one motor home or travel trailer and a total of two (2) recreational vehicles of any type;
 - (2) Recreational vehicles may be parked in the rear yard only on an adequate hard surfaced pad with access provided by either a hard surfaced driveway, hard surfaced drive strips or an access drive constructed of turf block materials with an irrigation system; and
 - (3) Recreational vehicle parking shall be allowed in side yards only if the rear yard cannot be accessed, and in a side yard other than the driveway side yard only if the driveway side yard

cannot be used for such additional parking. The existence of a fence or other structure which is not part of a building shall not constitute a lack of rear yard access. Topographical factors, the existence of mature trees or the existence of properly permitted and constructed structures precluding rear yard parking is sufficient to establish a lack of rear yard access.

(4) Side yard parking shall only be permitted subject to the following conditions:

(A) The parking area for the recreational vehicle must be a hard surface of either concrete, asphalt, or turf block;

(B) The recreational vehicle parking space shall not interfere with access to other required parking for the structure;

(C) Access to the recreational vehicle parking from the existing driveway on the property shall have an access taper from the existing driveway and be hard surfaced;

(D) The access or transition area from the existing driveway to the recreational vehicle parking space shall not be used for any parking;

(E) The recreational vehicle parking space shall be screened from the front or street side at the setback line of the existing principal building with a six foot (6') high sightproof fence with a gate for access; and

(F) The recreational vehicle parking space shall be screened on the side yard with a six foot (6') high sightproof fence or equivalent vertical vegetation.

(5) No parked recreational vehicle shall be used for storage of goods, materials or equipment other than those which are customarily associated with the recreational vehicle.

(6) All recreational vehicles must be stored in a safe and secure manner. Any tie downs, tarpaulins or ropes must be secured from flapping in windy conditions.

(7) Recreational vehicles shall not be occupied as a dwelling while parked on the property. (Ord. 62-13, 2013)

21A.44.030: NUMBER OF OFF STREET PARKING SPACES REQUIRED:

A. Parking Requirements For Passenger Vehicles:

1. Minimum Number Of Spaces: The minimum number of off street parking spaces provided shall be in accordance with subsection G, "Minimum Off Street Parking Requirements", of this section unless otherwise specified elsewhere in this chapter.

2. Maximum Number Of Spaces: The maximum number of off street parking spaces provided shall be in accordance with subsection H, "Maximum Off Street Parking Allowance", of this section unless otherwise specified elsewhere in this chapter.

3. General Parking Calculation Regulations:

a. Parking space requirements based on the number of employees or users shall be based on the maximum number of employees or users on the premises at any one time.

b. When determination of the number of off street parking spaces required by this title results in a requirement of a fractional space, any fraction of less than one-half ($\frac{1}{2}$) may be disregarded, while a fraction of one-half ($\frac{1}{2}$) or more, shall be counted as one parking space.

- c. Parking spaces designed exclusively for motorcycles, scooters and other two (2) wheeled automobiles shall not count toward the required number of parking spaces.
- d. Parking spaces intended for storage of business related vehicles, such as fleet vehicles or delivery vehicles in commercial, manufacturing and special purposes districts, shall not count toward the required number of parking spaces.

B. Determination Of Required Number Of Parking Spaces For Uses Not Specified Herein: In the event this title does not specify the number of parking spaces for a specific use, the Zoning Administrator shall determine the number of spaces required. In making this determination, the Zoning Administrator shall consider the following criteria:

1. The number of parking spaces required for a use listed in table 21A.44.030 of this section that is the most similar to the proposed use in terms of the parked vehicles that are anticipated to be generated;
2. The square footage to be occupied by the proposed use; and
3. The number of employees and patrons that are anticipated for the proposed use.

C. Exemption From Calculation Of Required Parking Spaces: Nonresidential uses in buildings less than one thousand (1,000) square feet and located on a lot in the commercial districts or the D-2 and D-3 Downtown Districts shall be exempt from the requirement of providing off street parking. The exemption shall be applied to the land use on the lot requiring the fewest number of spaces. Only one exemption shall be allowed per lot.

D. Alternative Parking Requirements: An alternative means of meeting the parking requirements of this section can be used as outlined in section [21A.44.040](#) of this chapter.

E. Reductions To The Number Of Required Parking Spaces: The number of required parking spaces may be reduced as provided in section [21A.44.040](#) of this chapter.

F. Transportation Demand Management: For all uses requiring at least ten (10) parking spaces, the minimum and maximum parking requirements can be modified as outlined in section [21A.44.050](#) of this chapter.

G. Minimum Off Street Parking Requirements:

1. Applicability: Unless otherwise regulated in the special provisions in subsection G2 of this section, each principal building or use shall provide the minimum number of parking spaces as outlined in table 21A.44.030 of this section:

TABLE 21A.44.030
SCHEDULE OF MINIMUM
OFF STREET PARKING REQUIREMENTS³

Residential:	
Bed and breakfast establishment	1 parking space per room

	Community correctional facility	1 parking space for each 4 residents and 1 parking space for every 2 support staff present during the busiest shift
	Eleemosynary facility	1 parking space for each family, plus 1 parking space for every 4 individual bedrooms, plus 1 parking space for every 2 support staff present during the busiest shift
	Fraternity, sorority or dormitory	1 parking space for each 2 residents, plus 1 parking space for each 3 full time employees. Note: The specific college or university may impose additional parking requirements
	Group home	2 parking spaces per home and 1 parking space for every 2 support staff present during the busiest shift
	Multiple-family dwellings ¹	2 parking spaces for each dwelling unit containing 2 or more bedrooms 1 parking space for 1 bedroom and efficiency dwelling ¹ / ₂ parking space for single room occupancy dwellings (600 square foot maximum)
	Rooming house	1 parking space for each 2 persons for whom rooming accommodations are provided
	Single-family attached dwellings (row house and townhouse) and single-family detached dwellings ²	2 parking spaces for each dwelling unit
	Two-family dwellings and twin home dwellings	2 parking spaces for each dwelling unit
Institutional:		
	Assisted living facility	1 parking space for each 4 employees, plus 1 parking space for each 6 infirmary or nursing home beds, plus 1 parking space for each 4 rooming units, plus 1 parking space for each 3 dwelling units
	Auditorium; accessory to a church, school, university or other institution	1 space for each 5 seats in the main auditorium or assembly hall
	Daycare, child and adult	2 spaces per 1,000 square feet of usable floor area
	Funeral services	1 space per 4 seats in parlor plus 1 space per 2 employees plus 1 space per vehicle used in connection with the business
	Homeless resource center	1 parking space for every 10 beds
	Homeless shelter	1 parking space for every 10 beds
	Hospital	1.5 parking spaces per hospital bed
	Places of worship	1 parking space per 1,000 square feet of seating or congregation

		area
	Schools:	
	K - 8th grades	1 parking space for each 3 faculty members and other full time employees
	Senior high school	1 parking space for each 3 faculty members, plus 1 parking space for each 3 full time employees, plus 1 parking space for each 10 students
	College/university, general	1 parking space for each 3 faculty members, plus 1 parking space for each 3 full time employees, plus 1 parking space for each 10 students
	Vocational/trade school	1 space per 1 employee plus 1 space for each 3 students based on the maximum number of students attending classes on the premises at any time
	Recreation, cultural, and entertainment:	
	Art gallery/museum/house museum	1 space per 1,000 square feet of usable floor area
	Baseball or soccer field	10 spaces per field
	Bowling alley	2 spaces per lane plus 1 space for every 2 employees
	Club/lodge	3 spaces per 1,000 square feet of usable floor area
	Dance/music studio	1 space for every 1 employee
	Gym/health club/recreation facilities	3 spaces per 1,000 square feet of usable floor area
	Library	1 space per 1,000 square feet of usable floor area
	Sports arena/stadium	1 space per 1,000 square feet of seating area
	Swimming pool, skating rink or natatorium	1 space per 5 seats and 3 spaces per 1,000 square feet of usable floor area
	Tennis court	2 spaces per court
	Theater, movie and live	1 space per 4 seats
	Commercial/manufacturing:	
	Artisan food production	2 spaces per 1,000 square feet of usable floor area
	Bus facility, intermodal transit passenger hub	1 space per 2 employees plus 1 space per bus
	Commercial food preparation	2 spaces per 1,000 square feet of usable floor area
	Durable goods, furniture, appliances, etc.	1 space per 500 square feet of usable floor area
	General manufacturing	1 space per 3 employees plus 1 space per company vehicle

	Hotel or motel	1 parking space for each 2 separate rooms
	Radio/TV station	3 spaces per 1,000 square feet of usable floor area
	Warehouse	2 spaces per 1,000 square feet of usable floor area for the first 10,000 square feet plus $\frac{1}{2}$ space per 2,000 square feet for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
	Wholesale distribution	1 space per 1,000 square feet of usable floor area for the first 10,000 square feet, plus $\frac{1}{2}$ space per 2,000 square feet of floor area for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
	Retail goods and services:	
	Auto repair	1 space per service bay plus 3 spaces per 1,000 square feet for office and retail areas
	Car wash	3 stacked spaces per bay or stall, plus 5 stacking spaces for automated facility
	Drive-through facility	5 stacking spaces on site per cashier, teller or similar employee transacting business directly with drive-through customers at any given time in addition to the parking required for that specific land use
	Outdoor display of merchandise for sale	1 parking space per 1,000 square feet of display area
	Restaurants, taverns and bar establishments	2 spaces per 1,000 square feet of usable floor area
	Retail goods establishment	2 spaces per 1,000 square feet of usable floor area
	Retail service establishment	2 spaces per 1,000 square feet of sales floor area
	Retail shopping center over 55,000 square feet usable floor area	2 spaces per 1,000 square feet of usable floor area
	Office and related uses:	
	Financial establishments	2 spaces per 1,000 square feet of usable floor area
	General office	3 spaces per 1,000 square feet of usable floor area for the main floor plus $1\frac{1}{4}$ spaces per 1,000 square feet of usable floor area for each additional level, including the basement
	Laboratory	2 spaces per 1,000 square feet of usable floor area for the first 10,000 square feet plus $\frac{1}{2}$ space per 2,000 square feet for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
	Medical/dental offices	5 spaces per 1,000 square feet of usable floor area

Miscellaneous:	
Kennels or public stables	1 space per 2 employees
All other uses	3 spaces per 1,000 square feet of usable floor area

Notes:

1. Minimum parking requirements for affordable housing and senior housing: Buildings that have 10 or more residential units with at least 25 percent of the units as either affordable or senior housing shall be allowed to have a minimum of $\frac{1}{2}$ of a parking space provided for each dwelling unit.
2. For specific parking requirements for accessory dwelling units, see section [21A.40.200](#) of this title.
3. Requirements for buildings with more than 1 use shall be calculated separately for individual primary use as required and then combined.

2. District Specific Minimum Requirements:

TABLE OF DISTRICT SPECIFIC
MINIMUM OFF STREET PARKING REQUIREMENTS

District	Land Use	Minimum
D-1, D-2, D-4	Residential	$\frac{1}{2}$ space per dwelling unit
	Nonresidential	No spaces required up to 25,000 square feet usable floor area. 1 space per 1,000 usable square feet over 25,000 square feet thereafter
D-3, GMU	Residential	$\frac{1}{2}$ space per dwelling unit. 1 space per single-family, two-family and twin home dwellings
	Nonresidential	No spaces required up to 10,000 square feet usable floor area. 1 space per 1,000 usable square feet over 10,000 square feet thereafter
TSA core	All uses	No spaces required
TSA transition	All uses	50% of required in table 21A.44.030 of this section minimum requirements
FB-SC	All uses	No spaces required
FB-SE	All uses	50% of required in table 21A.44.030 of this section minimum requirements
FB-UN	All uses	No spaces required
MU, R- MU	Residential	$\frac{1}{2}$ space per multi-family dwelling unit. 1 space per single-family, two-family and twin home dwellings
R-MU-35	Residential	1 space per dwelling unit
R-MU-45	Residential	1 space per dwelling unit

CB	Residential	1 space per dwelling unit
CN	Residential	1 space per dwelling unit
SR-3	Residential	1 space per dwelling unit

Note: Any use or district not listed in this "Table Of District Specific Minimum Off Street Parking Requirements", of this section will refer to the minimum requirement in table 21A.44.030 of this section.

H. Maximum Off Street Parking Allowance:

1. Applicability: For zones not listed in the "Table Of District Specific Maximum Parking Allowance", of this section the number of parking spaces allowed shall be twenty five percent (25%) greater than the minimum found in table 21A.44.030 of this section. Formula: $0.25 \times \text{Minimum} + \text{Minimum} = \text{Maximum}$.

2. District Specific Maximum Allowance:

TABLE OF DISTRICT SPECIFIC
MAXIMUM PARKING ALLOWANCE

District	Land Use	Maximum
D-1, D-2, D-4	Residential	Equivalent to minimum
	Nonresidential ¹	Up to 25 spaces for first 25,000 square feet. No more than 1 space per 1,000 square feet thereafter
D-3, G-MU	Residential	Equivalent to minimum
	Nonresidential	Up to 10 spaces for first 10,000 square feet. No more than 1 space per 1,000 square feet thereafter
TSA Core	Residential	1 space per dwelling unit
	Nonresidential	3 spaces for every 1,000 usable square feet
TSA Transition	Residential	1 ¹ / ₂ spaces per dwelling unit
	Nonresidential	3 spaces for every 1,000 usable square feet
FB-SC, FB-SE ²	All uses	The maximum parking allowance is equal to the minimum off street parking requirements found in this section
FB-UN	All uses	The maximum parking allowance is equal to the minimum off street parking requirements found in this section
M-1, M-2, BP, Airport	All uses	No maximum for any property located west of the centerline of Redwood Road

Qualifying provisions:

1. An office use to accommodate government prosecutorial and civil legal services on a parcel located within 500 feet of a parcel on which a State courthouse is located may have a maximum of 2.7 parking spaces per 1,000 square feet of usable floor area, but not more than 300 spaces for a building of any size.
2. Parking in excess of the maximum allowed may be granted as a special exception subject to the special exception standards in chapter 21A.52 of this title. The maximum parking requirement does not apply to parking structures or garages that serve multiple parcels or uses or structures that provide off site parking.

Note: With the exception of the zones listed in the "Table Of District Specific Maximum Parking Allowance", of this section, single-family and two-family residential uses are limited to 4 outdoor off street parking spaces, including parking for recreational vehicles as identified in subsection [21A.44.020](#)G of this chapter.

(Ord. 23-18, 2018: Ord. 60-17, 2017: Ord. 47-17, 2017: Ord. 23-16, 2016: Ord. 7-16, 2016: Ord. 71-15, 2015: Ord. 70-15, 2015: Ord. 66-13, 2013: Ord. 62-13, 2013)

21A.44.040: ALTERNATIVE PARKING REQUIREMENTS AND OFF STREET PARKING REDUCTIONS:

A. Purpose And Scope: The number of required off street parking spaces may be met via alternative means or reduced in some circumstances. Alternatives and reductions help prevent land from being devoted unnecessarily to parking spaces when other parking solutions respond better to the parking needs of the use of the property, the enjoyment of neighboring property rights and the general neighborhood compatibility. These options are intended to allow satisfying a portion of parking requirements by means other than on site parking or by reducing the number of required parking spaces when there is documentation that actual parking demand is less than the number required by section [21A.44.030](#), table [21A.44.030](#) of this chapter.

B. Permitted Parking Alternatives And Reductions:

1. Shared Parking: Where multiple uses share the same off street parking facilities, reduced total demand for parking spaces may result due to differences in parking demand for each use during the course of the day. The following schedule of shared parking is provided indicating how shared parking for certain uses can be used to reduce the total parking required for shared parking facilities:

TABLE 21A.44.040B
SCHEDULE OF SHARED PARKING

General Land Use Classification	Weekdays			Weekends		
	Midnight - 7:00 A.M.	7:00 A.M. - 6:00 P.M.	6:00 P.M. - Midnight	Midnight - 7:00 A.M.	7:00 A.M. - 6:00 P.M.	6:00 P.M. - Midnight
College and university	0%	100%	50%	5%	50%	50%
Community centers	0%	30%	75%	0%	100%	80%

Hotel	100%	65%	100%	100%	65%	100%
Office and industrial	5%	100%	5%	0%	5%	0%
Place of worship	0%	30%	50%	0%	100%	75%
Residential	100%	50%	80%	100%	75%	75%
Restaurant	10%	70%	100%	25%	50%	100%
Retail/service	0%	100%	80%	0%	100%	75%
Schools, elementary and secondary	5%	100%	75%	0%	25%	10%
Theater/entertainment	5%	40%	100%	5%	75%	100%

- a. Determining The Total Requirements For Shared Parking Facilities: For each applicable general land use category, calculate the number of spaces required for a use if it were the only use (refer to section [21A.44.030](#), table [21A.44.030](#) of this chapter). Use those figures for each land use to calculate the number of spaces required for each time period for each use (6 time periods per use). For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six (6) time periods. Select the time period with the highest total parking requirement and use that total as the shared parking requirement.
 - b. Location For Shared Parking: Shared parking spaces must be within five hundred feet (500') of the primary entrance of all uses served unless remote parking shuttle bus service is provided.
 - c. Agreement For Shared Parking: A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the zoning administrator and it must be recorded by the applicant in a form established by the city attorney. If building permits are required for the development, recordation of the agreement must take place before building permit issuance for any use utilizing the shared parking. A shared parking agreement may be revoked only if all required off street parking spaces will be provided in accordance with section [21A.44.030](#) of this chapter.
2. Off Site Valet Parking: The zoning administrator may approve valet parking as a means of satisfying otherwise applicable off street parking requirements as required by section [21A.44.030](#) of this chapter if:
 - a. Adequate assurances are provided attesting to the continued operation of the valet parking, such as a long term contract with a provider or a contract for lease of off site parking spaces;
 - b. The design of the valet parking does not cause customers who do not use the valet services to park off the premises or cause queuing in the right of way; and
 - c. The valet parking service is conspicuously posted outside the establishment and near the main entrance.
 3. Modification Of Parking Geometries: The zoning administrator may authorize parking geometry configurations other than those normally required by city code or policy if such parking geometries have been approved, and the reasons therefor explained in writing, by the city transportation director. In no case shall parking geometry modifications be allowed if they would in any way impact spaces designated for person with disabilities.

4. Use Of Excess Parking In Park And Ride Lots: Park and ride lots that are not used to capacity may be used for a new development's required parking provided that the lot is within one thousand feet (1,000') of the development and the applicant can demonstrate to the zoning administrator's satisfaction that the lot is underutilized and that use of the excess parking spaces will not interfere with the park and ride use of the lot. An agreement between the property owners of the development and the park and ride lot is required and a copy of the agreement shall be submitted to the zoning administrator and recorded by the applicant in a form established by the city attorney.
5. Off Site Parking Facilities: Off site parking facilities under shared ownership or through a lease agreement may, in districts where they are specifically allowed as permitted or conditional uses, be used to satisfy the requirements of this title for off street parking, subject to the following requirements:
 - a. The maximum distance between the proposed use and the closest point of the off site parking facility shall not exceed one thousand feet (1,000'). However, in the D-1 district, such distance shall not exceed one thousand two hundred feet (1,200').
 - b. Projects requiring off site, shared, and/or alternative parking in areas of the city where a UI zoning district abuts a D-1 district, the following apply:
 - (1) For a project located within a UI district, the area available for off site, shared, and/or alternative parking shall not exceed five hundred feet (500') within the UI district unless the D-1 district is located within one thousand two hundred feet (1,200'), in which case the area available for off site, shared, and/or alternative parking may extend up to one thousand two hundred feet (1,200') from the project in the direction of the D-1 district;
 - (2) For a project located within a D-1 district, the area available for off site, shared, and/or alternative parking shall not exceed one thousand two hundred feet (1,200'); however, if the UI district is located within one thousand two hundred feet (1,200'), the area available for off site, shared, and/or alternative parking shall not extend into the UI district more than five hundred feet (500');
 - (3) The maximum distance between the proposed use and the off site, shared, and/or alternative parking shall be measured radially from the closest property line of the proposed use to the closest property line of the off site, shared, and/or alternative parking;
 - (4) Parking spaces shall not be counted more than once in off site, shared, and/or alternative parking plans for different facilities, except where different plans comply with off site, shared, and/or alternative parking regulations due to hours of operation, days of usage, or other reasons.
 - c. Off site parking to support uses in the CB, CN, RB, MU, R-MU, R-MU-35 and R-MU-45 zones or a legal nonconforming use in a residential zone need not comply with the maximum five hundred foot (500') distance limitation, provided the applicant can demonstrate that a viable plan to transport patrons or employees has been developed. Such plans include, but are not limited to, valet parking or a shuttle system. After July 31, 2008, no new off site parking facilities may be created in any residential zoning district, except in the RB, RO, R-MU, R-MU-35 and R-MU-45 zoning districts. The zoning administrator has the authority to make discretionary decisions concerning the provisions of section [21A.44.030](#), table [21A.44.030](#) of this chapter when actual data is presented which supports a change in the parking requirement. The zoning administrator may require a traffic and/or parking impact study in such matters.
 - d. Off site parking facilities shall be under the same ownership or leasehold interest as the lot occupied by the building or use to which the parking facilities are accessory. Private possession of off street parking facilities may be either by deed or by long term lease. The deed or lease shall require the owner and/or heirs, successors or assigns to maintain the required number of parking facilities through contract for the duration of five (5) years. The city shall be notified when the

contract is terminated. If for any reason the lease is terminated during the five (5) year minimum contractual period, the lessee shall either replace the parking being lost through the terminated lease, or obtain approval for alternative parking requirements. Pursuant to obtaining a building permit or conditional use approval, documentation of the off site parking facility shall be recorded against both the principal use property and the property to be used for off site parking.

6. On Street Parking: In all zoning districts other than single- or two-family residential districts, credit for on street parking shall be allowed to satisfy some or all off street parking required in section [21A.44.030](#) of this chapter. For single- and two-family uses, regardless of the underlying zoning district, on street parking cannot be used to satisfy required off street parking. On street parking cannot be used to satisfy ADA required parking. Such credit shall require site plan review approval and shall meet the following requirements:

- a. Parking must be permitted without time restrictions along the streets to be used;
- b. All on street parking facilities shall be designed in conformance with the standards established by the city transportation director;
- c. Prior to approving any requests for on street parking, the zoning administrator, in consultation with the city transportation director, shall determine that the proposed on street parking will not materially adversely impact traffic movements and related public street functions; and
- d. Credit for on street parking shall be limited to the number of spaces provided along the street frontage adjacent to the use.

7. Parking Exemptions For Proximity To Mass Transit: For any new multi-family residential, commercial, office or industrial development within one-fourth ($\frac{1}{4}$) mile of a fixed transit station, the minimum number of parking spaces required according to section [21A.44.030](#) of this chapter can be reduced by fifty percent (50%).

8. Parking Exemptions For Pedestrian Friendly Development:

- a. Applicability: Any business located in the CB, CN, RB, MU, R-MU, R-MU-35 and R-MU-45 zoning districts and classified in section [21A.44.030](#), table [21A.44.030](#) of this chapter as "recreational, cultural or entertainment" or as "retail goods and services" may be granted a partial exemption from the off street parking requirements to the extent authorized below and provided the requirements of this subsection are met.
- b. Pedestrian Friendly Amenities: For any business that has pedestrian friendly amenities, such as bike racks, baby buggy parking areas, benches or other similar pedestrian oriented amenities, which are located within one hundred feet (100') of the entrance to the business, either on public or private property, the first two thousand five hundred (2,500) square feet of the building area shall be excluded from parking calculations and exempt from parking requirements. Any such pedestrian oriented amenities must be permanently affixed to the property and shall be installed and maintained at the property owner or business owner's expense. Any pedestrian oriented amenities to be located on public property may only be installed pursuant to authorization granted by the city, and upon proof of adequate insurance coverage to protect the city from liability.
- c. Time Limited: For any business which meets the criteria set forth in subsection B8b of this section, and which also has time limited on street parking of two (2) hours or less within one hundred feet (100') of the entrance to the business, an additional one thousand (1,000) square feet of the building area shall be excluded from parking calculations and exempt from parking requirements. Any request to change unlimited on street parking to time limited on street parking must be reviewed and approved by the city transportation director.
- d. Angular Parking: For any business which meets the criteria set forth in subsection B8b of this section and which also has angular parking spaces which provide traffic calming and provide

shorter unprotected crossing distances by narrowing the roadway within one hundred feet (100') of the entrance to the business, an additional one thousand (1,000) square feet of building area shall be excluded from parking calculations and exempt from parking requirements. Any request to create angular on street parking spaces where such parking does not now exist, must be reviewed and approved by the city transportation director.

- e. Exemptions: For any business which meets the criteria set forth in subsections B8b, B8c and B8d of this section, the first five thousand (5,000) square feet of building area shall be excluded from parking calculations and exempt from parking requirements.
- C. Transportation Demand Management: A reduction in the number of required parking spaces can be permitted through the transportation demand management regulations found in section [21A.44.050](#) of this chapter.
- D. Other Eligible Alternatives: Any alternative to off street parking spaces not outlined in this section may be considered. Such alternatives shall be processed as special exceptions in accordance with the provisions of chapter 21A.52 of this title and as follows:
- 1. Application: In addition to the materials required by chapter 21A.52 of this title, the applicant for an alternative parking requirement must also submit:
 - a. A written statement specifying the alternative parking requirement requested and the rationale supporting the application;
 - b. A professionally prepared parking study for alternative parking requirements requested for unique nonresidential uses and intensified parking reuse; and
 - c. A site plan of the entire alternative parking property drawn to scale at a minimum of one inch equals thirty feet (1" = 30') showing the proposed parking plan.
 - 2. Notice And Hearing: As a special exception, all requests for alternative parking requirements shall require a public notice and a public hearing in conformance with the requirements of chapter 21A.10 of this title.
 - 3. City Internal Review:
 - a. The zoning administrator shall obtain comments regarding the application from all interested city departments or divisions.
 - b. The city transportation director may, if it is determined that the proposal may have an adverse material impact on traffic, require the applicant to submit a professionally prepared traffic impact study prior to the hearing on the application.
 - c. The city transportation director may require a professionally prepared parking study, where deemed appropriate, for applications for unique residential populations and single room occupancy residential uses.
 - 4. General Standards And Considerations For Alternative Parking Requirements: Requests for alternative parking requirements shall be granted in accordance with the standards and considerations for special exceptions in section [21A.52.060](#) of this title. In addition, an application for an alternative parking requirement shall be granted only if the following findings are determined:
 - a. That the proposed parking plan will satisfy the anticipated parking demand for the use, up to the maximum number specified in section [21A.44.030](#), table [21A.44.030](#) of this chapter;

- b. That the proposed parking plan will be at least as effective in maintaining traffic circulation patterns and promoting quality urban design as would strict compliance with the otherwise applicable off street parking standards;
- c. That the proposed parking plan does not have a materially adverse impact on adjacent or neighboring properties;
- d. That the proposed parking plan includes mitigation strategies for any potential impact on adjacent or neighboring properties; and
- e. That the proposed alternative parking requirement is consistent with applicable city master plans and is in the best interest of the city. (Ord. 62-13, 2013)

21A.44.050: TRANSPORTATION DEMAND MANAGEMENT:

A. Purpose: The purposes of the following provisions relating to transportation demand management are to:

- 1. Enable Salt Lake City to reduce vehicle miles traveled in the City, thereby reducing the use of gasoline, the use of other fossil fuels, and greenhouse gas emissions;
- 2. Improve public health;
- 3. Reduce air, water, and noise pollution associated with motorized vehicular transportation;
- 4. Promote alternative modes of transportation, such as bicycling and walking;
- 5. Lessen congestion on the streets and roads of the City;
- 6. Promote road safety and reduce the number of accidents;
- 7. Provide opportunities for residents, institutions, and businesses of the City to save fuel costs related to driving;
- 8. Encourage compact development patterns and reduce sprawl development;
- 9. Reduce the amount of surface parking lots in the City by facilitating other modes of transportation;
- 10. Reduce road and parking facility construction and maintenance costs; and
- 11. Support community economic development objectives.

B. Generally Applicable Transportation Demand Management Standards:

- 1. Applicability: The following standards shall be applicable to all new buildings that exceed five thousand (5,000) square feet in floor area or a major expansion of an existing building. For this subsection, a "major expansion" is defined as any alteration or modification to a building that increases the building's gross floor area by twenty five percent (25%) or five thousand (5,000) square feet, whichever is less.
- 2. Electric Vehicle Parking: The following standards shall only apply to multi-family uses. At least one (1) parking space dedicated to electric vehicles shall be provided for every twenty five (25) parking spaces provided. Electric vehicle parking spaces shall count toward the required number of parking spaces. The electric vehicle parking space shall be:

- a. Located in the same lot as the principal use;
- b. Located as close to a primary building entrance as possible;
- c. Signed in a clear and conspicuous manner, such as special pavement marking or signage, indicating exclusive availability to electric vehicles; and
- d. Outfitted with a standard electric vehicle charging station.

3. Number Of Required Bicycle Parking Spaces:

- a. Applicability: The following regulations apply to all uses except for single- and two-family residential uses and nonresidential uses having one thousand (1,000) square feet or less.
- b. Fractional Spaces: When determination of the number of bicycle spaces required by this title results in a requirement of a fractional space, any fraction of less than one-half ($1/2$) may be disregarded, while a fraction of one-half ($1/2$) or more, shall be counted as one (1) bicycle parking space.
- c. Calculation Of Required Bicycle Parking Spaces: The calculation of the number of required bicycle spaces shall be based on the minimum number of motorized vehicle spaces as required by section [21A.44.030](#), table 21A.44.030 of this chapter. If more vehicular parking is provided beyond the minimum, then the calculation shall be based on what has been provided.
 - (1) Residential And Commercial Uses: The number of bicycle parking spaces provided for any residential or commercial use shall be five percent (5%) of the vehicular parking spaces required for such use. At least two (2) bicycle parking spaces are required.
 - (2) Office Uses: The number of bicycle parking spaces provided for any office use shall be ten percent (10%) of the vehicular parking spaces required for such use. At least five (5) bicycle parking spaces are required and at least twenty five percent (25%) of the required bicycle parking spaces shall be in the form of bicycle lockers or another means of secure, protected bicycle storage.
 - (3) Educational Uses: The number of bicycle parking spaces provided for any educational use shall be one and one-half ($1\frac{1}{2}$) bicycle parking spaces for every twenty (20) students and one (1) space for every ten (10) employees. At least ten (10) bicycle parking spaces are required.
 - (4) Manufacturing Uses: The number of bicycle parking spaces provided for any manufacturing use shall be two percent (2%) of the vehicular parking spaces required for such use. At least two (2) bicycle parking spaces are required and at least one (1) of the required bicycle parking spaces shall be in the form of bicycle lockers or other means of secure, protected bicycle storage.
 - (5) All Other Uses: The number of bicycle parking spaces provided for any other use shall be five percent (5%) of the vehicular parking spaces required for such use. At least two (2) bicycle parking spaces are required.
- d. Existing Bicycle Parking Spaces: Permanent bicycle parking spaces, such as City installed bicycle racks or bike corrals, that are in existence at the time of development and within fifty feet (50') of the primary entrance to the principal building can be used for a maximum of two (2) required bicycle parking spaces. A single bicycle rack can only be used by one (1) development.

4. Bicycle Parking Location Standards: Bicycle parking spaces shall be:

- a. Located on the same lot as the principal use;

- b. Located to prevent damage to bicycles by cars;
 - c. Located in a convenient, highly visible, active, well lighted area;
 - d. Located so as not to interfere with pedestrian movements;
 - e. Located no more than fifty feet (50') from the primary entrance of each principal building;
 - f. Distributed to serve all buildings and primary entrances if the development has multiple buildings on one (1) or more lots;
 - g. Connected to the right-of-way, sidewalk or bicycle lane by a path that is clearly separated from the parking lot and drive lanes; and
 - h. Located within the building if it is not possible to meet the location standards above.
5. Bicycle Rack Design Standards: All bicycle racks provided shall be:
- a. Designed to be consistent with the surroundings in color and design and incorporated, whenever possible, into buildings or street furniture design;
 - b. Designed to allow each bicycle to be supported by its frame;
 - c. Designed to allow the frame and front wheel of each bicycle to be secured against theft;
 - d. Designed to avoid damage to the bicycles;
 - e. Designed to resist rust or corrosion, or removal by vandalism; and
 - f. Designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bicycles.

C. Transportation Demand Management Parking Incentives:

1. Purpose: The following parking incentives are intended to encourage the use of transportation demand management strategies not regulated elsewhere in this subsection. These additional strategies are available to applicants who want to modify the amount of off street parking required by either decreasing the number of spaces below the minimum requirement or increasing the number of spaces beyond the maximum requirement.
2. Applicability: The regulations of this subsection shall only apply to applicants intending to provide transportation demand management elements beyond the required strategies in exchange for modification to the number of required parking spaces. These incentives are available to all new residential and nonresidential uses requiring at least five (5) parking spaces according to section [21A.44.030](#), table 21A.44.030 of this chapter.
3. Modification Of The Number Of Required Parking Spaces:
 - a. Reduction Of The Number Of Required Parking Spaces: The minimum number of off street parking spaces, as determined by section [21A.44.030](#), table 21A.44.030 of this chapter, can be reduced to seventy five percent (75%) of the minimum requirement provided the applicant fulfills at least two (2) of the minor transportation demand management strategies listed in this subsection. This modification shall only apply to the minimum established in section [21A.44.030](#), table 21A.44.030 of this chapter prior to any other permitted parking reductions.
 - b. Increase Of The Maximum Number Of Allowable Parking Spaces: The minimum number of off street parking spaces, as determined by subsection [21A.44.030G](#) of this chapter, can be

increased to double the minimum requirement under section [21A.44.030](#), table 21A.44.030 and "Table Of District Specific Minimum Off Street Parking Requirements", of this chapter provided the applicant fulfills at least one (1) of the major transportation demand management strategies and one (1) of the minor transportation demand management strategies listed in this subsection.

4. Eligible Transportation Demand Management Strategies: The strategies are available for use as part of the parking modification incentive process. Strategies not listed here, but demonstrated to meet the intent of this section, may be approved by the Planning Director.

a. Major transportation demand management strategies:

- (1) At least fifty percent (50%) of the required bicycle parking provided in the form of secured long term bicycle parking located in the interior of a building and made available to residents, employees or patrons of the development.
- (2) A facility for bicycle or pedestrian commuters that offer at least one (1) unisex shower and five (5) lockers for storage for use by employees of a nonresidential development.
- (3) A full service bus stop sited to serve the development's employees or residents, either of new construction or with improvements, such as additional lighting, security features, benches or shelter, to an existing stop. A full service bus stop includes, but is not limited to, full ADA accessibility, a paved pathway to the right-of-way, trash cans, lighting, a bench and a shaded, sheltered waiting area. The applicant must work with Utah Transit Authority to establish and verify the long term viability of the proposed or existing bus stop.
- (4) An on site business center or satellite office facility, within a residential development, designed to facilitate telecommuting.
- (5) An on premises daycare in a nonresidential or mixed use development.
- (6) An on premises gym or workout facility for residents or employees with at least four hundred (400) square feet of space dedicated to workout equipment.
- (7) An on premises restaurant, cafeteria or lunchroom that provides meals for purchase by employees, residents or patrons of the development.

b. Minor transportation demand management strategies:

- (1) Permanently sheltered, covered or secure facilities for the required bicycle parking.
- (2) Participation or investment in an approved motor vehicle sharing program, including at least one (1) dedicated parking space for a shared vehicle.
- (3) Participation in, investment in or sponsorship of an approved bicycle sharing program.
- (4) At least ten percent (10%) of the required parking in the form of dedicated parking spaces for employees participating in a car pool or vanpool program, located as close as possible to the main entrance.
- (5) Unbundled parking provisions, where off street parking can be purchased or rented by residents or tenants independently of a residential unit or nonresidential space within a development. (Ord. 20-17, 2017: Ord. 71-15, 2015: Ord. 62-13, 2013)

21A.44.060: PARKING RESTRICTIONS WITHIN REQUIRED YARDS:

- A. Regulations, Form Of Restrictions: Within the various chapters of this title, there are regulations that restrict the use of certain yards for off street parking. These regulations can take the form of restrictions against parking in required yards, landscape yard restrictions, or landscape buffer restrictions.
- B. Front Yard Parking: For any zoning district, if front yard parking is prohibited in table 21A.44.060 of this section, it may be allowed as a special exception when the rear or side yards cannot be accessed and it is not feasible to build an attached garage that conforms to yard area and setback requirements, subject to the following conditions:
1. The hard surfaced parking area be limited to nine feet (9') wide by twenty feet (20') deep;
 2. A minimum twenty foot (20') setback from the front of the dwelling to the front property line exists so that vehicles will not project into the public right of way; and
 3. Parking on the hard surfaced area is restricted to passenger vehicles only.
- C. Drive-Through Lane Restrictions: In zoning districts where uses with drive-through facilities are allowed and where no front or corner side yard setback is required, the drive-through lanes shall not be located between the front or corner side lot line and any walls of the principal structure.
- D. Parking Restrictions Within Yards: To make the use of this title more convenient, table 21A.44.060 of this section has been compiled to provide a comprehensive listing of those districts where restrictions exist on the location of parking in yards.

TABLE 21A.44.060

PARKING RESTRICTIONS WITHIN YARDS

Zoning Districts		Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
Residential districts:					
	Single-/two-family residential districts: FR-1 to SR-1 and R-2	Parking not permitted between front lot line and the front line of the principal building	Parking not permitted between front lot line and the front line of the principal building	Parking permitted. In the FR districts parking not permitted within 6 feet of interior side lot line	Parking permitted
	SR-3	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
	RMF-30	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line when abutting a single- or two-family district	Parking not permitted within 10 feet of the rear lot line when abutting a single- or two-family district

Zoning Districts		Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
	RMF-35	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line when abutting a single- or two-family district. Parking not permitted within 1 of the side yards of interior lots, except for single-family attached lots	Parking not permitted within 10 feet of the rear lot line when abutting a single- or two-family district
	RMF-45	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line when abutting a single- or two-family district. Parking not permitted within 1 of the side yards of interior lots, except for single-family attached lots	Parking not permitted within 10 feet of the rear lot line when abutting a single- or two-family district
	RMF-75	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line when abutting a single- or two-family district. Parking not permitted within 1 of the side yards of interior lots	Parking not permitted within 10 feet of the rear lot line when abutting a single- or two-family district
	RB	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
	R-MU-35	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line when abutting a single- or two-family district. Parking not permitted within 1 of the side yards of interior lots, except for single-family attached lots	Parking not permitted within 10 feet of the rear lot line when abutting a single- or two-family district

Zoning Districts		Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
	R-MU-45	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line when abutting a single- or two-family district. Parking not permitted within 1 of the side yards of interior lots, except for single-family attached lots	Parking not permitted within 10 feet of the rear lot line when abutting a single- or two-family district
	R-MU	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line when abutting a single- or two-family district	Parking not permitted within 10 feet of the rear lot line when abutting a single- or two-family district
	RO	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line when abutting a single- or two-family district. Parking not permitted within 1 of the side yards of interior lots, except for single-family attached lots	Parking not permitted within 10 feet of the rear lot line when abutting a single- or two-family district
Commercial, manufacturing, gateway and downtown districts:					
	CN	Parking not permitted	Parking not permitted	Parking not permitted within 7 feet of the side lot line when abutting residential district	Parking not permitted within 7 feet of the rear lot line when abutting residential district
	SNB	Parking not permitted	Parking not permitted	Parking not permitted within 7 feet of the side lot line when abutting residential district	Parking not permitted within 7 feet of the rear lot line when abutting residential district

Zoning Districts	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
CB	Parking not permitted	Parking not permitted	Parking not permitted within 7 feet of the side lot line when abutting residential district	Parking not permitted within 7 feet of the rear lot line when abutting residential district
CS	Parking not permitted within 15 feet of front lot line	Parking not permitted within 15 feet of corner side lot line	Parking not permitted within 15 feet of the side lot line when abutting residential district	Parking not permitted within 15 feet of the rear lot line when abutting residential district
CC	Parking not permitted within 15 feet of front lot line	Parking not permitted within 15 feet of front lot line	Parking not permitted within 7 feet of the side lot line when abutting residential district	Parking not permitted within 7 feet of the rear lot line when abutting residential district
CSHBD	Parking not permitted between front property line and front building line	Parking not permitted between corner side property line and corner side building line	If yard is provided, parking not permitted within 7 feet of side lot line when abutting residential district	If yard is provided, parking not permitted within 7 feet of rear lot line when abutting residential district
CG	Parking not permitted within 10 feet of front lot line	Parking not permitted within 10 feet of side lot line	Parking not permitted within 15 feet of the side lot line when abutting residential district	Parking not permitted within 15 feet of the rear lot line when abutting residential district
TSA	See section 21A.26.078 of this title			
M-1	Parking not permitted	Parking not permitted	Parking not permitted within 15 feet of the side lot line when abutting residential district	Parking not permitted within 15 feet of the rear lot line when abutting residential district

Zoning Districts		Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
	M-2	Parking not permitted within 15 feet of front lot line	Parking not permitted within 15 feet of corner side lot line	Parking not permitted within 50 feet of the side lot line when abutting residential district	Parking not permitted within 50 feet of the rear lot line when abutting residential district
	D-1	Parking restrictions within yards for the D-1 zone are found in section 21A.30.020 , "D-1 Central Business District", of this title			
	D-2	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
	D-3 ¹	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
	D-4	In block corner areas, structure and surface parking permitted only behind a principal building; in mid block areas, surface parking permitted only behind a principal building and parking structures must have retail goods/service establishments, offices or restaurants on ground floor along the street; no restrictions on underground parking		Parking permitted	Parking permitted
	G-MU	In block corner areas, structure and surface parking permitted only behind a principal building; in mid block areas, surface parking permitted only behind a principal building and parking structures must have retail goods/service establishments, offices or restaurants on ground floor along the street; no restrictions on underground parking		Parking permitted	Parking permitted
Special purpose districts:					
	RP	Parking not permitted	Parking not permitted	Parking not permitted within 8 feet of the side lot line or within 30 feet of the side lot line when abutting residential district	Parking not permitted within 8 feet of any rear lot line or within 30 feet of the rear lot line when abutting residential district

Zoning Districts	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
BP	Parking not permitted	Parking not permitted	Parking not permitted within 30 feet of the side lot line when abutting residential district. Parking not permitted within 8 feet of any side lot line	Parking not permitted within 30 feet of the rear lot line when abutting residential district. Parking not permitted within 8 feet of any rear lot line
FP	Parking not permitted	Parking not permitted	Parking not permitted within 6 feet of side lot line	Parking permitted
AG	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
AG-2	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
AG-5	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
AG-20	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
A	Parking permitted	Parking permitted	Parking permitted	Parking permitted
PL	Parking not permitted	Parking not permitted	Parking permitted. Parking not permitted within 10 feet if it abuts a residential district	Parking permitted. Parking not permitted within 10 feet if it abuts a residential district
PL-2	Parking not permitted	Parking not permitted	Parking permitted. Parking not permitted within 10 feet if it abuts a residential district	Parking permitted. Parking not permitted within 10 feet if it abuts a residential district

Zoning Districts	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
I	Parking not permitted	Parking not permitted	Parking not permitted within 15 feet of the side lot line when abutting residential district	Parking not permitted within 15 feet of the rear lot line when abutting residential district
UI ²	Parking not permitted within 15 feet of the front lot line	Parking not permitted within 15 feet of a corner side lot line	Parking not permitted within 15 feet of lot line when abutting single- and two-family districts	Parking not permitted within 10 feet of the rear lot line or within 15 feet of lot line when abutting single- and two-family districts
OS	Parking not permitted	Parking not permitted	Parking not permitted within 10 feet of the side lot line	Parking not permitted within 10 feet of the rear lot line
MH	Parking not permitted	Parking not permitted	Parking permitted	Parking permitted
EI	Parking not permitted within 10 feet of the front lot line	Parking not permitted within 30 feet of the corner side lot line	Parking not permitted within 30 feet of the side lot line	Parking not permitted within 20 feet of the rear lot line
MU	Parking not permitted	Parking not permitted	Parking permitted within 1 side yard only	Parking permitted

Notes:

1. Minimum open space of 20 percent lot area may impact parking location.
2. Hospitals in the UI zone: Parking is not permitted within 30 feet of a front and corner side yard, or within 10 feet of an interior side and rear yard.

(Ord. 62-13, 2013)

21A.44.070: GENERAL OFF STREET LOADING REQUIREMENTS:

- A. Location: All required loading berths and maneuvering areas shall be located on the same lot as the use served. All motor vehicle loading berths which abut a residential district or an intervening alley, separating a residential district from a business, commercial or industrial district, shall be screened

according to the standards contained in [chapter 21A.48](#) of this title.

No permitted or required loading berth shall be located within thirty feet (30') of the nearest point of intersection of any two (2) streets. No loading berth shall be located in a required front yard.

- B. Access: Each required off street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will eliminate or minimize conflicts with traffic movement, and shall be subject to approval by the development review team and the city transportation director. Maneuvering and backing space to the loading dock shall be accommodated on site when possible.
- C. Utilization Of Off Street Loading Areas: Space allocated to any off street loading use shall not be used to satisfy the space requirements for any off street parking.
- D. Size: Unless otherwise specified, a required off street loading berth shall be at least ten feet (10') in width by at least thirty five feet (35') in length for short berths, and twelve feet (12') in width by at least fifty feet (50') in length for long berths exclusive of aisle and maneuvering space. Maneuvering aprons of appropriate width and orientation shall be provided and will be subject to approval by the development review team and the city transportation director.
- E. Vertical Clearance: All loading areas shall have a vertical clearance of at least fourteen feet (14').
- F. Design And Maintenance:
1. Design Of Loading Areas: All loading areas shall be oriented away from adjacent residential or other incompatible uses.
 2. Plan: The design of loading areas shall be subject to the approval of the development review team and the city transportation director.
 3. Landscaping And Screening: Landscaping and screening shall be provided in accordance with the requirements of chapter 21A.48 of this title.
 4. Lighting: Any lighting used to illuminate loading areas shall be down lit away from residential properties and public streets in such a way as not to create a nuisance.
 5. Cleaning And Maintenance: Except in the industrial (M-1 and M-2), general commercial (CG) and downtown (D) districts, no cleaning or maintenance of loading areas utilizing motorized equipment may be performed between ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. each day, except for snow removal.
 6. Signs: Accessory signs shall be permitted on loading areas in accordance with the provisions specified in chapter 21A.46 of this title.
 7. Loading Area Surface: Loading area surfaces shall be hard surfaced and drained to dispose of all surface water and to provide effective drainage without allowing the water to cross the sidewalk or driveway. (Ord. 62-13, 2013)

21A.44.080: SPECIFIC OFF STREET LOADING REQUIREMENTS:

Off street loading facilities for new developments shall be provided at the rate specified for a particular use in table 21A.44.080 of this section. The zoning administrator may waive any off street loading requirement

with a recommendation of the development review team.

TABLE 21A.44.080
SCHEDULE OF OFF STREET LOADING REQUIREMENTS

Use	Usable Floor Area ¹ (Square Feet)	Number Of Berths And Size ^{2,3}
Hotels, institutions and institutional living	50,000 - 100,000	1 short
	Each additional 100,000	1 short
Industrial uses	5,000 - 10,000	1 short
	10,001 - 40,000	1 long
	40,001 - 100,000	2 long
	Each additional 100,000	1 long
Multi-family	100,000 - 200,000	1 short
	Each additional 200,000	1 short
Office uses	50,000 - 100,000	1 short
	Each additional 100,000 up to 500,000	1 short
	Each additional 500,000	1 short
Retail/commercial	25,000 - 40,000	1 short
	40,000 - 100,000	1 long
	Each additional 100,000	1 long

Notes:

1. Usable floor area refers to buildings or structures on premises.
2. Loading dock requirement is cumulative.
3. Berth (loading dock) dimensions:
Short: 10 feet wide x 35 feet deep.
Long: 12 feet wide x 50 feet deep.

(Ord. 62-13, 2013)

APPENDIX 8

1

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Chapter 26.580. - ENGINEERING

USE REGULATIONS / PART 500 - SUPPLEMENTARY REGULAT... / Chapter 26.515. - TRANSPORTATION A... / Sec. 26.515.070. - Off-Street Parking R...

(1) **Parking Requirement Calculation.** **Parking** Requirements shall be calculated for each use within a development according to Table 26.515-1.

(2) **Parking Provision Minimum.** Applicable development shall satisfy the minimum **Parking** Provision Requirement, as calculated in Table 26.515-1. Minimum **parking** provisions may be reduced in combination with mobility measures and transportation system impact fees in accordance with the standards in Table 26.515-2.

(3) **Parking Provision Maximum.** To create appropriate site planning and provision of **parking**, applicable development shall not provide on-site **parking** in excess of one hundred twenty-five percent (125%) of the **Parking** Provision Maximum requirement in the form of Reserved **Parking** Spaces or Accessory **Parking** Spaces, unless the total number of on-site spaces in excess of one hundred twenty-five percent (125%) of the **Parking** Provision Maximum are provided as Public **Parking** Spaces.

EXPAND

Table 26.515-1 **Parking** Impact Requirement Calculations

Use	Aspen Infill Area		All Other Areas Parking Requirement (in units)
	Parking Requirement (in units)	Parking Maximum (in units)	
Commercial ⁽¹⁾	1 unit / 1,000 sf Net Leasable Space	1.25 units / 1,000 sf NLA	3 units per 1,000 sf NLA ⁽²⁾
Residential - Single-Family and Duplex ⁽⁴⁾	Lesser of 1 unit per bedroom or 2 units per Dwelling Unit	Greater of 1.25 units per bedroom or 2.5 units per dwelling unit	Lesser of 1 unit per bedroom or 2 per unit
Residential - Accessory Dwelling Units and Carriage Houses ⁽³⁾ ⁽⁴⁾	1 unit per unit	1.25 units per unit	1 unit per unit ⁽³⁾
Residential - Multi-Family (as a single use)	1 unit per Dwelling Unit	1.25 units per dwelling unit	Lesser of 1 unit per bedroom or two units per Dwelling Unit
Residential - Multi-Family within a mixed-use building	1 unit per Dwelling Unit	1.25 units per dwelling unit	1 per Dwelling Unit ⁽²⁾
Hotel/Lodge	0.5 units per Key	0.7 units per Key	0.7 units per Key ⁽²⁾
All Other Uses (civic, cultural, public uses, essential public facilities, child care centers, etc.)	Established by Special Review according to the review criteria of Section 26.515.080.	N/A	Established by Special Review according to the review criteria of Section 26.515.080.

Key to Table 26.515-1:

• ⁽¹⁾ = Up to one hundred percent (100%) of **Parking** Requirement, may be provided through cash-in-lieu.

• ⁽²⁾ = A reduction in **Parking** Requirement may be approved, pursuant to [Chapter 26.430](#), Special review and according to the review criteria of [Section 26.515.080](#)

• ⁽³⁾ = A reduction in **Parking** Requirements may be approved, pursuant to [Chapter 26.520](#), Accessory dwelling units and carriage houses.

• ⁽⁴⁾ = All Single Family and Duplex dwelling units, as well as ADUs and Carriage Houses shall provide their **Parking** Requirement as **off-street**, on-site **parking** spaces.

• SF = Square feet

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App. #	Address	Current Use	Approval Details	Approval Date	Zone
PL-17-03537	1800 Park Avenue	Hotel - Double Tree	Temp. tent structure allowed 2 times a year for no longer than 180 consecutive days for a maximum of 180 days in a calendar year.	8/23/2017	GC
			Approval for 3 years with an allowance to request an extension		
			Allowed under (currently existing) 15-4-6(A)		
PL-03-06085	2001 Park Avenue	Hotel - Park City	For private events - no admission or advertising to the general public.	7/7/2003	SF - at time of approval. GC - current
			Sizes: 30x30 ; 60 x 60 ; 15x15		
			All tents approved for a specific event must be removed the next day		
PL-13-01845	9100 Marsac Avenue	Hotel - Montage Deer Valley	tents allowed for up to 15 times per year, 4 of these times which the tents may stay up for a max of 60 days.	24-Apr-13	RD
			Did a parking study		
			6 locations on several lawns		
PL-04-0469	2000 Meadows Drive	Park Meadows Country Club	Should provide advanced written notice to the PD	8/26/2005	ROS
			60x100 foot tent		
Could not Confirm	2300 Deer Valley Drive	St. Regis Hotel	15 tent permits/year, 14 day max, 1 tent has exception of 60 day max (Summer days only)	3/9/2011	RC
			Did a parking study		
			2 locations for tents		
			40x70'		

PL-16-03146	7700 Stein Way	Stein Erikson Lodge	6 tents/year, 4 day max, Parking plan is required for each Fire Permit	5/25/2016	RD
PL-16-03147	7815 Royal Street	The Chateaux Deer Valley	7 tents/year, 4 day max, Parking plan is required for each Fire Permit	5/25/2016	RD
			4 tents total		
			40x40 ; 40 x50 ; 10x20		
PL-06-0142	825 Main St	Town Lift Plaza	A one year review was required.	8/18/2006	HRC
			Advanced written notice about events they planned to hold.		



2/10/2021

Operation plans for Versante on the Lawn 2021 Conditional Use Permit

Versante would like to continue outside seating on our lawn for the Summer of 2021. As the vaccinations roll out we are still anticipating a portion of our guests wanting to enjoy the outdoor space.

We are requesting a CUP for dinner service on the lawn 4:00pm - 8:30pm / 7 days a week. Starting June 5th and ending September 12th. We anticipate minimal impact to City Services. We will be adding the addition of bike racks this summer as we saw a need with many locals using this as a method of transportation to Versante on the Lawn.

Parking for the event will take place in our 133 stall allocated on property and on the right side of the street that the Hotel owns on the private street. All though many of the guests are anticipated to be staying at the hotel.

Staff will be arriving one hour prior to opening to set up for service and extending one hour after service for clean up. There will not be additional lighting to the space other than keeping up the existing outdoor bistro lighting around our fence. We will be hosting live acoustic music on the lawn Friday and Saturdays 6pm - 8pm. This will adhere to the same noise ordinance parameters set by the city and well under the 80 dbls granted last year.

Temporary structures and tents will be inspected by our local fire department. Food services areas will be inspected by the Board of Health and our UDABC compliance officer will assess the application to extend our liquor permit for the summer months. As we receive updated COVID and local protocols we will ensure a safe environment for our employees and guests. We are no longer partnering with local artists and vendors on the lawn for summer 2021 (as we hope they will be in full swing with outdoor markets this year) It will be only for dining purposes.

Thank you for your consideration. We look forward to hearing from you.

Best,
Stephanie Samuels

SITE PLANS INCLUDED

- Summer & off season site plan proposal : please see the attached
 - Please show where everything is going. All picnic tables, server station, toilets (amount), bike racks, firepit, trailer, bar, lighting, pizza oven, Adirondack chairs, etc. DONE
 - It would be great to see a detailed plan and a plan showing where the area sits in relation to overall property (If you can do it on the same plan that's great, whatever is easier though) DONE
 - Emergency vehicle access/turnaround areas – can you note where these are located on both winter and summer plans? DONE
- Again, we could use a plan that indicates where the fire pit is going, chairs, lighting, trailer. Also, a larger scale plan that looks at the proposal in regard to the property. DONE
- Where are curbside pickup parking spots located? DONE

SUMMER PLANS

- How many additional customers are you expecting?
*No more additional than our previous CUP / 12 picnic tables.
(max 90 people)*
- How many additional employees will be required?
6 more employees
- How many additional parking spots will be needed/provided?
We have 133 spots on property and own the back of the private road
- Any signage proposed? *No - we were not allowed with our last CUP*
- Will live music still be proposed? *Yes, Saturday and Sunday*
- Toilets? (How many toilets are there going to be?) *2*
- Length of time? *6pm - 8pm*
- Liquor license:
 - What does this include in terms of time allowed? *I will have to request an extension of our current license to cover the summer lawn months every spring and approved by our compliance officer. Terms: ALL Liquor must be locked overnight in the Versante Liquor closet. All handlers must be 21 with certification. Fenced in the area of service.*
 - Certain dates? *Full V on Lawn Summer dates TBD June - Sept*
- If certain months are proposed for this activity please indicate. *June - Sept*

WINTER PLANS

- Length of time? *4pm - 9pm*
- Any signage proposed? *No*
- If any type of outdoor dining is proposed, verify this. *No - space to wait for order by the fire in chairs*
- Dining globes? *No*
- If certain months are proposed for this activity please indicate. *Year round*

GENERAL QUESTIONS:

- What is being proposed as year round use
Food trailer, pergola, firepit, chairs, bistro lighting
- Is the food truck going to be consistent or are different food trucks going to be coming in every once in a while? *No, we have poured a concrete pad with full hook ups including a sewer return line into our existing grease trap for Versante*
- Parking study
 - What has been the experience thus far?
 - Any parking taking place on Jupiter or Park etc.? *yes, we find that summer business has brought trailers, boats and more to our hotel as guests travel more by car and not air in the summer right now. We are telling these guests to park on our half of Parkview that we own. Winter time we do not have an issue as there are way more guests without transportation.*
 - What management tactics have been put in place? *We have placed TOWING signs on the end of our streets with no parking signage. We have worked with the City Bus system and purchased ads reflecting a 20% discount to those who bike or bus to Versante on the lawn. We are in the process of repaving our current lot to put in new lines for more accurate parking.*
 - Have you needed to cap guests ever? *No, we have had to walk in the lots when the hotel is full and show people to our underground parking area. We have left the garage doors open in the early evening to encourage people to use the parking garage and not just outside.*
 - What mitigation measures are being taken?
 - How many parking spaces do you have currently? 133
 - How many total? 133 plus street parking for hotel guests
 - How many for Peaks guests? All included
 - How many for Versante guests?
 - Any more for lawn guests?
 - How many ADA? 5 *(in garage and out on the lawn)*
 - Any spots currently confirmed as take out waiting only? *We use the front of the hotel for curbside at this time and would like to designate 2 or 3 in front of the trailer as Curbside pick up*
- Any vegetation removal necessary? (Any additional vegetation added?)
no - We are adding grasses, more trees and flowers in the summer. We have just replaced the 5 dying crab apple trees in the front of the hotel with new red trees. In the retaining wall of the trailer pad we added large vegetation beds for the above. The back of the hotel we have added over 12 trees too. All damaged sod during construction has been replaced.
- What is Versante guest capacity? 96
 - Average employee requirements? 32
- What is the lawn capacity? 76
 - Average employee requirements? 6

- Noise
 - Any complaints thus far? *No noise complaints so far. Request for a dumpster enclosure that we agreed upon and building has been completed this summer.*
- Pedestrian circulation
 - Are there any markings for people to cross the parking lot from the hotel or Versante to the lawn? *Yes, we have repaved the parking lot and entrance with the addition of a reflective walking path across the parking lot.*

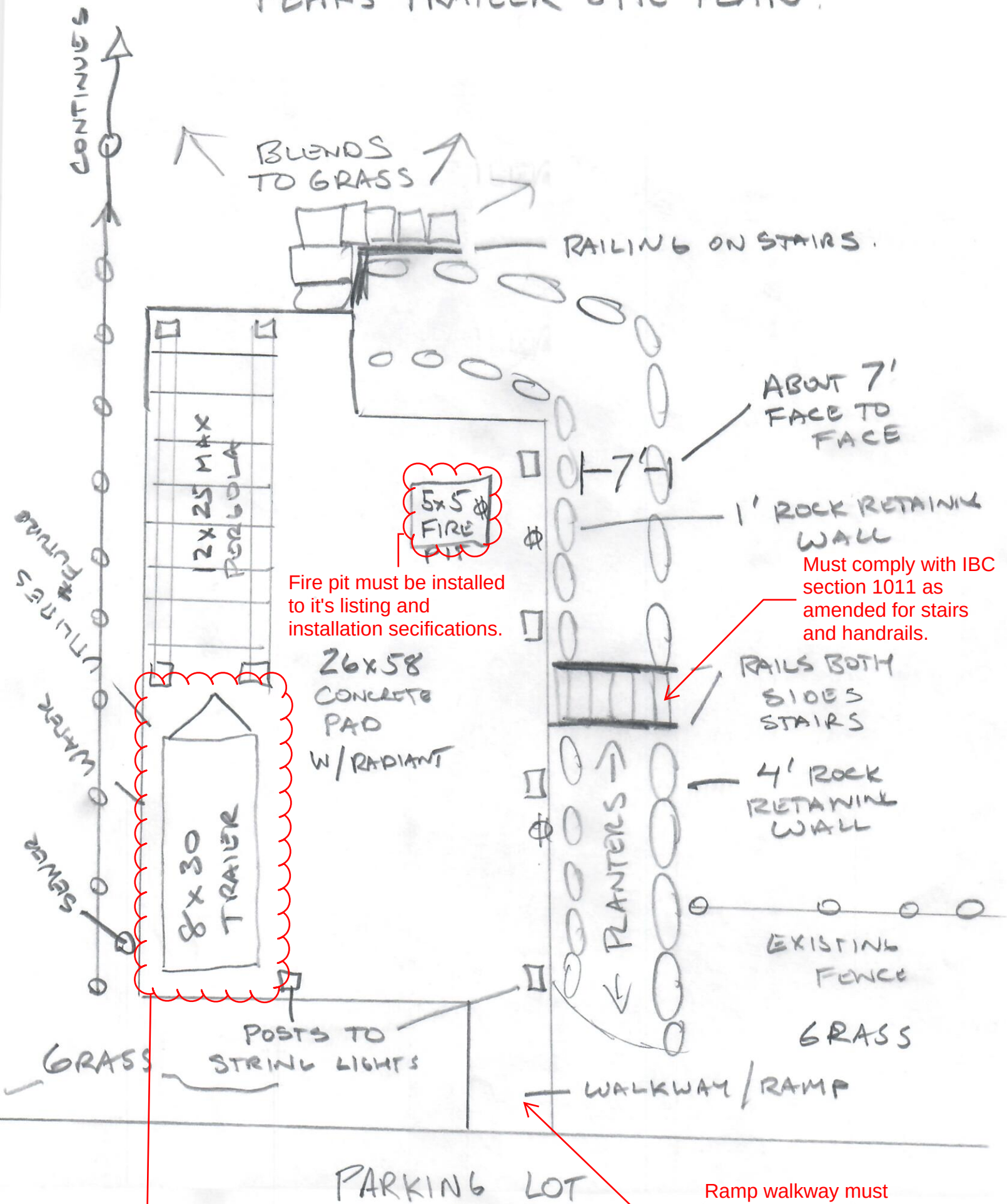
HOLIDAY RANCH LOOP ROAD
(A PUBLIC ROAD)



HOLIDAY RANCH LOOP ROAD
(A PUBLIC ROAD)



PEAKS TRAILER SITE PLAN



Fire pit must be installed to it's listing and installation secifications.

Must comply with IBC section 1011 as amended for stairs and handrails.

Ramp walkway must comply with section 405 of the ICC A117.1-2009 for accessible ramp.

Food service trailer would need to be approved through the city and the health department prior to use

NOT TO SCALE

PEAKS HOTEL

LIGHT POSTS TO MATCH

