

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 9, 2006**

Present: Mayor Dana Williams; Council members, Marianne Cone; Candace Erickson; Roger Harlan; Jim Hier; and Joe Kernan

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Pace Erickson, Streets Manager; Lloyd Evans, Chief of Police; Eric DeHaan, City Engineer; Max Paap, Special Events Manager; Gary Hill, Budget Manager

Kimberly Kuehn, Jewels Harrison, and Julie Doerr-Arenson, Park Silly Sunday Market; Mike Sweeney and Ken Davis, HMBA

1. Council questions/comments. Joe Kernan discussed the transportation session held at the Richins Building last night. As liaison to MCHT, Roger Harlan reported that all of The Line Condominiums have been sold but not all units have closed. He also attended the transportation meeting which was very informative and productive and encouraged the public to attend high school and collegiate hockey games scheduled at the ice arena. Jim Hier stated that the transportation committee met during the week and produced a booklet containing a variety of statistical information. The process is going well and recommendations will return to Council in a couple of months. Candace Erickson relayed that the Recreation Advisory Board is forming committees consistent with Council direction a couple of weeks ago. She thanked Eric DeHaan for having the right-hand turn arrow re-painted on Deer Valley Drive and Deer Valley Drive. There was discussion about UDOT also installing signage. Ms. Cone expressed her appreciation for the completion of the reconstruction of Prospect Street. In response to a question from Council member Cone about patron parking for Squatters, Mr. DeHaan advised that SR224 is posting no parking signs. Mayor Williams reported that EPA has formally recognized our commitment to renewable energy and has inducted Park City into its Green Power Partnership.

2. Snow removal operations. Pace Erickson reported that the snow removal program was modified before the Olympics and has remained the same for years. An effective change implemented last year was designating an employee to clear parking lots so they are available by 8 a.m. Staff is not proposing changes this year and for the first time in many years, are not adding any streets. Many years of collaboration and effort have been invested to create the current snow plan establishing the priority sequence.

Joe Kernan previously requested information on a revised snow removal plan, eliminating Priority 3. He acknowledged that the 20% to 23% increase in costs outlined in the staff report seems reasonable but asked why two additional loaders are required with this scenario. Pace Erickson explained the challenges with clearing cul-de-sacs

because of equipment limitations. Loaders are very maneuverable and capable of moving snow in about half the time of a truck. They are more expensive but a lot more effective, except for the fact that they can't accommodate a salt box, like plow trucks. The City now has three loaders; one is used to push back snow banks on streets and areas in Old Town, Royal Street, for instance. Another is used to load trucks with salt and grit material, and the remaining loader is stationed at the City's primary snow storage area located at Quinn's Junction. There is no surplus equipment available to support an increased service level for Priority 3, primarily consisting of cul-de-sacs. In order to implement a snow plan with only two priority areas including about 40 cul-de-sacs, staff felt cul-de-sacs would have to be split and assigned equally.

Joe Kernan referred to the snow removal plan map and pointed out that streets in Aspen Springs, part of Thaynes Canyon, Fairway Hills, part of the Oaks, and Chatham Crossing are all designated in Priority 3. He asked for clarification on service levels for Priority 2 and Priority 3. Pace Erickson explained that Priority 1 primarily includes bus routes and there is very little accumulation of snow on those routes. Often Priority 2 routes are serviced at the same time depending on their proximity to Priority 1 streets. Priority 1 streets are almost continually plowed if it is snowing hard and cleared every hour. Priority 2 streets are probably plowed every two to three hours and Priority 3 roadways will also be cleared if located in the same area. Priority 3 streets are cleared at least once in a 24 hour period. If a big storm hits but clears up the next day, all areas can be cleaned up by 11 a.m.

Marianne Cone asked if Public Works receives complaints from residents in the Priority 3 area. Mr. Erickson stated that staff maintains a log of complaints and has not received many complaints from residents in Priority 3. Most complaints are generated from Old Town, primarily regarding snow deposited in front of driveways when plowing streets; complaints generally are not related to the conditions of roads. Joe Kernan referred to the intersection of SR224 and Aspen Springs. The subdivision is a Priority 3 and he asked if additional salting and plowing at the intersection would increase safety. Eric DeHaan responded that salt is applied to sloped areas throughout town to maintain adequate friction levels, however storm drains directly dump into the trout stream and there's very little ability to screen the material. He emphasized that there is no level entry into Aspen Springs. Snow events occur approximately 60 days a year and the crews address any emergency situations that may arise. Council member Kernan felt that Aspen Springs accumulates more snow because of its location by the hillside and he asked about general accident rates. Chief Lloyd Evans relayed that on average there are about 450 motor vehicle accidents a year. From November 1 to mid-May, there are probably 300 incidents and about 40% are attributable to the weather. Candace Erickson felt that the low number of accidents due to snow conditions is remarkable. Marianne Cone pointed out that drivers should be prepared for mountain conditions and suggested that two-wheel drive vehicles use chains, if necessary. She

questioned increasing levels of snow removal service when there are other options. Pace Erickson added that dispatchers are in constant contact with plow drivers and immediately respond to emergencies.

Joe Kernan referred to million dollar valuations of homes in Aspen Springs and other Priority 3 neighborhoods and asked the amount of property tax paid to the City per \$100,000 value. Gary Hill responded that the City's rate is about \$109 per \$100,000 of assessed value for primary residences. Mr. Kernan felt the amount of property taxes paid should be considered when determining levels of service and asked if the money could be found to increase service for expensive homes. Mr. Hill responded that if Council directed a change in snow removal services in the upcoming budget, staff would provide that analysis and it would be likely that other levels of service or programs would be re-prioritized. Candace Erickson expressed concerns with the thinking that more expensive houses are entitled to higher levels of service. Mr. Kernan suggested that a minimal level of service for all households be considered, pointing out again that properties paying higher taxes may be receiving less service. Councilmember Cone believes that priorities are based on terrain and accessibility. Pace Erickson agreed and clarified that Old Town, for instance, is a high priority because it has a denser population and the streets are generally narrower and steeper than other areas in the community.

He explained that the current priority sequence best utilizes resources; it is based on average year data and the program is not over-staffed, for instance, which is important in non-snow years. Mr. Kernan believed that staff has responded appropriately to Council direction but perhaps during the budget review, the snow removal program can again be discussed in the context of surplus tourist dividends. In response to a question from the Mayor about the mentioned surplus, Mr. Kernan explained that because revenues are conservatively projected, there is typically more capital available than expected. Reduction in taxes or increases in services are efforts that are tangible to citizens and perhaps this could be discussed in a broader context at another time. The City Manager felt this is consistent with long-term planning and he will be meeting with Council members Kernan and Hier on this topic next week; it will be addressed by members during the visioning session in January.

Marianne Cone asked about the budget for a two-pronged priority snow removal system. Pace Erickson stated his numbers are preliminary and more work would have to be performed to implement a new program this year. Loaders could be purchased rather than leased, which will require up-front spending. He emphasized that the snow removal crew is staffed now, but transit is struggling to recruit 24 drivers. The dichotomy of the community has changed and more construction companies are working year-round, resulting in a shrinking pool of commercial drivers. Even if Council directs staff to enhance snow removal services, it is uncertain if the program could be

staffed. There was discussion about plowing around parked cars which should have been moved during snow emergencies. Pace Erickson explained that there are public service announcements on the radio and electronic signs are used when snow is being hauled. Some people don't listen to the radio or read the paper and another option is purchasing additional electronic signs or other tools to better inform the public. Towing vehicles is not preferred which requires police time and a huge coordination effort. He added that staff is flexible with regard to service and the City is hauling more snow than ever before because of the lack of vacant lots for storage. Mayor Williams felt the electronic signs worked well in Prospecter.

Roger Harlan was pleased to hear about the low number of complaints received and it may be that snow on the streets is expected by residents and visitors, especially at a winter resort. As a resident on a cul-de-sac, he doesn't receive complaints from neighbors. There was discussion about the expense of hauling snow and the technology available to melt snow which is not an economical alternative at this point.

Jim Hier summarized the discussion. Currently there are not a significant number of complaints from Priority 3 residents and the largest number of complaints is generated from Old Town, in Priority 1. He stated that he lives on a cul-de-sac on a hill in a Priority 3 area and his neighbors are not bashful about contacting him about problems with City services. He has yet to receive complaints on snow removal. There are not a significant number of traffic accidents because of inadequate snow removal. He felt that the money could probably be found to eliminate Priority 3, leaving Priorities 1 and 2, but it is unknown whether the man-power is available for the program. For well over an hour, the Council has been discussing solutions in search of a problem. He commended Pace Erickson on his staff report and the continued good job performed by his staff. A broader concept regarding City service priorities should be discussed during the budget review. Council members concurred that the current program should not be modified.

3. Park Silly Sunday Market MFL and street closure proposal. Max Paap explained that the purpose of the work session discussion is for Council to provide staff with direction on the master festival license application. The event is proposed for successive Sundays from June through October 2007 from 9 a.m. to 4 p.m., except the first Sunday in August because of the Art Festival. The application is for an open air market, featuring unique and eclectic local and regional arts, crafts, music, performance art, and a farmers market. The application was received in August and the group initially approached the Marriott Summit to operate on the plaza, but was denied permission. The applicants are now requesting the closure of Main Street between 9th Street and Heber Avenue.

Applicant Kimberly Kuehn spoke about preserving Park City's funkiness and this market is for everybody; they are willing to work with the non-profits and all of Main Street businesses. Jewels Harrison stated that it's important that Old Town and Main Street remain the heart of the community and spoke about the competition of Redstone. Julie Arenson believed the market will create an opportunity for local artists, who can't afford to display in high-end galleries, to show and sell art work. The goal is to revive summers here and to provide something for locals to do on Sundays. Candace Erickson stated that it is important that someone is designated to oversee the weekly event and that responsibilities not fall on the Special Events Manager. Ms. Kuehn responded that they will all be present every week. They are working with the Utah Farmers Association, Utah Arts Council, Kimball Art Center, etc. In response to questions from Council member Hier about fees and HMBA support, Mr. Paap indicated that no fee waiver is requested. Mike Sweeney stated that merchants on lower Main Street are all very excited about the event, however, the HMBA did not formally vote but generally felt that a one-year trial would be beneficial.

Marianne Cone pointed out that Sunday may be a difficult day to recruit Utah vendors for the Farmers Market and Kimberly Kuehn responded that they have quite a few under contract. There are half and full year memberships and there was discussion about ensuring consistent participation. Ms. Arenson added that most of their advice and research has come from other successful markets like Boulder, Sun Valley, and Aspen. Additionally merchants on lower Main Street could also participate, if desired. Roger Harlan concurred with Ms. Cone's comments about potential challenges in recruiting vendors on Sundays because of the predominant culture in Utah. The event is proposed for five months every Sunday and he wondered if the town is getting to the point of *event fatigue*. Ms. Kuehn noted that most comments she has received are positive and relate to having a market here. Ms. Arenson stressed the forum created for local events; it's about bringing the community together and creating a sense of *self* which she believes Park City doesn't have yet. Jim Hier relayed that this type of event needs to have some regularity in order to be successful and holding it every Sunday is a good feature. Joe Kernan agreed that this weekly event may be a good venue for people to get together. With regard to the five month duration, Ms. Harrison explained that the Chamber was supportive of a Park City event in the May-June and October periods. Candace Erickson stated that she doesn't view this as an event, as described by Council member Harlan, because it's more passive than most special events.

Ken Davis, HMBA, asked what will happen if a *real* event is proposed for lower Main Street. Mayor Williams replied that this is a real event. Mr. Davis stated that the HMBA is generally supportive but pointed out that if the Silly Sunday Market is approved, it may preclude other events on lower Main Street. Tom Bakaly explained that as the master festival license holder, the applicants could agree to allow an event to occur if possible. Ms. Kuehn expressed their openness in considering accommodating tandem

events. Marianne Cone suggested that parking in the garage be promoted, as opposed to parking on Park Avenue which is closer to the activities. Max Paap suggested including parking information in promotional material and directional signage. Mayor Dana Williams acknowledged Council support of the event with a one year review. Discussion ensued about the potential of inclement weather in June and the issue of consistency. Jim Hier suggested that the license include language that if the occupancy falls below a certain level during the first three months, then the MFL will be evaluated and possibly rescinded. An expressed occupancy level could be a requirement for continuation. The City Manager stated that the MFL will return to Council for approval on November 30 and a two or three month review could be included as a condition of approval. Defining an appropriate participation level may be difficult. Kimberly Kuehn stated that their contracts with vendors clearly state that snow, rain or shine, the show will go on. Jim Hier recognized that the contract is written for the entire five month duration and if the City interrupted operations, it would be in violation of these contracts; he dismissed consideration of his earlier suggestion.

Mayor Williams summarized that Council is supportive of the event and the proposed dates. There was discussion about programming unamplified music and Max Paap interject that music will be coordinated with Mountain Town Stages who holds a license for outdoor music on a number of days in the summer.

4. Review of regular meeting – LMC amendments. In response to a question from Marianne Cone, Mark Harrington advised that the side yard exceptions apply to zones outside of the Historic District.

Strike the Motherlode MFL. Tom Bakaly clarified that a public hearing is scheduled, but action appears under the Consent Agenda. It is staff's recommendation that paid parking not be suspended which would be approved as part of the Consent Agenda. If Council decides to provide free parking on Main Street, he suggested that it be removed from the Consent Agenda and moved to New Business for action.

Prepared by Janet M. Scott,

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 9, 2006**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 9, 2006. Members in attendance were Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Max Paap, Special Events Manager; Brian Andersen, Parking Manager; Jonathan Weidenhamer, Planner; Robin Hutcheson, Planner; Brooks Robinson, Planner; and Kirsten Whetstone, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

With regard to the Strike the Motherlode event, Joe Kernan disclosed that both 350 Main and The Spur are his customers.

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

Reconstruction of Prospect Avenue - Bill Hummer, 32 Prospect Avenue, commented on the superior work done on the reconstruction of his street and believed the project turned out great because of the process, initiated five years ago inviting neighborhood input and continued good communication. He specifically thanked Eric DeHaan, David Actor, Stantec, Roger McLain, Steve Jorgensen, Geneva Rock, Shane Robertson, Daryl Olsen, and C & C Construction. He expressed that most all residents are extremely pleased and relayed an interest on behalf of Prospect Street residents to under-ground utilities at some future point.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF OCTOBER 19, 2006

There was discussion about jumbled syntax in the work session notes and minutes and the need for the City Recorder to edit them. Roger Harlan, "I move to approve the Work Session Notes and Minutes, as corrected". Jim Hier seconded. Motion carried unanimously.

V RESIGNATIONS AND APPOINTMENTS

Appointment of member(s) to the Historic Preservation Board for terms expiring July 2009 – Mayor Williams recommended appointing Todd Ford and Nancie Putnam to the Historic Preservation Board. Marianne Cone, "I so move". Candace Erickson seconded. Motion unanimously carried.

VI CONSENT AGENDA PUBLIC HEARING

1. Master Festival License and street closure for Strike the Motherlode to be held on December 2, 9 and 16, 2006 - applicant HMBA – Max Paap explained that a closure of lower Main Street between 7th Street and 9th Street is requested on December 16 for an amplified music concert. Other activities include sleigh rides, food and beverage, wreath auction, ice sculpture, tree lighting, etc. The HMBA is also requesting suspension of paid parking on Main Street and the Brew Pub lot which would impact approximately 250 parking spaces in the Main Street core. Staff recommends approval of the Master Festival License, as conditioned, but denial of the request to suspend paid parking from November 23 to December 16, 2006.

Brian Andersen, Parking Manager, explained that last year, suspension of paid parking was approved in consideration of the construction of the garage and the subsequent shortage of parking in the downtown area. He believed it was approved on a one-time basis and explained the confusion caused when parking regulations are changed and the difficulty in enforcing timed parking on Main Street. Without a paid element, enforcement takes twice the time to accomplish. Mr. Andersen stated that it was discovered that 18% of the vehicles parked on Main Street on December 17, 2005 had been issued one or more prior tickets and 8% had three or more tickets, indicating that employees were parking on Main Street. Now that the garage is on-line, 82% of all downtown spaces are free and staff believes that the event can still be marketed as a free parking experience. The Parking Fund will require a substantial contribution from the Transit Fund to cover the impacts of the event. He acknowledged that parking revenues increased during the construction of the garage last year but now revenues are tracking on average and there is no surplus.

Ken Davis, President of HMBA, thanked Council for the parking last year and explained that this will be the third year for the Motherlode event. Last year, there was a 10% increase in sales on the street, even with construction on I-80 and the China Bridge Parking Structure. He commented on the package of events and the lack of funding for the group. One of the enticements for shoppers is free parking and a lot of people from Salt Lake are not familiar with the parking garage. He asked that the license be approved and that the free parking element is supported as it was last year. Anita Wolf, Event Manager, emphasized that free parking gives Main Street merchants a competitive edge because shoppers have so many options.

The Mayor opened the public hearing.

Mike Sweeney, business owner, expressed that his family has invested a lot of time and effort on Main Street, including Strike the Motherlode. He felt that free parking is an integral part to the promotion and he spoke about the money Ms. Wolf has raised for the

event. In response to a question from Mayor Williams, Mr. Sweeney indicated that the garages on lower Main Street were free last year and will be this year.

With no further comments, the public hearing was closed.

Jim Hier expressed that it has been a long time since Council received information on geographical sales tax and requested that this be provided. It is pertinent to know how much of the \$30,000 paid parking forfeiture is being offset by sales tax, which unfortunately is not available tonight. Mr. Hier recognized the difficulty in enforcement but the cost of enforcement should remain the same. There was discussion about whether last year was a one-time approval. Jim Hier suggested that the suspension of free parking be granted this year but not in the future.

Marianne Cone disagreed. She observes that many locals know about and parking available in the garage and believes that patrons from Salt Lake want to park closer to Main Street and really don't care about the fee. She emphasized that 82% of the downtown parking is free and she doesn't view this as an issue, especially in consideration of the loss of \$30,000 in parking revenues to the City. Electronic signs are another way to effectively direct visitors to free parking in the garage. Ms. Wolf explained events occurring on December 2 and 9 from 1 p.m. to 5 p.m. and activities on December 16 from 4 p.m. to 7 p.m. Candace Erickson recalled that she supported free Main Street parking last year because parking revenues exceeded the average this time last year when parking was at a premium. She preferred waiving the fees for closing lower Main Street and maintaining paid parking on Main Street while promoting the free 300 spaces, not available last year. Roger Harlan discussed the rerouting of the trolley and marketing free parking, but pointed out his concern about the small number of merchants and employees who continue to park on Main Street given the opportunity. In fact, this very issue led to the implementation of paid parking in the first place. He asked the HMBA if there is a plan to monitor Main Street. Marianne Cone stated that she would support Ms. Erickson's compromise of not charging the HMBA fees for closing lower Main Street in exchange for maintaining paid parking on Main Street.

Candace Erickson again referred to the "surplus" in the parking fund last year when she supported the request. Mr. Andersen agreed that this year, there isn't any leeway in the break-even point of the parking fund. Joe Kernan felt that it would be helpful to have information on Main Street sales tax and property tax revenues. Tom Bakaly suggested that action be pulled off the Consent Agenda and moved to New Business if suspension of paid parking is supported by the majority of members. Jim Hier, "I move to take this off the Consent Agenda so that we can discuss it in the context of making the parking free". Joe Kernan seconded. Motion carried.

Marianne Cone	Aye
Candace Erickson	Aye
Roger Harlan	Nay
Jim Hier	Aye
Joe Kernan	Aye

2. Ordinance approving the Mine Cart Condominium, located at 553 Deer Valley Loop Road, Park City, Utah – Robin Hutcheson, Planner, explained that approval will allow the construction of two condominiums on a single lot. There was no public input rendered at the Planning Commission hearing held on October 25 and the Commission and staff recommend approval. The Mayor opened the public hearing, and with no comments from the audience, closed the hearing.

3. Ordinance approving a Record of survey Plat for the residences at Kings Crown Condominiums, located at 1243 Empire Avenue, Park City, Utah – Ray Milliner explained the application which condominiumizes the project. The Mayor opened the public hearing and with no comments, closed the public hearing.

4. Ordinance approving the Second Amended Record of Survey Map for the Crescent Ridge Condominiums, Park City, Utah – Planner Jonathan Weidenhamer explained the application and the Mayor opened the public hearing. Hearing no comments, the public hearing was closed.

5. An Ordinance approving amendments to the Land Management Code of Park City, Utah, to reflect re-organization of the Community Development Department, to comport with revisions to the Utah Code, and to address substantive amendments for the following Chapters: Chapter 2.11 SF district, 2.12 R-1 district, 2.13 RD district, 2.14 RDM district, 2.15 RM district, 2.16 RC district, 2.17 RCP district, 2.18 GC district, 2.19 LI district, 2.20 FPC overlay district, and 2.22 PUT district. – Planner Kirsten Whetstone explained that the Ordinance includes a series of amendments to the Land Management Code specific to Chapter 2, Zoning Districts. The remaining sections, the ROS and SLO, will be before Council shortly as the Planning Commission is still discussing some issues. She expressed that as in any dynamic community, the LMC is a living document and further revisions are likely as the General Plan is modified. There are four categories of amendments including: (1) removing all references to the Community Development Department; (2) replacing the Historic District Commission language with Historic Preservation Board; (3) revising provisions to comport with the revised Utah Code; and (4) approving substantive amendments specific to these sections.

With regard to Chapters 2.11, 2.12 and 2.14, Ms. Whetstone explained that there is provision for the Planning Director to determine lot orientation and dimensions for unusual configurations and although currently practiced, this role is now clearly spelled out. Driveway area is proposed to be allowed to extend into a side yard setback to accommodate back-up space. In Chapter 2.15 and 2.16, the HR-1 maximum footprint language is added because projects in the RC Zone are typically Old Town lots. There are no substantive changes in the RCO, the GC or the LI. She added that trails and sidewalks are proposed to be allowed within setback areas in the FPZ with administrative conditional use approval. On October 25, 2006, the Planning Commission forwarded a positive recommendation to approve the amendments based on the findings of fact, conclusions of law and conditions of approval outlined in the Ordinance. The Mayor opened the public hearing and with no comments rendered from the audience, the public hearing was closed.

VII CONSENT AGENDA

Mayor Williams requested a motion to approve Consent Agenda Items 2 through 6. Marianne Cone, "I so move". Candy Erickson seconded. Motion unanimously carried.

1. Master Festival License and street closure for Strike the Motherlode to be held on December 2, 9 and 16, 2006 - applicant HMBA – See Item 1 under New Business.
2. Ordinance approving the Mine Cart Condominium, located at 553 Deer Valley Loop Road, Park City, Utah – See staff report and public hearing.
3. Ordinance approving a Record of survey Plat for the residences at Kings Crown Condominiums, located at 1243 Empire Avenue, Park City, Utah – See staff report and public hearing.
4. Ordinance approving the Second Amended Record of Survey Map for the Crescent Ridge Condominiums, Park City, Utah – See staff report and public hearing.
5. An Ordinance approving amendments to the Land Management Code of Park City, Utah, to reflect re-organization of the Community Development Department, to comport with revisions to the Utah Code, and to address substantive amendments for the following Chapters: Chapter 2.11 SF district, 2.12 R-1 district, 2.13 RD district, 2.14 RDM district, 2.15 RM district, 2.16 RC district, 2.17 RCP district, 2.18 GC district, 2.19 LI district, 2.20 FPC overlay district, and 2.22 PUT district. – See staff report and public hearing.

VIII NEW BUSINESS

1. Master Festival License and street closure for Strike the Motherlode to be held on December 2, 9 and 16, 2006 - applicant HMBA – This item was moved from the Consent Agenda, see motion above. Ken Davis, HMBA, expressed his disappointment about the previous paid parking discussion, citing that the HMBA is going to have problems pitching this to its members who have already made an investment. He didn't perceive that owners and employees are parking in front of their stores. If so, it's maybe for 15 minutes, but not all day. He emphasized that a revenue stream is created for the City as a result of merchants operating businesses on the street and they are asking for a waiver to be put in effect for this three week period. The City views parking revenues as an entitlement and it may be that the City should eliminate the meters altogether and go back to timed parking. He expressed the work involved in selling this event to merchants and his frustration with the lack of interest from the HMBA membership. Free parking is key to the event, and he and other volunteers don't get paid for the work involved.

Candace Erickson stated that she wished the budget numbers were available because that was what swayed her last year in approving the suspension because of the surplus. Covering the \$30,000 in lost revenue has to be borrowed some place else. In response to a comment made by Mr. Davis, Brian Andersen clarified that there is no surplus this year and the windfall in revenues last year was attributable to increased use of Main Street during garage construction. There is less revenue this year. Mr. Andersen emphasized that unfortunately paid parking seems to result in a negative discussion. Parking management is actually not unique to Park City and is implemented in many commercial areas to turn spaces. Turn-over results in more parked vehicles and customers and there are many people who like paid parking because they can easily find a space. In general, parking management is a difficult profession especially in Park City and he hoped that there can be consideration of the benefits of turning spaces rather than dwelling on the perception that paid parking is the lynch pin for people avoiding downtown.

Jim Hier agreed with Mr. Andersen's comments but pointed out that the request is not in a busy time of year and he believed that free parking on Main Street is important to market the event. It might not be the right thing to do every year and if it's not hugely successful this year then this waiver should not be considered if requested next year. Roger Harlan understood Mr. Hier's comments to mean that the criteria for suspending paid parking is that event must meet expectations. Mr. Hier stated that he intended to recommend making it free this year, because it helps promote the event, and if the event can not support itself by this time next year, it probably shouldn't be subsidized. Discussion ensued about this point and the marketing efforts supported by restaurant tax funding. Anita Wolf felt this is a bench mark year and its success will impact participation and interest next year. Parking is free in Salt Lake City. Marianne Cone disagreed and commented that there is little street parking available in Salt Lake where

the situation is very different. There is a lot of free parking in a small downtown area in Park City available to shoppers.

Jim Hier, "I move we approve the Master Festival License and allow the free parking as we did last year". Joe Kernan seconded. Roger Harlan indicated that he will change his position and his vote to support the request because he wants the event to be successful, however merchants need to cooperate. Marianne Cone explained that she agrees with staff on this issue, noting that she will be supporting the event by way of donating a wreath. Roger Harlan hoped that this discussion is not forgotten next year. Ms. Erickson felt that subsidizing the event for three years is appropriate and is not inclined to do this every year. The City spent a lot of money building the parking structure and the whole concept was in response to providing free parking for Main Street. She suggested that perhaps it's time to re-think the paid parking program and schedule it as an annual visioning topic. Jim Hier stated that the staff recommendation was appropriate; this is more of a philosophical decision regarding investing in the HMBA. Brian Andersen emphasized that the parking management staff absolutely wants Main Street to succeed. He personally felt it is time to start uniquely marketing Main Street. Joe Kernan relayed that he doesn't feel it will be easier for people to park on Main Street during the event. Tom Bakaly understood that the motion is a one-time approval of suspension of paid parking on Main Street. Jim Hier affirmed. With no further discussion, the Mayor requested a vote.

Marianne Cone	Nay
Candace Erickson	Aye
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye

2. Reacceptance of annexation petition of approximately 2,800 acres of property located at the Park City Mountain Resort – United park City Mines Company – Joe Kernan disclosed that Galisker, East-West, Royal Street, PCMR, and Powdr Corp are his customers. Brooks Robinson, Planner, explained that action is reacceptance of an annexation petition for property leased by Park City Mountain Resort. The initial petition was filed in January 2006 and reacceptance triggers a 30 day period requiring notification to affected entities, including taxing agencies and to move forward with the annexation as outlined by state statute. In the meantime, the Planning Commission is reviewing the associated master planned development application and conditional use permit for Phase 1, The Montage Hotel. The subdivision application is expected to be submitted shortly for review. Jim Hier stated that he appreciated receiving scheduling and phasing information he requested. Elements of the development agreement are extremely important, and he asked that these are agreed to by all parties before any related subsequent approvals are granted. Mr. Robinson noted that it has been staff's

recommendation to the Planning Commission that approvals be tied to the annexation agreement.

Jim Hier, "I move that we approve the reacceptance of the petition for annexation as defined in the staff report". Roger Harlan seconded. Motion unanimously carried.

IX ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

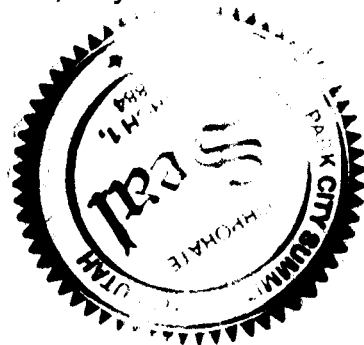
The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Tom Daley, Assistant City Attorney; and Mark Harrington, City Attorney. Marianne Cone, "I move to close the meeting to discuss personnel and litigation". Joe Kernan seconded. Motion carried unanimously. The meeting opened at approximately 4 p.m. Roger Harlan, "I move to open the meeting". Jim Hier seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott



Janet M. Scott, City Recorder



DATE: November 9, 2006
DEPARTMENT: Public Works
AUTHOR: Pace Erickson, Operations Manager
TITLE: Snow Removal Operations Discussion
TYPE OF ITEM: Informational

SUMMARY RECOMMENDATIONS: Discuss snow removal operations and priority sequence and re-confirm the City's 3 priority sequence for snow removal on City streets.

DESCRIPTION:

Topic Winter Snow Removal and Priorities Discussion

Background

Developing an effective snow removal plan is critical to keep roads clear of snow and ice. It considers many variables, such as personnel, equipment, scheduling and callout procedures, and sets guidelines for performance standards. Following a formal snow removal plan has been the normal mode of operation for most if not all divisions involved in snow removal.

How a storm arrives, deposits its snow and ultimately leaves is another factor in determining the appropriate steps taken to remove the snow. In general, a small amount of heavy wet snow over several days will require more resources and time to remove than a heavy snowfall of dry powdery snow overnight. Therefore in providing snow removal services staff has to be extremely flexible to provide the best service possible in changing weather conditions.

Developing an effective snow removal plan accomplishes several things:

- Establishes guidelines for determining an effective level of service to be provided based on an acceptable budget.
- Prioritizes resources needed to effectively deal with an average snow fall winter
- Improves public transportation and the safe flow of traffic
- Provides the most benefit to the greatest number of residents / guests
- Provides access to critical infrastructure and facilities, particularly emergency, municipal and business services
- Establishes areas of responsibility and priority for service
- Identifies when operations will begin and the measurements to judge the success of the program
- Establishes a methodology for snow emergency procedures
- Considers environmental impacts associated with the use or limited use of de-icing materials
- Accounts for new development

Analysis

Public safety has always been the City's number one priority. In order to better serve the community and to meet the needs of the citizens and visitors while facilitating snow removal in the most efficient and cost effective manner.

Program Mission:

To establish strategies that help maximize productivity, identify resources, priorities and responsibilities while meeting the needs of the community. This will establish, based on the priority sequence a set of guidelines to provide safe, efficient transportation in all weather conditions for the health and safety of residents and guests. Provide access to commercial and recreational areas and especially for emergency vehicle access throughout Park City. The ordinances below apply to private streets and sidewalks within Park City.

Service Quality Goal:

City Ordinance **14- 4- 3. SNOW REMOVAL STANDARDS.** *"Regular and adequate snow removal service" shall mean that snow shall be cleared from the roadway to a width of twenty feet (20') within a period of eight hours from the end of each snow storm which deposits an accumulation of four inches (4") of snow or more. It shall be unlawful to permit an accumulation of more than four inches (4") of snow to remain on a private street for more than eight (8) hours from the end of each storm.*

City Ordinance **14- 4-9. SIDEWALKS TO BE CLEARED.** *It shall be the duty of every property owner to clear the sidewalks and stairways at the perimeter of his property from accumulation of snow within a period of eight hours from the end of each storm. It shall be unlawful to permit an accumulation of more than eight inches (8") of snow to remain on the sidewalk for more than eight (8) hours at a time.*

The City tries to remove snow from public sidewalks identified on the City's Sidewalk Snow Removal Priority and Sequence within ten hours after the end of a storm. Coverage is between the hours of 6:00 AM and 4:00 PM, no night sidewalk plowing services are provided by Park City. The City will strive, where possible, to provide service to within ¼ mile of all major employment, medical, shopping and institutional centers.

Priority Sequence for Snow Removal on City Streets:

Park City has adopted a priority sequenced snow removal program. This is very common among almost all municipalities, state and federal agencies. Much time, thought and experience have been put forth to develop the current snow removal priority sequence. This approach maximizes benefit to commuters and establishes the most cost effective use of resources and equipment. Park City's priority sequence is:

- | | |
|--------------|---|
| Priority I | Bus routes, main parking areas, upper elevation streets, Old Town, business core areas, Royal Street and Guardsman Connection |
| Priority II | Main arterial streets through residential areas |
| Priority III | secondary streets through residential areas and cul du sac's |

Snow crews are separated into four crews of four covering 20 hours a day 7 days a week. This is increased to 24/7 in the event snow is falling. Call outs for additional personnel will occur if it is a major snow storm or we begin to fall behind.

Service Areas:

Streets

Day Shift Sunday - Wednesday	Day Shift Wednesday - Saturday
(1) Old Town (1) Deer Valley and Oaks (1) Aerie / Prospector / Park Meadows (1) Park Meadows / Thaynes / Iron Canyon (1) Parking Lots	(1) Old Town (1) Deer Valley and Oaks (1) Aerie / Prospector / Park Meadows (1) Park Meadows / Thaynes / Iron Canyon (1) Parking Lots
Night Shift Sunday - Wednesday	Night shift Wednesday - Saturday
(1) Old Town (1) Deer Valley and Oaks (1) Aerie / Prospector / Park Meadows (1) Park Meadows / Thaynes / Iron Canyon	(1) Old Town (1) Deer Valley and Oaks (1) Aerie / Prospector / Park Meadows (1) Park Meadows / Thaynes / Iron Canyon

Sidewalks

Day Shift Sunday - Wednesday	Day Shift Wednesday - Saturday
(1) Sidewalks and Bike Paths (1) Stairs A (1) Stairs B (1) Stairs C (1) Stairs D	(1) Sidewalks and Bike Paths (1) Stairs A (1) Stairs B (1) Stairs C (1) Stairs D

Equipment:

Plows

Unimog w/ chains
International 4X4
Sterling 4X4
International 2X4
International 2X4
International 2X4

Sidewalk Plows

Bombardier
Trackless

Emergency Snow Plan:

(See attached Snow Emergency Plan)

Loaders

Caterpillar 938 w/ large blade or bucket
John Deere 624 w/chains & bucket
John Deere 522 w/chains & bucket

Snow Blowers

Sno-Go
Unimog w/ chains & blower

Snow removal cost:

It costs Park City approximately \$1.1 million annually to remove snow from city streets and sidewalks. Of this about \$900,000 is for street snow removal and \$230,000 for sidewalk snow removal. The cost break down is as follows:

Staff	\$580,000
Deicers	64,000
Grit material	35,000
Hauling	107,000
Misc.	44,000
Equip. Replacement	128,000
Fuel	42,000
Maint.	130,000
Total	\$1,130,000

These figures are based on an average winter knowing that there will be abundant snow fall some years and less than average in others.

Service Level Increase:

Public Works was asked during last year's budget process to identify the necessary resources and costs to move all priority 3's to a priority 2. The resources that would be impacted are staff, equipment, fuel & maintenance. An increase of two operators per shift and three additional pieces of equipment may be necessary. The estimated cost to provide this increase of service would be approximately \$223,500 annually with a start up cost of \$34,000. Staff has not received many citizen requests for combining levels II and III. Customer satisfaction scores for snow removal continue to be high.

Annual Cost:

Staff	2 per crew for a total of 8 additional staff	\$170,000
Equipment rental	2 loaders for 5 months	35,000
Misc.	Chains, cutting edges etc.	16,000
Fuel	1,000 gal @ \$2.50	<u>2,500</u>
Total		\$223,500

Start Up Cost:

Initial capital investment for (2) plow blades	<u>\$ 34,000</u>
Grand total	\$257,500

The past two years has been a challenge to attract qualified operators and keep them for an entire season. Last year, the snow crew was down (1) person on (2) crews prior to the end of the season. This will most likely continue to be a challenge. The roughly \$260,000 in additional cost in not currently budgeted and rather than debate costs and efficiencies on November 9th, if City Council wants to amend the snow removal policy that direction with a time line should be given to staff.

Alternatives

Council should provide Staff direction on this year's snow removal plan.

1. Re-affirm the City's 3 priority snow removal plan – **Staff recommended.**
2. Provide direction to return during budget for increased level of service to a 2 tier snow removal plan in FY 2008 budget consistent with budget policies.
3. Direct staff to suggest budget reprioritization and staffing strategies to go to a 2 tier snow removal plan and return by early December.

Recommendation:

Park City Public Works is recommending the 3 priority snow plan as outlined. Park City's snow plan takes in to consideration all of the critical elements to effectively improve transportation and the safe flow of traffic during inclement weather conditions providing a high level of snow removal service with the most cost effective use of resources.

Park City Public Works is recommending that the school drop off be plowed by the Park City School District. Access from the pull out to the schools would remain the school district's responsibility.

SNOW EMERGENCY:

The purpose of declaring a snow emergency is to derive maximum efficiency of snow removal equipment and personnel resulting in our ability to provide the most cost effective and efficient method in removing snow to enhance public health and safety. The snow emergency plan outlines thresholds which includes timing, snow accumulation, duration and intensity. These factors have a huge influence on determining the severity of a storm and the process in which snow crews sustain snow removal procedures.

The City Manager has the authority to declare a snow emergency when snow conditions are such that normal snow operations are not able to keep the streets clear. During snow emergencies, a special "No Parking" ban goes into effect on selected City streets. This is the most effective way to provide access for effective snow control operations. Designated Snow Emergency Routes located in the snow removal guide consist of main arteries and the central business district areas and are plowed first.

The priority streets are the first plowed for the entire city. The Snow Emergency Route System was planned so very few residents have to go more than a few blocks to get to a plowed street. It also allows emergency vehicles to get within a few blocks of every residence. These are truly "emergency" routes to keep essential services functioning after a major snowfall or heavy drifting that could otherwise paralyze the City. Other main streets are plowed immediately after Emergency Snow Routes are completed.

Vehicles parked on a snow route during the time a snow removal emergency has been declared, may be ticketed and towed at the owner's expense. In addition, plows may continue to work the area around parked vehicles, blocking them with piles of snow. Adherence to the Emergency Snow Route parking restriction is greatly appreciated.

DEPARTURE FROM POLICY

Park City recognizes that conditions may be so unusual or unexpected that a departure from these general policies should be authorized. Therefore when conditions warrant, the Public Works Director in consultation with the City Manager, or designated representative, may order a departure from these general rules when, in the opinion of the Director of Public Works, conditions require such action.

STORM CATEGORY

Category 1 - Three inches or less of snow resulting in icy conditions. All snow routes rated priority 1-3, such as collectors, bus routes, schools, hazardous stops, hills, and all emergency facilities are treated with de-icing material at stop signs, intersections and steep hillsides. Plowing is typically not required but may take place in certain areas.

Category 2 – Three to six inches of snow resulting in slushy or snow packed conditions. All snow routes rated priority 1-2 are plowed and treated with de-icing material at stop signs, intersections and steep hillsides. All streets rated priority 3 are plowed (de-icing materials are not used) if necessary after the storm subsides.

Category 3 – Six to ten inches of snow with or without wind causing blizzard conditions. All priority 1-2 streets are plowed, and treated with de-icing material until the storm subsides. Then streets rated priority 1-2 are again treated with de-icing material and plowed if necessary before priority 3 streets are plowed.

Category 4 - A major snowstorm amounting ten inches or more. Concentration is focused on all priority 1 streets and emergency facilities. Priority 2 streets (collectors, bus routes, and around schools are treated with de-icing material and plowed as soon as possible thereafter. Priority 3 streets are plowed next, and if needed, treated with deicing material at the discretion of the Director of Public Works, Operations Manager or the Street Maintenance Supervisor.

Snow Category scale:

	Average Frequency	Deer Valley	Park City	Characteristics of storm
CAT 1- TYPICAL	25 to 35 per yr.	.1" to 6"	.1" to 4"	68% of all snowstorms fall in this category. Minor inconvenience, considered a routine snowstorm.
CAT 2- INCONVENIENT	7 to 10 per yr.	6" to 12"	4" to 8"	20% of all snowstorms fall in this category. Traffic slowed at times. There is usually an increase in traffic accidents.
CAT 3- SIGNIFICANT	3 to 5 per yr.	12" to 21"	8" to 16"	10% of all snowstorms fall in this category. This is usually a dangerous storm, with traffic significantly slowed.
CAT 4- MAJOR	1 in 2 yrs.	21" to 30"	16" to 24"	2% of all snowstorms fall in this category. Loss of electrical service is typical in Fall or late Spring with trees in leaf. Some roads become impassible. Schools and business may choose to close at the high end of this category.
CAT 5- PARALYZING	1 in 15 to 25 yrs.	30" +	24" +	About 1/10 of 1% of storms are in this category. Many roads close, travel is usually dangerous if even possible. Schools should close. Loss of electrical service occurs frequently.

EMERGENCY SNOW RESPONSE PROCEDURES

The goal of the Park City Emergency Snow Response Plan is to maximize both preparedness and the utilization of resources to ensure a safe street system with the variable winter weather.

The program is divided into four phases.

Phase I includes snow meetings, implementation of emergency snow response procedures, and the possible declaration of an accident alert by the City Manager or designee.

Phase II involves continued emergency snow response operations and the possible institution of snow parking restrictions.

Phase III is only activated when snow accumulates at a rate at which the resources of the city cannot reasonably keep pace. This phase may include the use of private contractors, the ban on all curbside parking between 2:00 am and 6:00 am. Residents will be encouraged to utilize public transportation, and the closure of public office buildings.

Phase IV is general clean up and removal or hauling of snow once the storm has subsided. This usually only takes a few days but the City may need to keep parking, or other restrictions in place while crews clear snow from city streets.

PHASE I

Phase I of the Park City Emergency Snow Response Plan begins when a significant chance of snow is forecast with an anticipated accumulation in Park City. Once a significant forecast of snow is anticipated, the Operations Manager analyzes all factors that may have bearing on preparations. The Operations Manager and the Streets Supervisor notify Crew leaders and their crews that a phase I Emergency Snow Response has been declared. The number of employees alerted depends on the anticipated magnitude of the predicted storm. Even during an emergency, employees must be called in on shifts so that more employees are available as, and if, a storm continues. For safety and health reasons, employees are not required to work more than 12 hours in a 24-hour period.

During the fall, equipment and materials are prepared to be ready for emergency snow response. Trucks are assigned to pre-selected routes based on the amount of traffic the routes receive as well as other factors. Additional snow control equipment includes 3 loaders and 2 snow blowers.

During Phase I, crews focus on clearing the city's main arterials, also known as 1st Priority Routes. These are major streets and carry the greatest volume of traffic and provide citywide access for public transportation and emergency vehicles. Hills on main streets and old Town are also considered high priority routes.

PHASE II

Phase II of the Emergency Snow Response Plan is reached when first priority streets (A Routes) are passable and resources are shifted to secondary streets, or Priority B Routes. The Department of Public Works maintains a snow route map to delineate first and second priority routes, classified as to degree of traffic need. Streets not classified as first or second priority are treated or plowed only if conditions are such that emergency vehicles are unable to respond to emergencies effectively. However, all streets will be plowed at least once in a 24 hour period under continual snow conditions. Additionally, in cases where snow does not fall uniformly throughout the city, trucks can be deployed from one part of the city to another.

When severe storms bring large accumulations of snow, 12 inches or more, during periods of extended cold temperatures, snow plows move on to third priority streets. There will be one pass made, plowing only. Third priority streets are generally not salted unless they are in hilly portions of town.

To increase plowing efficiency, the City Manager or designee may declare a Snow Emergency which enacts special parking restrictions. The decision is based on either a forecast or actual snow accumulation of six inches or more. Snow Parking Restrictions prohibit parking on selected snow routes as marked by signs.

Park City employs a curb-to-curb plowing practice. However, when snowstorms present large accumulations of snow during a short period (typically snow fall rates that exceed an inch per hour of accumulation over a 6 hour or longer period), plowing efforts are concentrated to maintain a minimum of one lane in each direction on two-way streets, and one lane on one-way streets. Once the snow accumulation rate has decreased or the storm subsides, a curb-to-curb plowing practice goes into effect throughout the city.

Snow hauling in Old Town will take place once traffic flow is impeded to a point that travel is restricted to one lane. Removal operations begin as soon as personnel and equipment are available from plowing operations.

PHASE III

If City equipment and personnel are unable to keep streets open to essential and emergency traffic and extreme weather conditions continue to accelerate, Phase III is initiated. Phase III involves private equipment being called into service. Private contractors make available graders, front-end loaders and haul trucks with operators at pre-established rates. On street parking is restricted in all areas identified on the parking restriction code. Residents and visitors can find supplemental parking in the

Snow Removal Guide. Only priority one and two streets will be plowed. Priority three streets will have at least one pass made for access to a regular plowed street.

PHASE IV

The cleanup operation is of course an essential part of the Emergency Snow Response Plan. Sunshine following a snowstorm helps to return streets to normal, but snow may have to be removed. Two snow blowers are the primary equipment for this purpose, supplemented by front-end loaders as necessary. The entire city fleet along with contractor equipment will be employed to remove snow. Areas designated for snow removal include but are not limited to areas of Old Town, Main Street, lower Park Avenue, Deer Valley Drive and Royal Street.

Technically, snow and ice control operations fall under the jurisdiction of the Operations Manager or Street Maintenance Supervisor; however, all Public Works personnel may have a part in these operations. Personnel are assigned to twelve-hour shifts conducted on a 24-hour basis, 7 days per week that continue until the snow emergency has been eliminated. In an effort to maximize the use of City resources, personnel from other departments (Water, Parks & Fleet) are sometimes asked to assist during extreme snow emergencies or to fill vacancies.

Snow Emergency Reporting

Public Works and Park City Police Dispatch are the primary contacts to alert snow crews of hazardous conditions which may exist. However, a unique aspect of Park City's snow and ice control program is the availability to residents of a telephone "hot line" for weather related emergencies. This telephone number: (435) 615-5346) is attended during regular office hours and would be activated with an automatic message system with a recorded status report prepared by Public Works at all other times.

During a snow emergency, a member of the Public Works clerical staff may be assigned to attend the "hot line" outside regular office hours. This "hot line" allow residents to notify snow crews directly of hazardous conditions that exist within Park City.

When the City Manager declares a snow emergency, public service announcements made on KPCW will alert residents and guests at to what stage emergency is being declared. Furthermore, electronic and or other signs may be placed to provide additional information regarding street closures or other snow removal operations. This may by simple scope of the removal process put into effect the snow emergency procedures and parking restrictions in particular areas of Park City. Additional information can be obtained by logging onto Park City's official website at www.parkcity.org and link to the snow removal policies. Public service announcements will also alert residents and guests of hauling activity in order to have vehicles, trash cans, recycle containers and other obstructions removed from the public right of way prior to hauling operations commencing.

Snow Removal Parking Policy and Restrictions

It is permissible to park on a City street during non snow emergency snow operations. However, residents and guests are encouraged to have vehicles removed from city streets between the hours of 2:00 am and 6:00 am. Storage of RV's, boats, trailers etc. are not allowed to be stored on City streets by Municipal Code.

If the vehicle is lawfully parked on a street and does not prevent a snowplow from plowing the street, the snowplow will attempt to plow around the parked vehicle and return at a later time when the vehicle has been moved to clear the snow from the street at that location. Priority III streets may be skipped completely (especially cul-de-sac's) if vehicles impede safe access to snow plow equipment.

If a vehicle is parked on a street and blocks access to the street by an emergency vehicle or snow plow, the Public Works Department will notify the Police Department which will attempt to locate the owner of the vehicle in order to move the blocking vehicle. In the event the owner of the vehicle cannot be located in a reasonable period of time, a ticket may be issued and the vehicle may be towed. Ticketing and towing is solely at the discretion and direction of the Police Department.

When conditions warrant, the City Manager can declare a snow emergency (a "no parking" ban on all City streets goes into effect when a snow emergency is declared). The Operations Manager or Streets Supervisor then coordinates with the Police Department for the ticketing and towing of all vehicles parked on City streets, which interfere with operations after the declaration.

Areas have been identified as overflow parking for residents who by no other option do not have off street parking available. During a snow emergency or snow hauling operation, these parking areas are available to residents and guests to park without a specific parking permit for those areas. Check with the Parking Department staff as (435) 615-5372 for the parking area nearest you.

Additional ordinances passed for the purposes of supporting snow and ice control efforts and other related ordinances which could be enforced during all out emergencies. The text of these documents can be found in Park City Municipal Code.

City Council Staff Report



Author: Max J. Paap
Subject: Park "Silly" Sunday Market
Date: November 9, 2006
Type of Item: Informational – Master Festival License
Work Session Review

Special Events and
Facilities Department

Summary Recommendations:

Provide Staff with policy direction on the Park "Silly" Sunday Market Master Festival License for successive Sundays during June, July, August, September, and October of 2007, with the exception of August 5th for the Park City Kimball Arts Festival. If Council is supportive of the direction that the event is proceeding, Staff will return for consideration of the Master Festival License on November 30, 2006.

Description:

A. Topic:

Review the Master Festival License application, submitted by Park "Silly" Sunday Market, L.L.C., for the Park "Silly" Sunday Market on successive Sundays during June, July, August, September, and October of 2007, with the exception of August 5th.

B. Background:

The Park "Silly" Sunday Market, produced by Park "Silly" Sunday Market, L.L.C. is requesting to be scheduled for successive Sundays during June, July, August, September, and October of 2007, with the exception of August 5th for the Park City Kimball Arts Festival. The event organizers submitted an application in August of 2006 to hold an eco-friendly, open air market that would feature unique and eclectic local and regional arts and crafts, music and performance art, antiques, imports, and one-of-a-kind finds, delicious gourmet foods and a farmers market with fruits and vegetables. The template for this event is similar to that of other such markets in western mountain ski towns.

The original event application indicated the proposal for the market to be held on the Marriott Summit Watch Plaza. The owners of the plaza have since indicated that the market could not be held at that location. The organizers have sought to explore the possibility of closing portions of lower Main Street to host the market.

C. Analysis:

Park "Silly" Sunday Market

If approved, the event would take place on successive Sundays during June, July, August, September, and October of 2007 with the exception of August 5th for the Park City Kimball Arts Festival. The event would include the closure of Main Street

between Heber Avenue and 9th Street from 9:00 am until 4:00 pm, on all dates. The organizers have proposed a very comprehensive business plan to prospective vendors/performers that includes information on licensing, permitting, and information to ensure participants understand the responsibilities of conducting business in Park City.

Parking

The China Bridge Parking Structure and surface parking along Swede Alley should accommodate all participants at the market at that time of day. Should market-goers choose, there are on-street parking and pay parking spaces in very close proximity to the proposed venue.

D. Department Review:

All applicable departments have reviewed the Park “Silly” Sunday Market. Comments from PCMC staff include both Parks and Streets Departments having adequate access to perform routine watering and street cleaning activities on those proposed days. The Parking Department has indicated that there is a cost to purchase the pay-and-display spaces for the duration of the market. HMBA has been presented with the new location, and subsequent closure, and had no dissenting comments at their recent board meeting. Staff suggests that Council consider whether they would be willing to allow the use of the Flagpole Lot (Heber/Swede) on a trial basis. Roughly 4 years ago the HMBA tried this location for a farmer’s market for 1-2 weeks and discontinued it.

E. Alternatives:

Approve the Request:

Approve the proposed Master Festival License in concept and direct staff to return with a Master Festival License for the Park “Silly” Sunday Market.

Deny the Request:

Deny the Master Festival License, as proposed in concept, and encourage the Park “Silly” Sunday Market to consider other locations than closing Main Street on roughly each Sunday throughout the summer.

Continue the Item:

The City Council may continue the discussion in order to receive additional information

Significant Impacts:

Park City has held a similar event to the Park “Silly” Sunday Market. The activities will be contained within the specified route venue and will conclude by 4:00 pm.

Consequences of not taking the recommended action:

The Park “Silly” Sunday Market would not take place in Park City.

Issues for Discussion:

- Does Council support the event as proposed, on the proposed dates?

- Does Council support the event on a trial basis, on the proposed dates, then review after a year period to determine adding the "Silly" Market to the Park City schedule of events?
- Does Council wish to reduce the number of occurrences for the 2007 season, at the proposed venue?

Recommendation:

Provide Staff with policy direction on the Park "Silly" Sunday Market Master Festival License for the proposed dates. If Council is supportive of the direction the event is proceeding, Staff will return for approval of the Master Festival License on a later date to be determined.

Attachments

- A- Applicants Summary of Activities
- B- Applicants Business Plan

**PARK CITY MUNICIPAL CORPORATION
SPECIAL EVENT AND MASTER FESTIVAL LICENSE
EVENT APPLICATION-PART I**

A completed electronic copy submitted to the Special Events Department is required.



**Special Events and Facilities
Department**
435.615.5150
specialevents@parkcity.org

APPLICATION FORM

Part I of the application form (pages 1 and 2) must be completed and submitted to the Special Events Department no less than 90 days prior to a Master Festival or no less than 60 days prior to a Special Event. Part II of the application form (pages 3-6) which are more comprehensive, must be submitted 45 days before all events. Parts I and II of the application must be sent electronically to the Special Events Department at specialevents@parkcity.org. The application will be reviewed by the Special Events Department and compared to master calendar for date availability. Applicant must schedule a meeting with City Staff 30 days prior to the event to review logistics. Granting of the permit is not guaranteed.

EVENT NAME: Park "Silly" Sunday Market

EVENT DATE(S): June 3,10,17,24 July 1,8,15,22,29 August 12,19,26 September 2,9,16,23,30 October 7,14,21,28

EVENT TIME(S): 9:00AM-4:00PM

EVENT LOCATION(S): *Please describe in detail the exact location(s)*
Lower Main Street between Heber Ave & 9th Street

ANTICIPATED ATTENDANCE: 200-600 throughout the day

EVENT DESCRIPTION: *Please describe in detail the activities associated with the event*

Arts, crafts, collectables, music, food, & performance art

APPLICANT: *(name of organization)* Park Silly Sunday Market

CONTACTS

Event Manager: Kimberly Keuhn, Julie Doerr-Arenson, Jewels Harrison

Mailing Address: PO Box 684229, Park City, UT 84068-4229

Phone: 901-0511 (KK), 729-0990 (JDA), 602-9481 (JH)

Fax:

Cell Phone:

E-Mail: kimberly@parksillysundaymarket.com,

julie@parksillysundaymarket.com, jewels@parksillysundaymarket.com

Assistant Event Manager:

Mailing Address:

Phone:

Fax:

Cell Phone:
E-Mail:

TYPE OF EVENT: *to be confirmed by the Special Events Department*

- ☒ **Master Festival;** *(If even one box is checked, the event is automatically a Master Festival)*
A public event which any one of the following:
☒ attraction of large crowds, (Over 500)
☒ street closure,
☐ use of City park, building or property,
☐ use of off-site parking facility,
☐ use of amplified music.
- ☐ **Special Event;**
A private or public event, which creates significant public impacts through:
☐ causes significant public impacts via disturbance, crowd, traffic/parking,
☐ disruption of the normal routine of the community or affected neighborhood,
☐ necessitates temporary business or liquor licensing
☐ event signs, visible from public property
☐ temporary structures

CITY SERVICES

- request for street closure(s)? ☒ yes ☐ no
if yes, then list street(s) and closure time and date: Main Street from Heber Ave to 9th Street, 7th Street to Parking Garage 7:00AM-5:00PM
- request for closure of or access to any public parking spaces? ☒ yes ☐ no
if yes, then list lot and closure times and dates: Marriott Main Street Access
if yes, complete and attach Request for Special Use of Public Parking form.
- request for use of any City owned bleachers? ☐ yes ☒ no

SALES AND FOOD VENDING

- will there be beer, wine and/or liquor sales during the event? ☒ yes ☐ no
if yes, have you filed a Beer and Liquor License Application with Park City Finance Department? ☒ yes ☐ no
if yes, have you filed a Single Event or Temporary Beer Permit application w/ UDABC? ☒ yes ☐ no

APPLICATION FEES

All new applications require a \$100 processing fee, all applications for returning events require a \$50 application fee, due at the time of application. Additional fees for other services, including Health Department and Fire Department, will be estimated and provided to the applicant. A final bill for services will be delivered to the applicant approximately two weeks after the event concludes. Please remit application check to:

Park City Municipal Corporation
Attn: Special Events and Facilities
P.O. Box 1480
Park City, UT 84060

INSURANCE

Park City Municipal requires proof of liability insurance in the amount of two million dollars (\$2,000,000) or more, and applicant shall further name Park City Municipal Corporation as an additional insured. This must be submitted 10 days prior to the event.



Park Silly Sunday Market

Our intention for the Park Silly Sunday Market is to create:

- a weekly opportunity for our community to connect and celebrate with each other.
- a forum for non-profit groups and already existing events to promote themselves to our community.
- a tool of exposure for businesses and restaurants in the community.
- a venue for funky and fun art, crafts, antiques, music, and food.
- recognition of Park City's commitment to being green by demonstrating a no trace left behind/zero waste market.

Julie, Jewels and Kimberly have been working since February 2006 on the concepts of the market; researching and being mentored by other successful markets across the country.

We have been working with Mayor Dana Williams, Bob Koehler at the Chamber of Commerce and Special Events Planner, Max Papp. We have conferred with all of them including Ron Ivie and Kurt Simister on proposed locations and have narrowed down the best possible location to the lower part of Main Street from Heber Avenue to the round about.

We have become members of the Main Street Alliance and have been working with the Marriot, Commerce CRG/Triple Net Properties, Mike Sweeny and the Kimball Arts Center to gain their support and approval.

Towns such as Vail, Aspen, Sun Valley and Taos all offer weekend open air markets to their guests, second home owners and locals. It is imperative that if Park City is to prove itself as -the best year round destination and place to live- we must showcase the spirit of our community, which is what separates us from these other ski towns. The Park Silly Sunday Market is the perfect opportunity to do just that.

We will be requesting a work session with the council members to cover any and all questions and concerns and to gain your approval to begin the Park Silly Sunday Market at our proposed location in June 2007.

Bio Page

The creators of the Park Silly Sunday Market are:

Kimberly Kuehn: Kimberly has been living in Park City for 5 years. She is currently a new, full-time mom and has a background in Marketing Development and Public Relations. Kimberly has sat on the board of several committees in Park City and is a volunteer for many of the Non-profit groups in the community. She is currently participating in the 2006 Leadership Program. Kimberly and her husband Jeff are well known members of the community because of their success with developing the Halloween Dog Parade, Summerween and the Solstice Ride that take place every year.

Julie Doerr-Arenson: Julie has lived in Park City for 3 years. She has a background in Urban Regional Systems Planning specializing in Historic Preservation Planning, Retail and Fashion Merchandising. Julie currently works with her husband Todd designing and landscaping the beautiful homes they build here in Park City. She has worked with many of the Non-profit groups and has been a volunteer for ArtsKids.

Jewels Harrison: Jewels and her family moved to Park City 4 years ago, so her husband, Walt, could train as a member of the US Skeleton Team. She is a full-time mom, a personal trainer at the Silver Mountain Spa, a massage therapist and fitness educator. Jewels, also has a background in writing, directing and acting in theatre and film. Jewels volunteers at the Colby School, Recycle Utah and donates her time and services to local fundraising efforts.

2007

The Park Silly Sunday Market

The Park Silly Sunday Market is an eco friendly, open air market that features: unique and eclectic- local and regional arts and crafts, music and performance art, antiques, imports and one of a kind finds, delicious gourmet foods and farmers market fruits and vegetables.

The market is a combination of the following categories of vendors:

- Arts, Crafts, Antiques, Collectibles and Imports
- Fun
- Gourmet, Specialty and Locally Grown Foods
- Tag/Yard Sale Items

All vendors are admitted based on the type of product that is needed at the Market and according to the theme of any particular week. We look very carefully at the entire range of products being offered by our vendors. Food vendors are admitted based on what type of product we feel will enhance Market operations. All products should be attractive to Market customers without diluting the existing product base or competing directly with the restaurants and stores located in the Lo Main area.

Formatted: Position: Horizontal:
Right, Relative to: Margin, Vertical:
0", Relative to: Paragraph, Wrap
Around

IMPORTANT INFORMATION!

Please read the Market Rules & Regulations thoroughly before filling out your application!

Please print a copy of the Rules & Regulations for your records.

Applications are processed on a first come, first serve basis. So get them to us as soon as you can.

Application Deadline: PSSM must receive your application one month prior to the date or dates you have selected.

Note that all vendors are chosen to fit the specific theme of each market week. We will try to accommodate your preferred dates as best as possible.

Formatted: Position: Horizontal:
Right, Relative to: Margin, Vertical:
0", Relative to: Paragraph, Wrap
Around

Dates and Times

Park Silly Sunday Market will be every Sunday beginning June 3 through October 7,14,21,28?

Market Hours

9am-3pm Snow, Rain or Shine the show must go on.

You will need to have Adobe Acrobat Reader installed on your computer to view and download the Rules & Regulations and the Application. If you do not have Adobe Acrobat Reader, you can download it for free here:

<http://www.adobe.com/products/acrobat/readstep2.html>

V

****Important Note:** All vendor applications will be scrupulously reviewed by the PSSM administration and placed according to weekly themes and space availability.

Non-Discrimination

The PSSM welcome all regardless of race, creed, color, sex, religion, sexual orientation, age, nationality or marital status.

Formatted: Position: Horizontal: Right, Relative to: Margin, Vertical: 0", Relative to: Paragraph, Wrap Around

How to become a Park Silly Sunday Market Vendor

Art and Product vendor

Fill out an application from our Web site. Product vendors must have a Park City Business License and a Temporary Sales Tax License. Additionally, each item you wish to include at your booth will be reviewed by the PSSM Committee and chosen based on certain criteria that include quality and uniqueness. With the application, you are required to submit a photograph of each type of item you wish to sell. The committee will review the applications, after which you will be notified of your status. We look carefully for a broad range of products that will enhance the Market experience. The acceptance of every application requires our approval of the applicant's merchandise and artists work, and no payment is processed until an application is accepted.

We don't accept such items as guns or ammunition, pornographic or adult materials (this is a family event).

([Link to Product Vendor Application](#))

([Link to Park City Business License](#))

Formatted: Position: Horizontal:
Right, Relative to: Margin, Vertical:
0", Relative to: Paragraph, Wrap
Around

Food and baked goods vendors

Fill out an application from our Web site. Make sure that you are in compliance with the Health Department's rules. Your application will be reviewed by the PSSM Committee, after which you will be notified of your status. Be sure to provide information about your power needs. We are limited in the number of food vendors we will choose and choices will coincide with the themes we have chosen each week.

Health Department

All food vendors are required to be in compliance with Summit County Health Department and/or the Utah Department of Agriculture regulations. Food vendors preparing or sampling on site are required to have a Food Handler's Permit and a Temporary Food Service Permit for Seasonal Events. If you are accepted into the market and are subject to these regulations, you must display both permits in your booth or you will not be allowed to sell food prepared or sampled on site.

(Link to Health Department)
(Link to Food Vendor Application)
(Link to Park City Business Liscence)

Formatted: Position: Horizontal: Right, Relative to: Margin, Vertical: 0", Relative to: Paragraph, Wrap Around

Nonprofit organizations

Fill out an application from our Web site indicating which Sundays you would like to attend the Market. We will review all nonprofit applications and notify you which weekends are available.

Groups that take advantage of this are treated to a very special outreach opportunity.

(Link to Nonprofit Application)

Special Events & Entertainment

To enhance the Market and to provide added value for our customers, we welcome performers of all kinds to the market. Note: all music must be unplugged.

Becoming a performer

Fill out an application. You will be contacted regarding your approval, dates, times and location in the Market.

(Link to Performer/Entertainment application)

Missing the Application Deadline

Priority is given to applications that are received by the deadline. Once these applications have been considered, any that arrived after the deadline will be looked at- if there are spaces still available.

Sales Taxes

All vendors, with the exception of farmers that sell only freshly grown produce and/or plants grown by

Formatted: Position: Horizontal:
Right, Relative to: Margin, Vertical:
0", Relative to: Paragraph, Wrap
Around

them, are subject to collecting sales tax from their customers and remitting the sales tax to the Utah State Tax Commission. This is accomplished through a Special Event Sales Tax Form; you cannot remit these taxes on your usual form. If you are accepted into the market and are subject to sales tax collection, the form and/or instructions on how, where and when to file will be included in your acceptance letter. All required sales tax collection and remittance is the sole responsibility of each individual vendor.

Vendor Structures

Temporary structures (vendor canopies, etc.) over 120 square feet in area are required to obtain a building permit from Summit County. ALL structures must be secure enough to withstand sustained winds of 50

MPH, NO EXCEPTIONS! Summit County Code requires anchors of 50 lbs. per leg. You will not be allowed to set up your booth structure if you do not meet these requirements!

Noncompliance

There will be strict enforcement of all Market Rules & Regulations! Market Management reserves the right to refuse acceptance or deny continued participation of any vendor or product that is not in complete compliance with all Market Rules &

Formatted: Position: Horizontal: Right, Relative to: Margin, Vertical: 0", Relative to: Paragraph, Wrap Around

Regulations. Market Management has the authority to ask any vendor to remove themselves or any product not previously approved by management from the market. Market Management reserves the right to move or reassign vendor locations to enhance or facilitate the market structure and/or safety as deemed necessary.

LIABILITY

The Park Silly Sunday Market is not liable for any injury, theft or damage to either the buyer or the seller or their property, arising out of or pertaining to preparation for or participation in The Park Silly Sunday Market; whether such injury, theft or damage occurred prior to, during, or after the hours of operation of The Park Silly Sunday Market. Seller further agrees to indemnify and hold harmless both The Park Silly Sunday Market for and against any and all claims for such injury, theft and/or damages. Seller assumes full liability for their vehicles, structures, fixtures and the product(s) they market or sell and by participation in The Park Silly Sunday Market hereby agree to hold The Park Silly Sunday Market/or their representatives harmless against any and all claims such as but not limited to injury, theft or damage by any buyer, seller, or other persons resulting from or pertaining to the

Formatted: Position: Horizontal: Right, Relative to: Margin, Vertical: 0", Relative to: Paragraph, Wrap Around

use, consumption, marketing tactics, display, negligence or disposition of seller's products, vehicles, fixtures or structures.

If you do not have liability insurance and need some help with this, call Richard Boulder at 435-654-0353 and tell him Park Silly Sunday Market referred you.

Sellers at the Booths

Items sold at the Market are to be sold by the applicant. We feel that is important for the consumer to be able to connect with the vendor and their products. Family members or farm representatives are also allowed to sell at your booth. If you have a Market day where you or a member of your family/farm cannot be present, please contact the Market administration to make other arrangements. No refunds without 24 hours advance notification.

Presentation and Signage

We strongly encourage you to make your space as clever and charming as possible. Making your own signs to create as strong a presentation as possible. Not only do colorful and eye-catching signs add to the visual sense of the market, but research at Markets indicates

Formatted: Position: Horizontal: Right, Relative to: Margin, Vertical: 0", Relative to: Paragraph, Wrap Around

that those vendors whose presentation is organized and whose signage is clear and easy to read sell more products. Remember consider your neighbors when creating your unique signs.

General Market Policies

1. The PSSM reserves the right to refuse participation to vendors who do not comply with market rules and regulations or do not meet market standards which include, but are not limited to, following all local, city, state, and federal laws and regulations.
2. Participation in the Market means you accept and agree to partner with all marketers in creating a fun, friendly, No Trace Left Behind event.
3. Vendors must pay a one-time, non-refundable registration fee.
4. Booth size is approximately 10' x 10' or 10' x 20' space and priced accordingly. Larger than 10' x 20' must be approved of by PSSM.
5. Spaces will be forfeited for the day if vendor does not show by your designated drop off time if

Formatted: Position: Horizontal: Right, Relative to: Margin, Vertical: 0", Relative to: Paragraph, Wrap Around

you have not contacted market staff. Failure to show up, begin on time or stay to the end of the day will result in future denial of participation in the Market.

6. Market staff has the authority to move and reassign vendor spots to enhance or facilitate market operations.

7. Any required sales tax collections and remittances are the sole responsibility of the sellers.

8. Price, terms of sale, bartering etc. are between buyer and seller only. All sellers agree to abide by fair business practices.

9. Vendors may not sell any items not approved of or shown in their market application. Reselling products is especially sensitive and must be approved of in the application process. PSSM has the right to ask vendor to remove products.

10. Any vendor who the market staff feels is not complying with the market rules may be asked to leave. No Refunds.

Formatted: Position: Horizontal:
Right, Relative to: Margin, Vertical:
0", Relative to: Paragraph, Wrap
Around

11. Seller assumes full liability for the products they market or sell and hereby agrees to hold The Park Silly Sunday Market and Summit Watch Plaza harmless against any claim of injury or damage by any buyer, seller, or other persons resulting from the use, consumption, disposition, display, or marketing of seller's products.

12. The Park Silly Sunday Market is not liable for any injury, theft, or damage to either the buyer or seller, or their property, arising from or pertaining to preparation for or participation in the Park Silly Sunday Market. Regardless of whether such injury, theft, or damage occurred prior, during, or after the Park Silly Sunday Market.

13. Sellers further agree to indemnify and hold The Park Silly Sunday Market harmless for and against any claims for such injury, theft, or damage.

14. The market opens at 9:00am. *Please do not sell products before this time!*

15. See the market staff if you do not have an assigned space. Do not choose your own space.

16. Vendor must unload at their designated time and park vendor vehicles in the designated area for vendors.

Formatted: Position: Horizontal:
Right, Relative to: Margin, Vertical:
0", Relative to: Paragraph, Wrap
Around

17. No refunds. Market will go on rain, shine, or snow.

18. All permits (business license, temporary sales tax license, and food handlers permits) are the sole responsibility of the vendors.

19. PSSM believes your participation is critical to all of our events. We will try to accommodate your needs and requests to the best of our ability. The efforts you take in preparing for each one of our events is greatly appreciated.

Important Contact Information

Salt Lake Valley Health Department
Food Protection
788 East Woodoak Lane (5380 South)
Murray, UT 84107
Contact-
Phone (801) 313-6625
Fax (801) 313-6609
Web Site- www.slvhealth.org

Park City Business Licensing
Contact- 435-615-5220

Formatted: Position: Horizontal:
Right, Relative to: Margin, Vertical:
0", Relative to: Paragraph, Wrap
Around

Mention it is for the Park Silly Sunday Market and
processing will be expedited.
Web Site-

State of Utah Tax Commission
Special Events Division
210 North 1950 West
Salt Lake City, UT 84134
Contact-
Phone (801) 297-6303
Fax (801) 297-6358
Salt Lake City, Utah 84111
Contact-
Phone (801) 333-1103

Formatted: Position: Horizontal:
Right, Relative to: Margin, Vertical:
0", Relative to: Paragraph, Wrap
Around



City Council Staff Report

Special Events and
Facilities Department

Author: Max J. Paap, Brian Andersen
Subject: Strike the Motherlode
Date: November 9, 2006
Type of Item: Administrative – Master Festival License

Summary Recommendations:

Review the Master Festival License application, conduct a public hearing, and approve the license for Strike the Motherlode Main Master Festival License, as conditioned, on December 2, December 9, and December 16, 2006. Staff recommends Council deny the request to suspend paid parking on Main Street during the event.

Description:

A. Topic:

Review the Master Festival License Application, submitted by the Historic Main Street Business Alliance, for Holidays on Main as conditioned, on December 2, December 9, and December 16, 2006.

B. Background:

Holidays on Main is a multi-phase event that hosts various activities on Main Street to encourage Wasatch front visitors and Park City locals to come celebrate in an "non mall-like" atmosphere and enjoy their holiday shopping. Activities are based upon visiting HMBA member shops and restaurants between December 2 and December 16, 2006 and receiving a chance to win a \$5000.00 in a grand prize drawing at the Town Lift Plaza as Santa arrives at the Plaza.

On December 16, a celebration will include an amplified music concert on the Town Lift Plaza along with food and beverage vendors, prize give-aways and various children's activities. Park City Mountain Resort and HMBA have partnered in organizing this event in previous years and have again agreed to do so.

This application includes a request to suspend paid parking on Main Street from November 23 through December 16, 2006.

C. Analysis:

The City Council, per the Municipal Code, reviews all new applications for Master Festival Licenses and shall either approve, approve with conditions, or deny the applications. The Holidays on Main festival is being reviewed as a Master Festival due to the use of amplified music and the request to suspend paid parking. On December 16th the Holidays on Main activities are proposed to run from 3:00pm until 7:00pm. The amplified performance on the Town Lift has been requested from 4:00pm to 7:00pm.

Amplified Music

The band will perform between 4:00pm and 7:00pm. The location of the stage will be oriented so as to not project the sound towards Park Avenue and the Old Town residential area. The band will perform under a tent, and a Building Permit has been obtained. The addition of the band to the event will not require additional parking or City Services.

Other Main Street Activities

There are many new activities proposed for the Main Street celebration: A non-profit wreath auction, various strolling entertainers, costumed characters on Main Street. A puppet show, Santa's workshop, tree lighting, ice sculptor, and horse drawn sleigh rides near the Summit Watch plaza with a "Jingle Ball" run on Poison Creek trail on December 16th. All of these activities would, at a minimum, result in the closure of Main Street from Heber Avenue to 9th Street at \$12 per space per day to allow for set-up and take-down of the proposed venue space.

Parking

The HMBA requests the suspension of paid parking on Main Street and in the Brew Pub parking lot. The current mix of the approximately 1360 Main Street core parking spaces is 82% free with time limits and 18% metered. The Merchants request would impact 250 parking spaces in the Main Street core.

Based on claims that similar programs increase business in resort communities, Staff polled several resort communities that have paid parking programs to ascertain if any allowances are made for holiday parking. Staff could not find a resort community with a paid parking element that converts it to free parking for the holidays. Some of the communities polled and their respective treatment of metered core parking are shown as follows:

Peer City	Early December Parking Program
Whistler, British Columbia	No program change; paid parking in effect
Truckee, California	New program; plan to have paid parking in effect
Aspen, Colorado	Enforcement increased
Breckenridge, Colorado	No program change; paid parking in effect
Telluride, Colorado	No program change; paid parking in effect

In conjunction with the 2003 implementation of the current parking management program, Council reiterated the breakeven revenue program goal (i.e program revenues equal program expenses). The proposal to make Main Street free parking during the period would cost the program nearly \$30,000 in lost revenue. With this loss, the parking program would not meet the breakeven goal and would require either the General Fund or Transit Fund to finance the deficit.

Since the current program was implemented, the number of program consistency complaints has steadily decreased. Program consistency was a major reason for the 2003 modification to the program.

Last year (2005) City Council agreed to suspend paid parking for the event on a one time basis. Some on Council agreed to suspend paid parking for 2005 due to the shortage of parking related to the parking structure construction which is now complete. Staff received some complaints regarding confusion of restart time of the 2005 program. During the last week of the program (Saturday, December 17, 2005) staff collected license plate data for vehicles parked on Main Street and the Brew Pub lot (the holiday free area). Of those vehicles 18% had been issued one or more prior parking tickets, and 8% had been issued three or more prior tickets.

Staff has the following concerns with this proposal from a parking management perspective:

- Marketing efforts would be required. – For the proposal to be successful, an effective marketing campaign would be necessary. Staff believes the current program has ample free parking at 82%, and this concept can be promoted in any HMBA campaign.
- Main Street parking is difficult to enforce without a pay element. – Due to the proximity of employee vehicles parked on Main Street to drivers, it is difficult to enforce with only time limits due to chalk-wiping and car-shuffling opportunities. The perception within the employee demographic is that these behaviors are acceptable in a timed parking zone. Paid parking is a very effective tool for Main Street in order to accomplish program goals (parking for customers).
- New employees for the winter season would develop bad parking habits. – At a time when education of the new season's employees is occurring, the program would entice parking on Main Street and development of habits inconsistent with a "customer first" parking approach. It is Staff's experience Main Street employers do not know if their employees park in customer spaces; parking regulations are the means to facilitate space reservation for the customer.
- Program consistency is very vital to the root success of the parking management program. – Staff has learned from past experience that program consistency (not on again off again) creates less confusion for users and results in fewer parking system complaints. The program has stabilized and customer service staff receives relatively few complaints since the implementation of the current year-round program.
- Many free parking options are available for customers, locals, and employees. – Staff has received positive feedback since the 2003 program change in regards to locals visiting Main Street. Staff believes this is due to the abundance of options for free parking in close proximity to Main Street. Employees of Main Street also have many parking options during this time of year. Now with the new garage expansion, fully 82% of the public parking resource is without charge.
- Enforcement needs are greater with timed parking. – Deterring employee use of prime customer parking areas requires more parking enforcement labor than

metered parking due to the double check required to begin and end a timed cycle in a timed parking space.

- The Transit fund is dependent upon full year parking revenues to fund the City's parking enforcement program. – The aforementioned revenue impacts from the free holiday parking proposal would be nearly \$30,000 based upon historical collections during said time period. Since the parking program operates as an enterprise fund, general fund revenues may be needed to reimburse any revenue loss from this proposal. Staff has determined that funding from the Parking Garage CIP project budget is not currently available for this purpose.

Staff does not recommend implementation of free holiday parking for an already 82% free City parking program. The current parking program on Main Street, especially with the completion of the parking structure, allows for economic opportunity for merchants while still encouraging employees and customers to take other forms of transportation by charging for parking. Although there was an increase on sales tax revenue in November and December of 2005, this can not be solely attributed to the holiday suspended paid parking program.

Department Review:

This document was reviewed by Public Works; Budget, Debt and Grants; Economic Development and Capital Projects; Special Events; Legal; and Public Safety staff.

Alternatives:

- Approve the Master Festival License, as conditioned by staff on Main on December 2, 9 & 16, 2006 at the Town Lift Plaza and various Main Street locations, and deny the request for suspended paid parking allowing the Holidays on Main from November 23 through December 16, 2006. This is staff's recommendation.
- Approve the Master Festival License, as conditioned by staff, and approve the request for suspended paid parking allowing the Holidays on Main on December 16, 2006 at the Town Lift Plaza.
- Modify the parameters of the event, and approve the Master Festival License, allowing the Holidays on Main on December 16, 2006 at the Town Lift Plaza.
- Deny the Master Festival License, thereby preventing the Holidays on Main on December 17, 2005 at the Town Lift Plaza.
- The City Council may continue the hearing for more information and discussion.

Recommendation:

Review the Master Festival License application, conduct a public hearing, and consider approving the license for the Holidays on Main Master Festival License, December 17, 2005 based on the following:

Findings of Fact::

1. Holidays on Main include indoor activities at various businesses as well as outdoor activities that include, face painting, food and beverage vendors, prizes, and the arrival of Santa from 3:30pm to 6:00pm. An amplified performance will

occur on the Town Lift Plaza between 3:00pm until 7:00pm. The event will be held on December 16, 2006.

2. The activities scheduled are to attract shoppers to Main Street during the holiday season. Main Street has adequate parking to accommodate the anticipated attendance. The conduct of Holidays on Main will not substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area.
3. The HMBA will be providing volunteers to man and run the event. No police or other public employees will not be used at the event and there will not be a diversion of so great a number of police, fire or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
4. The crowd associated with Holidays on Main will be using the sidewalks and parking in the Main Street parking areas. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety concerns.
5. No other Master Festival or Special Event licenses have been issued for December 2, 9 or 16, 2006.
6. The organizer is providing adequate insurance for the event.
7. Due to the nature of Holidays on Main, the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
8. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter. The Applicant has not failed to conduct a previously authorized event in accordance with the law or the terms of a license.
9. Due to revenue breakeven program, requirement to effectively manage the City's parking resource, and parking program consistency, paid parking will remain during this time period.

Conclusions of Law:

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

Conditions of Approval:

1. All caldrons must be manned during the event. The propane must be removed from the caldrons if they stay in place between events.
2. A-Frame signs associated with the event must allow for 42" of room on the sidewalk for pedestrians. The signs may only be out during the time of the event.
3. All plans for tents, stages and other temporary structures shall be submitted to the Building Department for review and permitting.
4. The Applicant will work with Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the Applicant.
5. The Applicant shall provide to the Special Events Manager proof of liability insurance as may be required by the Special Events Manager or the City

Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured if necessary.

6. All signs shall be reviewed and approved by the Special Events Department and shall comply with Title 12 of the Municipal Code.
7. Any damages to City property shall be the responsibility of the applicant.

Exhibits:

Exhibit A- Applicants Summary of Events

Exhibit B- HMBA Letter

Exhibit A-

**PARK CITY MUNICIPAL CORPORATION
SPECIAL EVENT AND MASTER FESTIVAL LICENSE
EVENT APPLICATION-PART i**

A completed electronic copy submitted to the Special Events Department is required.



Special Events and Facilities
Department
435.615.5150
specialevents@parkcity.org

APPLICATION FORM

Part I of the application form (pages 1 and 2) must be completed and submitted to the Special Events Department no less than 90 days prior to a Master Festival or no less than 60 days prior to a Special Event. Part II of the application form (pages 3-6) which are more comprehensive, must be submitted 45 days before all events. Parts I and II of the application must be sent electronically to the Special Events Department at specialevents@parkcity.org. The application will be reviewed by the Special Events Department and compared to master calendar for date availability. Applicant must schedule a meeting with City Staff 30 days prior to the event to review logistics. Granting of the permit is not guaranteed.

EVENT NAME: Strike the Motherlode 2006

EVENT DATE(S): Saturdays, December 2, December 9, and December 16

EVENT TIME(S): Between the hours of 1 PM - 7 PM

EVENT LOCATION(S): *Please describe in detail the exact location(s)*
Public gathering places along Main Street: Miner's Park, Town Lift, Marriott Plaza Courtyard, Historic Museum and Main Street Mall.

ANTICIPATED ATTENDANCE: 2000 per day

EVENT DESCRIPTION: *Please describe in detail the activities associated with the event*

Holiday Celebration featuring: non-profit wreath silent auction (wreaths to be housed in storefront locations), holiday entertainment and activities, carolers, horse drawn carriage in Marriott Plaza courtyard, hayride tractor pull up Main Street, holiday music, holiday shopping drawing.

APPLICANT: *(name of organization)* Historic Main Street Business Alliance (HMBA)

CONTACTS

Event Manager: Anita Wolfe

Mailing Address: PO Box 1348, Park City, UT 84060

Phone: 435-658-9612

Cell Phone: 435-901-0886

Fax: 866-381-4544

E-Mail: hmba@parkcityinfo.com

Assistant Event Manager:

Mailing Address:

Phone:

Fax:

Cell Phone:

E-Mail:

TYPE OF EVENT: *to be confirmed by the Special Events Department*

☒ **Master Festival;** *(If even one box is checked, the event is automatically a Master Festival)*

A public event which any one of the following:

☐ attraction of large crowds, (Over 500)

☐ street closure,

☒ use of City park, building or property,

☐ use of off-site parking facility,

☒ use of amplified music.

☐ **Special Event;**

A private or public event, which creates significant public impacts through:

☐ causes significant public impacts via disturbance, crowd, traffic/parking,

☐ disruption of the normal routine of the community or affected neighborhood,

☐ necessitates temporary business or liquor licensing

☐ event signs, visible from public property

☐ temporary structures

CITY SERVICES

- request for street closure(s)? ☐yes ☒no
if yes, then list street(s) and closure time and date:
- request for closure of or access to any public parking spaces? ☐yes ☒no
if yes, then list lot and closure times and dates:
if yes, complete and attach Request for Special Use of Public Parking form.
- request for use of any City owned bleachers? ☐yes ☒no

SALES AND FOOD VENDING

- will there be beer, wine and/or liquor sales during the event? ☐yes ☒no
if yes, have you filed a Beer and Liquor License Application with Park City Finance Department? ☐yes ☐no
if yes, have you filed a Single Event or Temporary Beer Permit application w/ UDABC? ☐yes ☐no

APPLICATION FEES

All new applications require a \$100 processing fee, all applications for returning events require a \$50 application fee, due at the time of application. Additional fees for other services, including Health Department and Fire Department, will be estimated and provided to the applicant. A final bill for services will be delivered to the applicant approximately two weeks after the event concludes. Please remit application check to:

Park City Municipal Corporation

Attn: Special Events and Facilities
P.O. Box 1480
Park City, UT 84060

INSURANCE

Park City Municipal requires proof of liability insurance in the amount of two million dollars (\$2,000,000) or more, and applicant shall further name Park City Municipal Corporation as an additional insured. This must be submitted 10 days prior to the event.

Exhibit B-

HISTORIC MAIN STREET BUSINESS ALLIANCE

September 28, 2006

Dear City Council Members,

The HMBA is proceeding on plans for this year's Strike the Motherlode holiday program for Main St. The MFL has been submitted and will be reviewed in one of the upcoming council meetings. We wish to thank you for your support last year, by providing the FREE parking during the program period. This was a big hit!

We are pleased to report that the Restaurant Tax Grant Committee granted us our full funding request for advertising this event to the Wasatch front. Additionally, we have partnered with the Chamber/Bureau to bring back the holiday entertainment/activity elements in full force. This year should prove to be the best ever as all the "kinks" have been worked out during the initial launch years and it is gaining fast recognition among locals, the Wasatch front, and the media.

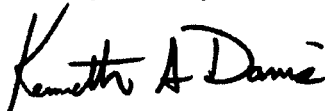
Our questionnaire to membership at the conclusion of the 2005 event showed an average 10% increase in sales for the program period, compared to the previous year, despite the Hwy 80 closures and parking garage construction. This year, we anticipate even higher numbers and an opportunity to garner corporate sponsorships for the event as we move forward.

This year we will also give back to the community by hosting a wreath auction fundraiser for local non-profit organizations. Businesses will partner with non-profits to decorate a wreath that will be displayed in their storefronts and be auctioned to the highest bidder.

This will be the banner year for Strike the Motherlode and we would like to request the city to partner with us again this year by offering free parking on Main Street during the program period, November 23 - December 16. We all know that this is a bleak time of year for Main Street businesses. We need to do everything possible to welcome visitors to the area at this time. If we are to effectively compete with the shopping districts in Salt Lake and Kimball Junction, which offer free holiday parking, this is a necessity. The feedback from shoppers and business owners was unanimous -- we all wish for this benefit to be offered again this year.

Please consider this request for free parking on Main St. during the holiday period from November 23 - December 16.

Thank you kindly,



Ken Davis
President, HMBACC: Max Paap, Mayor Dana Williams

City Council Staff Report



Author: Robin Hutcheson, Senior Planner
Subject: Mine Cart Condominium Plat
Date: November 9, 2006
Type of Item: Legislative – Condominium Conversion

**PLANNING
DEPARTMENT**

Summary Recommendations

Staff recommends City Council hold a public hearing for the Mine Cart Condominium Plat and approve the request based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Topic

Applicant: Arman Hedayat represented by Scott Smith
Location: 553 Deer Valley Loop Road
Zoning: Residential Medium Density (RM)
Adjacent Land Uses: Single family residential and condominiums
Reason for Review: Condominium conversions require Planning Commission review and City Council approval

Background

On October 25, 2006 the Planning Commission held a public hearing and voted unanimously to forward a positive recommendation to the City Council for the Mine Cart Condominiums. No public comment was made during the public hearing.

On September 22, 2006 the City received a complete application for the Mine Cart Condominium conversion at 553 Deer Valley Loop Road, in the RM zoning district.

Subject property is currently a metes and bounds parcel. The approval of this record of survey will create a lot of record that will allow construction.

The proposal is for two condominiums in a duplex configuration to be constructed on a vacant parcel of 7,933.82 square feet. The applicant wishes to create a condominium for the ability to sell each unit separately. The entire parcel is part of the condominium project. Area tabulations for each unit, including common area, limited common area and private area, are shown in the table below.

	Unit A	Unit B	TOTAL
Private Area	4,324.05 s.f.	4,327.30 s.f.	8,651.35 s.f.
Limited Common Area	439.89	437.22	877.11
Common Area			3947.52

Analysis

The project complies with all requirements of the Land Management Code, RM District, parking and design guidelines. A duplex is an allowed use in the RM zone. As per the table below, the project meets all setback, height, and parking requirements.

	Permitted	Proposed
Height	28' (+5' for pitched roof)	Max. 33'
Front setback	15'	15'
Rear setback	10'	10'
Side setbacks	5' min	5'
Lot size	3,750 min. square feet	7,933.82 square feet
Footprint	N/A	N/A
Parking	2 per unit	2 enclosed in a garage per unit

Staff finds good cause for this condominium conversion because the proposal is consistent with surrounding land use patterns and complies with the requirements set forth in the Land Management Code.

Department Review

On September 12th, 2006 this project was discussed at an interdepartmental review meeting. Any issues arising from this meeting have been sufficiently addressed.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on October 10, 2006.

Public Input

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

Alternatives

- City Council may approve the Mine Cart Condominium Conversion as conditioned or amended, or
- City Council may deny the Mine Cart Condominium Conversion and direct staff to make Findings for this decision, or
- City Council may continue the discussion on the Mine Cart Condominium Conversion.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

If the duplex were not constructed as condominiums the two units could not be separately sold.

Recommendation

Staff recommends the City Council hold a public hearing for Mine Cart Condominium Conversion and approve the Ordinance for the Mine Cart Condominiums based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Ordinance No. 06-

AN ORDINANCE APPROVING THE MINE CART CONDOMINIUM LOCATED AT 553 DEER VALLEY LOOP ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 553 Deer Valley Loop Road have petitioned the City Council for approval of the Mine Cart Condominium Conversion; and

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

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

WHEREAS, the Planning Commission held a public hearing on October 25, 2006 to receive input on the Mine Cart Condominium Conversion and forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 9, 2006, the City Council approved Mine Cart Condominium Conversion; and

WHEREAS the condominium conversion will allow the sale of each unit separately.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Mine Cart Condominium Conversion as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 553 Deer Valley Loop Road.
2. The zoning is Residential Medium Density Development (RM).
3. A duplex is an allowed use in the RM zone.
4. The proposed lot is 7,933.82 square feet in size.
5. The maximum height of the structure is 33'. Typical height is 28'.
6. The front setback is 15', rear setback 10', and side setbacks 5'.
7. Each unit provides two parking spaces, all of which are off-street.
8. Unit A consists of 4,324.05 square feet of private space, and 439.89 square feet of limited common area.
9. Unit B consists of 4,327.30 square feet of private space, and 437.22 square feet of limited common area.
10. Shared common area consists of 3,947.52 square feet of space.
11. A trench for sewer will eliminate the existing retaining wall.

12. The Planning Commission forwarded a positive recommendation for the Mine Cart Condominiums on October 25, 2006.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Condominium Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Condominium Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All standard project conditions will apply as noted in Exhibit B.
4. A single master water meter must be supplied for both units as well as the common landscaping.
5. Final Certificate of Occupancy is conditioned upon Engineering/Building Department approval of the new retaining wall.
6. Covenants, Conditions, and Restrictions (CC&R's) must be amended to include a tie-breaking mechanism.
7. The applicant must consult the Building Department for building sprinkler requirements. Building Department approval of a fire sprinkler plan is required.

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

Exhibits

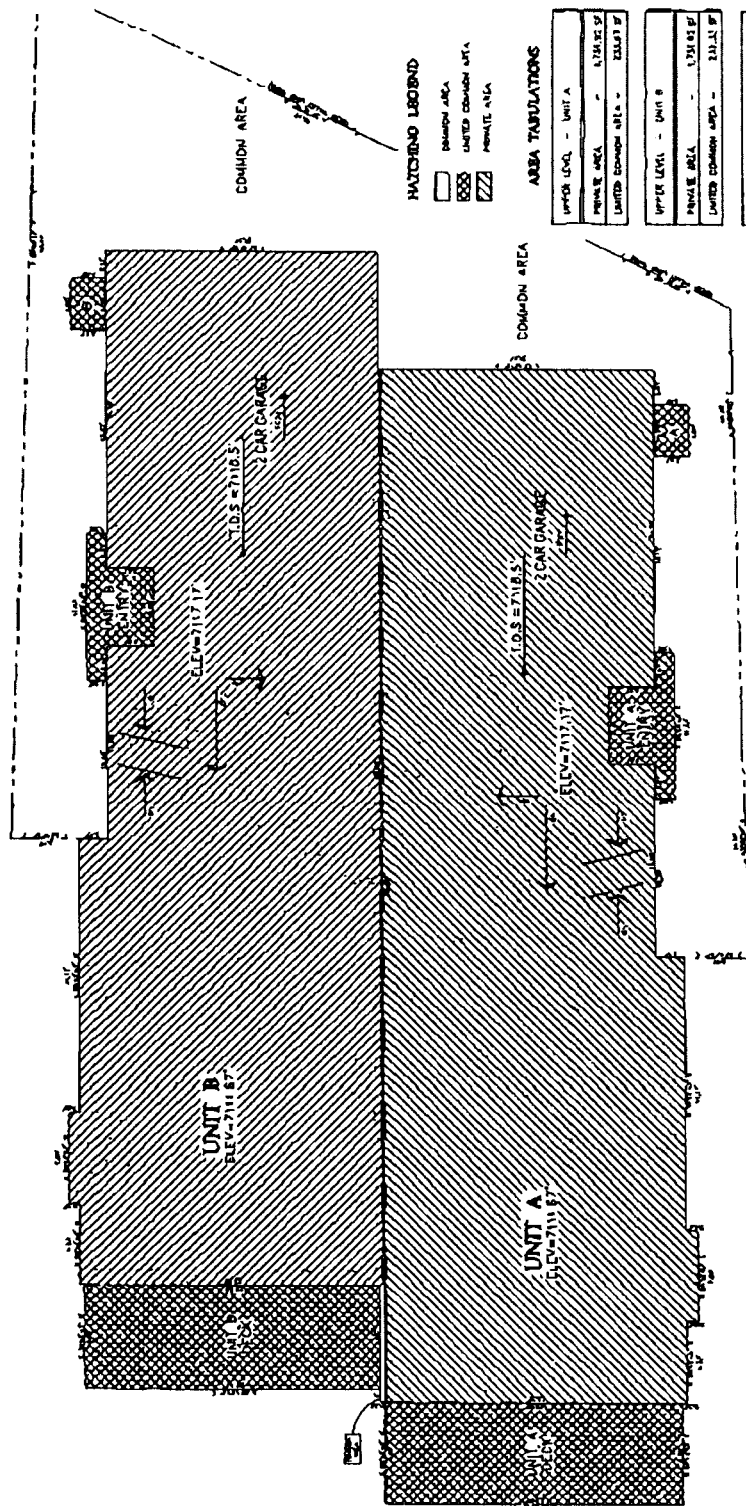
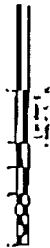
Exhibit A – Record of Survey plat

Exhibit B – Standard Project Conditions

[illegible]



GRAPHIC SCALE



HATCHING LEGEND

- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

AREA TABULATIONS

UPPER LEVEL - UNIT A	
PRIVATE AREA - 1,214.15 SF	
LIMITED COMMON AREA - 1,141.17 SF	
COMMON AREA - 1,141.17 SF	
UPPER LEVEL - UNIT B	
PRIVATE AREA - 1,214.15 SF	
LIMITED COMMON AREA - 1,141.17 SF	
COMMON AREA - 1,141.17 SF	

RECORDED

FILE NO. _____

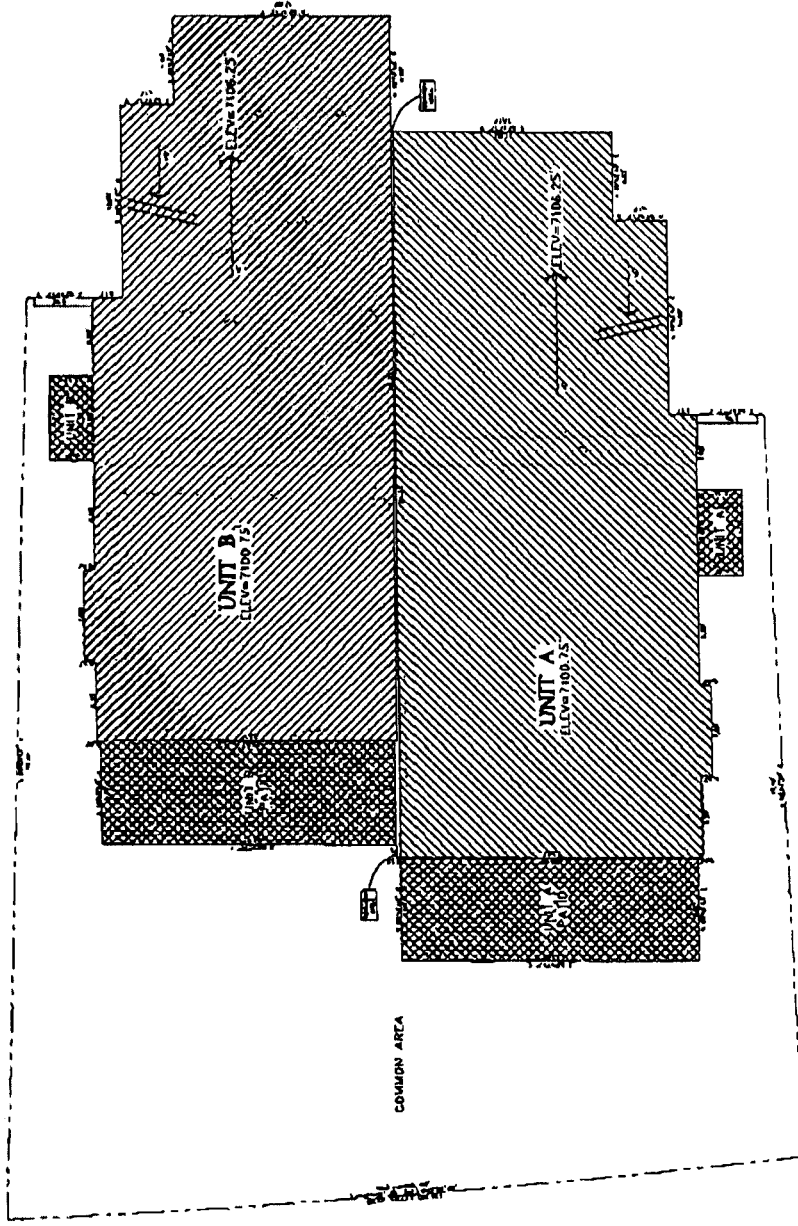
CITY OF _____

DATE OF RECORDING _____

BY _____



GRAPHIC SCALE



HATCHING LEGEND

- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

AREA TABULATIONS

UPPER LEVEL - UNIT A	
PRIVATE AREA - 1,714.50 SF	
LIMITED COMMON AREA - 288.11 SF	
COMMON AREA - 1,409.39 SF	

UPPER LEVEL - UNIT B	
PRIVATE AREA - 1,714.50 SF	
LIMITED COMMON AREA - 288.11 SF	
COMMON AREA - 1,409.39 SF	

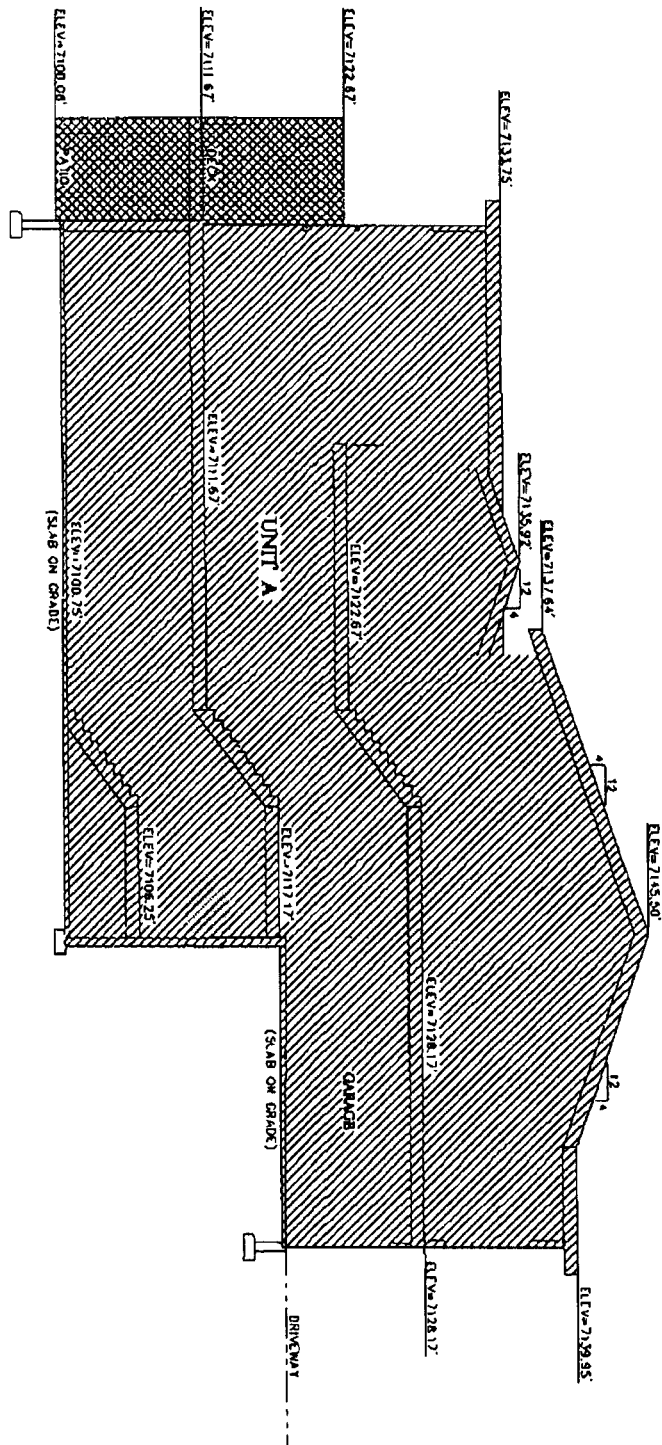
RECORDED

FILE #

BOOK #

DATE

BY



BUILDING SECTION A-1
SCALE 1" = 8'

HATCHING LEGEND

- Concrete walls
- Unit 80 concrete wall
- Private wall

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 PROJECT: _____
 SHEET: _____

CITY COUNCIL

Staff Report



Author: Ray Milliner
Subject: 1243 Empire Avenue
Date: November 9, 2006
Type of Item: Administrative

PLANNING DEPARTMENT

SUMMARY: Staff requests that the City Council review the proposed record of survey application for the Residences at Kings Crown Condominiums, conduct a public hearing and approve it according to the findings of fact, conclusions of law, and conditions of approval outlined in the attached ordinance.

DESCRIPTION

Project Name: The Residences at King's Crown Condominium Plat
Applicant: Legacy Development Group LLC
Representative: Todd Mather
Location: 1243 Empire Avenue
Zone: Recreation Commercial (RC)

BACKGROUND

On May 10, 2006 the applicant submitted a Record of Survey Plat amendment application for a 3 unit condominium project for the Residences at King's Crown Condominiums. The property has frontage on both Empire and Lowell Avenues and is in the Recreation Commercial (RC) zone. The property is a 50' x 150' foot lot, or the equivalent of 4 old town lots, for a total of 7,500 square feet. The lot was previously included in the Walk to Slopes Phase II Subdivision.

On July 14, 2005, the City approved a building permit for the triplex structure. Triplexes are Allowed Uses in the RC District. Vertical construction began directly after the building permit was issued in July 2005. The project is still currently under construction. The property is located on a steep hillside between Lowell and Empire Avenues. The Sweetwater Condominiums are located directly to the north of the project site. Excavation of the footing for the Lowell Avenue unit caused a partial collapse of the embankment fill for Lowell Avenue, which the owner has now adequately repaired.

The purpose of a condominium record of survey plat is to identify private, limited common and common areas within the project. Recordation of a record of survey plat enables the owner to sell individual condominium units. This record of survey plat identifies 3 residential units.

ANALYSIS

The purpose of the application is to condominiumize the property to allow the owner to sell the units individually. There is good cause for the application as the plat will delineate ownership of each unit and allow the sale of each according to the

requirements of state law. Staff finds that the plat will not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code. As set forth in the LMC subdivision regulations, Section 15-

The property is zoned Recreation Commercial, and is subject to the Chapter 15-2.16 of the Land Management Code. The proposed condominium plat is consistent with the requirements of the zoning district. The record of survey plat is for the entire project. The property has frontage on both Empire and Lowell Avenues, with access for two units from Empire and the other from Lowell. All conditions of approval from the July 14, 2005 building permit continue to apply.

DEPARTMENT REVIEW

This request was discussed at a Staff Review Meeting on June 11, 2006, where representatives from local utilities and City Staff were in attendance. No additional issues or concerns were identified.

ALTERNATIVES

1. The City Council may approve the Record of Survey Plat for the Residences at King's Crown Condominiums as conditioned, or
2. The City Council may deny the Record of Survey Plat for the Residences at King's Crown Condominiums and direct staff to make Findings for this decision, or
3. The City Council may continue the discussion on the Record of Survey Plat for the Residences at King's Crown Condominiums.

SIGNIFICANT IMPACTS

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

NOTICE

The property was posted and notice was mailed to property owners within 300 feet on September 20, 2006. Legal notice was also put in the Park Record.

RECOMMENDATION

Staff requests that the City Council review the proposed record of survey application for the Residences at Kings Crown Condominiums, conduct a public hearing and approve it according to the findings of fact, conclusions of law, and conditions of approval outlined in the attached ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance

Exhibit B – Proposed Record of Survey plat

Ordinance No. 06-

AN ORDINANCE APPROVING A RECORD OF SURVEY PLAT FOR THE RESIDENCES AT KINGS CROWN CONDOMINIUMS, LOCATED AT 1243 EMPIRE AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property known as the Residences at Kings Crown Condominiums, has petitioned the City Council for approval of the record of survey; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on October 25, 2006 the Planning Commission held a public hearing to receive public input on the proposed amended record of survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on November 9, 2006 the City Council held a public hearing on the proposed amended record of survey; and

WHEREAS, the proposed record of survey plat allows the property owner to create an 3 unit condominium project; and

WHEREAS, it is in the best interest of Park City Utah to approve the record of survey.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The subject property is located at 1243 Empire Avenue within the Recreation Commercial (RC) Zone.
2. A building permit application for a triplex structure on the property was received by the City on May 6, 2005.
3. Triplex structures are allowed uses in the RC Zone.
4. The applicant is proposing a 3 unit development on a parcel 50' wide and 150' deep.
5. The entire site is approximately 7,500 square feet in size.
6. The location and design of the proposed structures is consistent with the approved administrative building permit.
7. No additional units are created by this record of survey amendment.
8. The applicant stipulates to the conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this Record of Survey.
2. The Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Record of Survey, as conditioned.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCR's, as a condition subsequent to plat recordation.
3. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
4. All conditions from the July 14, 2005 building permit continue to apply.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 9th day of November 2006.

CITY COUNCIL Staff Report



Author: Ray Milliner
Subject: 1243 Empire Avenue
Date: November 9, 2006
Type of Item: Administrative

PLANNING DEPARTMENT

SUMMARY: Staff requests that the City Council review the proposed record of survey application for the Residences at Kings Crown Condominiums, conduct a public hearing and approve it according to the findings of fact, conclusions of law, and conditions of approval outlined in the attached ordinance.

DESCRIPTION

Project Name: The Residences at King's Crown Condominium Plat
Applicant: Legacy Development Group LLC
Representative: Todd Mather
Location: 1243 Empire Avenue
Zone: Recreation Commercial (RC)

BACKGROUND

On May 10, 2006 the applicant submitted a Record of Survey Plat amendment application for a 3 unit condominium project for the Residences at King's Crown Condominiums. The property has frontage on both Empire and Lowell Avenues and is in the Recreation Commercial (RC) zone. The property is a 50' x 150' foot lot, or the equivalent of 4 old town lots, for a total of 7,500 square feet. The lot was previously included in the Walk to Slopes Phase II Subdivision.

On July 14, 2005, the City approved a building permit for the triplex structure. Triplexes are Allowed Uses in the RC District. Vertical construction began directly after the building permit was issued in July 2005. The project is still currently under construction. The property is located on a steep hillside between Lowell and Empire Avenues. The Sweetwater Condominiums are located directly to the north of the project site. Excavation of the footing for the Lowell Avenue unit caused a partial collapse of the embankment fill for Lowell Avenue, which the owner has now adequately repaired.

The purpose of a condominium record of survey plat is to identify private, limited common and common areas within the project. Recordation of a record of survey plat enables the owner to sell individual condominium units. This record of survey plat identifies 3 residential units.

ANALYSIS

The purpose of the application is to condominiumize the property to allow the owner to sell the units individually. There is good cause for the application as the plat will delineate ownership of each unit and allow the sale of each according to the

requirements of state law. Staff finds that the plat will not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code. As set forth in the LMC subdivision regulations, Section 15-

The property is zoned Recreation Commercial, and is subject to the Chapter 15-2.16 of the Land Management Code. The proposed condominium plat is consistent with the requirements of the zoning district. The record of survey plat is for the entire project. The property has frontage on both Empire and Lowell Avenues, with access for two units from Empire and the other from Lowell. All conditions of approval from the July 14, 2005 building permit continue to apply.

DEPARTMENT REVIEW

This request was discussed at a Staff Review Meeting on June 11, 2006, where representatives from local utilities and City Staff were in attendance. No additional issues or concerns were identified.

ALTERNATIVES

1. The City Council may approve the Record of Survey Plat for the Residences at King's Crown Condominiums as conditioned, or
2. The City Council may deny the Record of Survey Plat for the Residences at King's Crown Condominiums and direct staff to make Findings for this decision, or
3. The City Council may continue the discussion on the Record of Survey Plat for the Residences at King's Crown Condominiums.

SIGNIFICANT IMPACTS

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

NOTICE

The property was posted and notice was mailed to property owners within 300 feet on September 20, 2006. Legal notice was also put in the Park Record.

RECOMMENDATION

Staff requests that the City Council review the proposed record of survey application for the Residences at Kings Crown Condominiums, conduct a public hearing and approve it according to the findings of fact, conclusions of law, and conditions of approval outlined in the attached ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance

Exhibit B – Proposed Record of Survey plat

Ordinance No. 06-

**AN ORDINANCE APPROVING A RECORD OF SURVEY PLAT FOR THE
RESIDENCES AT KINGS CROWN CONDOMINIUMS, LOCATED AT 1243 EMPIRE
AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of the property known as the Residences at Kings Crown Condominiums, has petitioned the City Council for approval of the record of survey; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on October 25, 2006 the Planning Commission held a public hearing to receive public input on the proposed amended record of survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on November 9, 2006 the City Council held a public hearing on the proposed amended record of survey; and

WHEREAS, the proposed record of survey plat allows the property owner to create an 3 unit condominium project; and

WHEREAS, it is in the best interest of Park City Utah to approve the record of survey.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The subject property is located at 1243 Empire Avenue within the Recreation Commercial (RC) Zone.
2. A building permit application for a triplex structure on the property was received by the City on May 6, 2005.
3. Triplex structures are allowed uses in the RC Zone.
4. The applicant is proposing a 3 unit development on a parcel 50' wide and 150' deep.
5. The entire site is approximately 7,500 square feet in size.
6. The location and design of the proposed structures is consistent with the approved administrative building permit.
7. No additional units are created by this record of survey amendment.
8. The applicant stipulates to the conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this Record of Survey.
2. The Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Record of Survey, as conditioned.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCR's, as a condition subsequent to plat recordation.
3. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
4. All conditions from the July 14, 2005 building permit continue to apply.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 9th day of November 2006.

City Council Staff Report



Author: Jonathan Weidenhamer
Subject: Amendment to Record of Survey – Crescent Ridge
Condominiums
Date: November 9, 2006
Type of Item: Legislative

PLANNING DEPARTMENT

Summary Recommendations:

Staff recommends that the City Council review the proposed record of survey amendment, conduct a public hearing and approve the application.

Topic:

Applicant:	Crescent Ridge Condominiums Homeowners
Association	
Applicant's Representative	Rick DesVaux, Dick Knight
Project Address:	1379 – 1549 Crescent Road
Zoning:	Residential Development (RD)
Adjacent Land Uses	residential condos (3 Kings, Payday, Silver Star)

Background:

The Planning Commission reviewed this item at the October 25, 2006 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council.

On September 18, 2006 the City received a completed application for the Crescent Ridge Condominium Second Amended Record of Survey. The property is located between 1379 – 1549 Crescent Road in the Residential Development (RD) zoning district.

Since the inception of the project in 1972, a number of unit owners in the Crescent Ridge Condominiums have made alterations to their units by converting common and limited common areas under roof overhangs and decks into private unit space. Staff has prohibited any further conversions to private ownership of these common areas without first amending the record of survey as required by the Utah Condominium Ownership Act.

At this time, the applicant proposes modifications to the existing condominium record of survey to bring into compliance existing and any future privatization of these common areas (Exhibit A). Through this amendment, these areas, if not already converted, can be subsequently enclosed at the discretion of the individual owner subject to HOA approval.

Analysis:

There are 5 types of buildings and 60 individual units. The typical unit sizes range from 1,283 sf, to 1,743 sf. The proposed additions range from 116 sf – 561 sf. The largest unit size after conversion will not exceed 1953 sf.

Unit Type	Unit Size	Convertible area	Total SF
A - Upper	1290	199	1489
A - Lower	1337	561	1898
C – Upper	1743	210	1953
C - Lower	1283	250	1533
D – Upper	1185	116	1301

The LMC parking requirement for multi-unit dwellings stipulates that any unit between 1,000 - 2,499 sf requires two parking spaces per dwelling. The total number of spaces required for these 60 units is 120 spaces. There are 60 available one car garage spaces on site. The HOA asserts that each garage has a tandem space in front of it, meeting the total required number of 120. In some cases the tandem spaces are located within the Crescent Road right-of-way (55' wide). This has been the case since the inception of the project in the early 1970's. At this time the City has no plans to expand the existing pavement width beyond the current 30'. Additionally, we have no complaints on file regarding this situation. The only neighborhood parking concerns that staff is aware of relates to people parking on the street to use the Spiro Trail or to access the Eagle ski lift at Park City Mountain Resort. Adding the convertible space to each unit does not result in a unit size in excess of 2,500 sf and therefore does not trigger the need for additional parking.

The condominium association has submitted to the City amended CC&R's. These updated CC&R's describe and allow conversion of these common areas. The HOA has also provided confirmation of a homeowners' vote exceeding 2/3 majority to support this application. In all cases, a certified survey can be required prior to issuance of a building permit to verify setbacks or other Land Management Code Regulations. A Condition of Approval will reflect this.

Staff finds good cause for this record of survey amendment as building permits for these alterations were issued until the late 1990's, and this amendment will address the non-complying buildings and allow them to be consistent with an updated record of survey.

Department Review:

This project has gone through an interdepartmental review team. There are no outstanding issues. At such time as a final plat is required, the City Engineer and City Attorney will review the plat as to form and compliance with the Land Management Code prior to recordation.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record.

Public Input

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

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the Crescent Ridge Condominiums Second Amended Record of Survey as conditioned or amended, or
- The Planning Commission may forward a negative recommendation to the City Council for Crescent Ridge Condominiums Second Amended Record of Survey and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion on the Record of Survey.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

Many unit owners will have modifications to their condominium units that are not consistent with their existing Record of Survey or the State Condominium Code. Other unit owners would be prohibited from making the same modifications.

Recommendation

Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and approve the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

Ordinance No. 06-

**AN ORDINANCE APPROVING THE SECOND AMENDED RECORD OF SURVEY
MAP FOR THE CRESCENT RIDGE CONDOMINIUMS.**

WHEREAS, the home owners association of the Crescent Ridge Condominiums has petitioned the City Council for approval of an amended record of survey; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on October 25, 2006 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a recommendation to the City Council; and

WHEREAS, on November 9, 2006 the City Council held a public hearing to receive public input on the proposed record of survey amendment and voted to approve the application; and

WHEREAS, the proposed plat amendment allows the property owner reconfigure existing common areas into private area; and

WHEREAS, evidence of a ballot representing 66.6 percent of the ownership of the project desire to amend the record of survey; and

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Crescent Ridge Condominiums Second Amended Record of Survey as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. Since the inception of the Crescent Ridge Condominiums in 1972, a number of unit owners have made alterations to their units by converting common areas under roof overhangs and decks into private unit space.
2. Consistent with the Condominium Ownership Act, Staff has prohibited any further conversions to private ownership of these common areas without an amendment to the record of survey to allow them.
3. At this time, the applicant proposes modifications to the existing condominium record of survey to bring into compliance existing and any future privatization of these common areas.
4. Through this amendment to the record of survey, these areas, if not already converted, can be subsequently enclosed at the discretion of the individual owner subject to HOA approval.
5. The members of the Homeowners Association received a vote of 66.66% or more for approval of the amendment. A record of the individual ballots confirming this vote has been received by the Planning Department.
6. There are 5 types of buildings and 60 individual units. The typical unit sizes range from 1283 sf, to 1743 s.f. The proposed additions range from 116 sf – 561 sf. The

- largest unit size after conversion will not exceed 1953 sf.
7. Type A Upper units are currently 1290 sf. This proposal allows conversion of an additional 199 sf of common area to be privatized for a total of 1489. Type A Lower units are currently 1339 sf. This proposal allows conversion of an additional 561 sf of common area to be privatized for a total of 1898. Type C Upper units are currently 1743 sf. This proposal allows conversion of an additional 210 sf of common area to be privatized for a total of 1953. Type C Lower units are currently 1283 sf. This proposal allows conversion of an additional 250 sf of common area to be privatized for a total of 1533. Type D units are currently 1185 sf. This proposal allows conversion of an additional 116 sf of common area to be privatized for a total of 1301.
 8. The LMC parking requirement for multi-unit dwellings stipulates that any unit between 1,000 - 2,499 s.f. requires two parking spaces per dwelling. Adding the convertible space to each unit does not result in a unit size in excess of 2,500 sf and therefore does not trigger the need for additional parking.
 9. The condominium association has submitted to the City amended CC&R's. The most recent declarations (Corrected First Supplement to Amended and Restated Condominium Declaration were recorded on June 5, 2000. These updated CC&R's describe and allow conversion of these common areas.
 10. The HOA has also provided confirmation of a homeowners' vote exceeding 2/3 majority to support this application. In all cases, a certified survey can be required prior to issuance of a building permit to verify setbacks or other Land Management Code Regulations. A Condition of Approval will reflect this.
 11. Staff finds good cause for this record of survey amendment as it will address a number of non-complying buildings and allow them to be consistent with an updated record of survey
 12. The Planning Commission reviewed this item at the October 25, 2006 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council

Conclusions of Law:

1. There is good cause for this Amended Record of Survey.
2. The Amended Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Amended Record of Survey.
4. Approval of the Amended Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the Amended Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. All other conditions of approval of the Crescent Ridge Condominiums project continue to apply.
4. In all cases where necessary in the opinion of the Planning Department, a certified survey can be required prior to issuance of a building permit to verify setbacks or other Land Management Code Regulations.

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

PASSED AND ADOPTED this 9 day of October, 2006.

Exhibits

Exhibit A – Record of Survey plat

AMENDED CRESCENT RIDGE CONDOMINIUM PLAT

LOCATED IN
SOUTHEAST 1/4 OF SECTION 8 & NORTHEAST 1/4 OF SECTION 17,
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN.

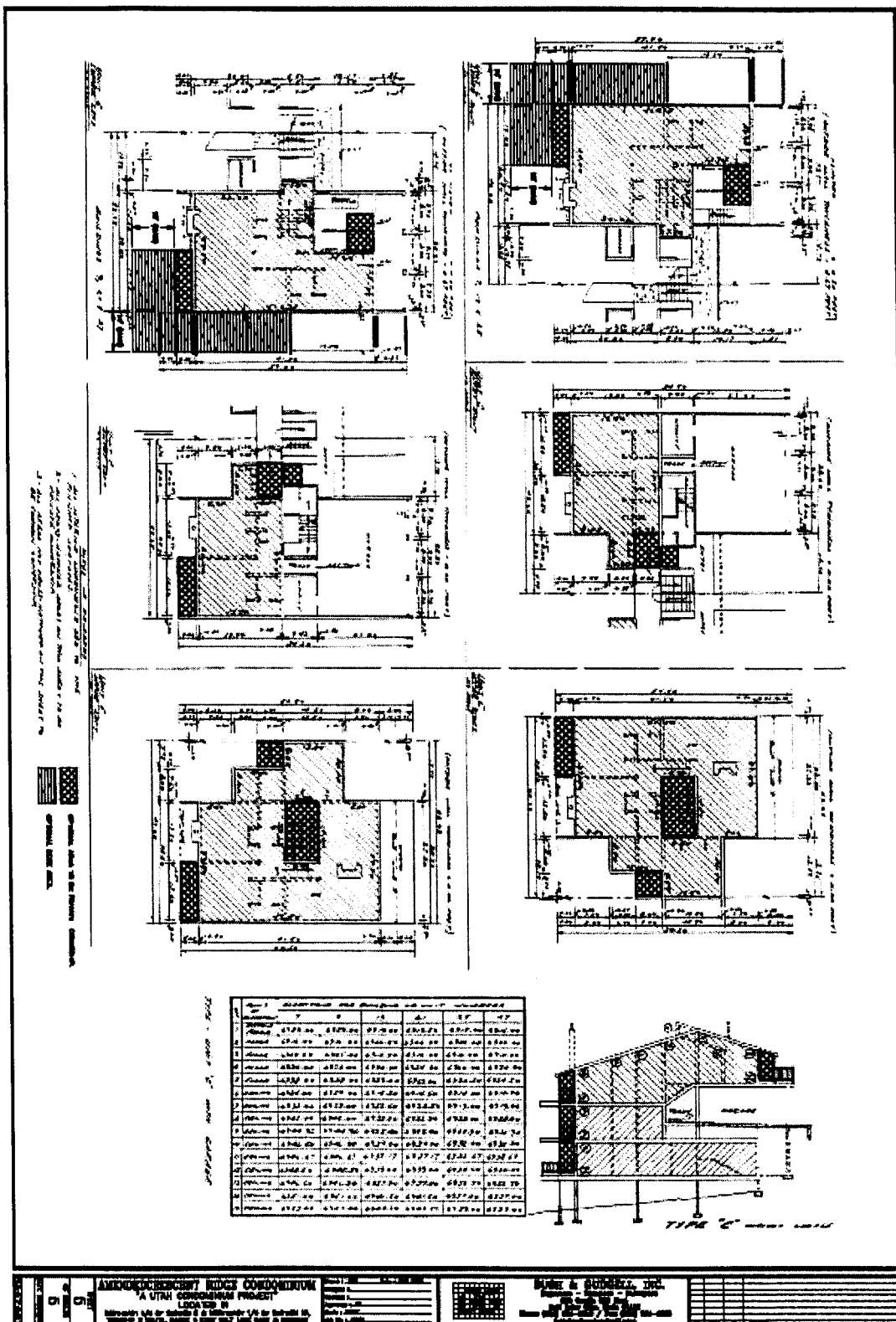
AMENDED CRESCENT RIDGE CONDOMINIUM
 A WITH CONDOMINIUM PROJECT
 LOCATED IN
 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN

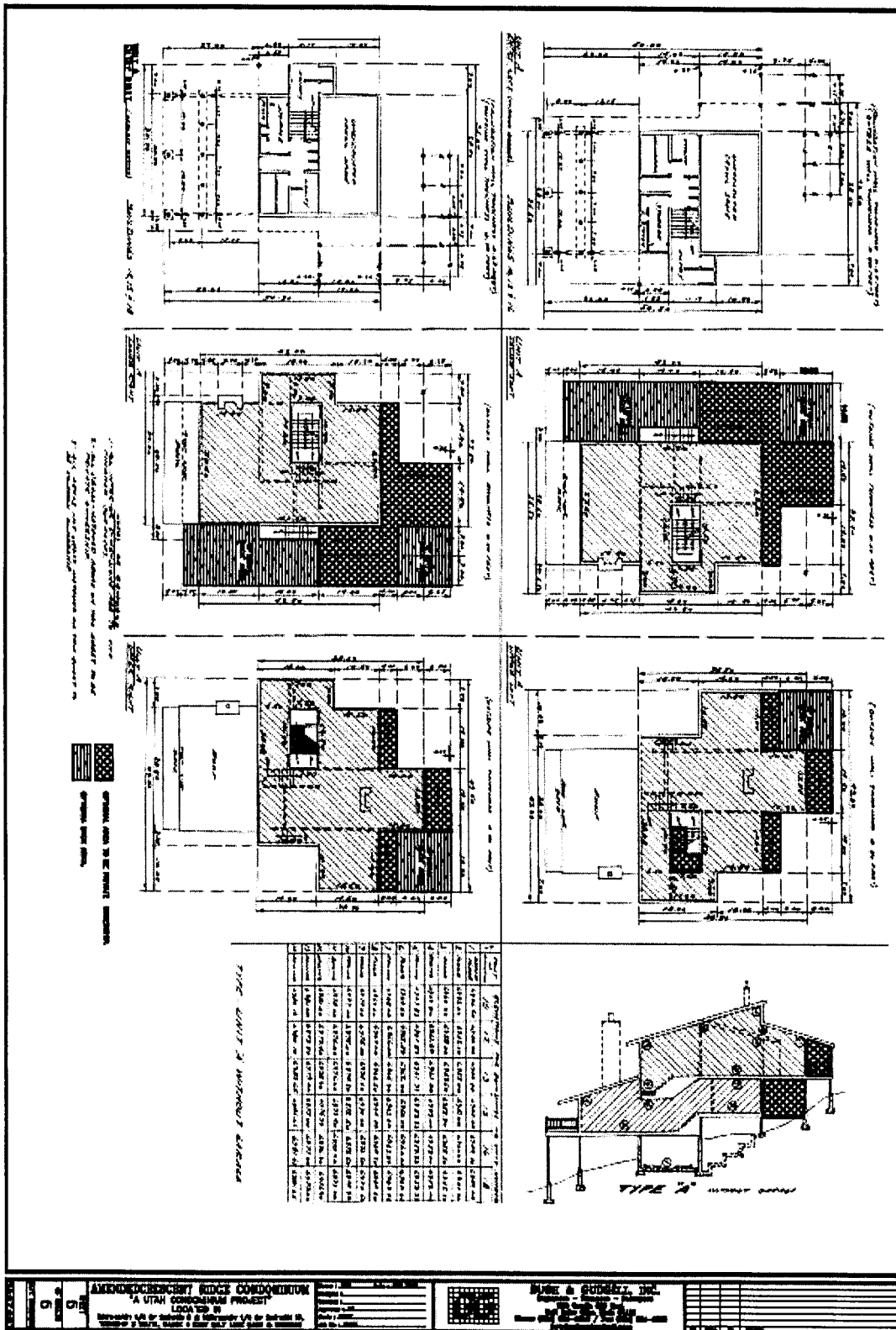
 ATTEST: _____

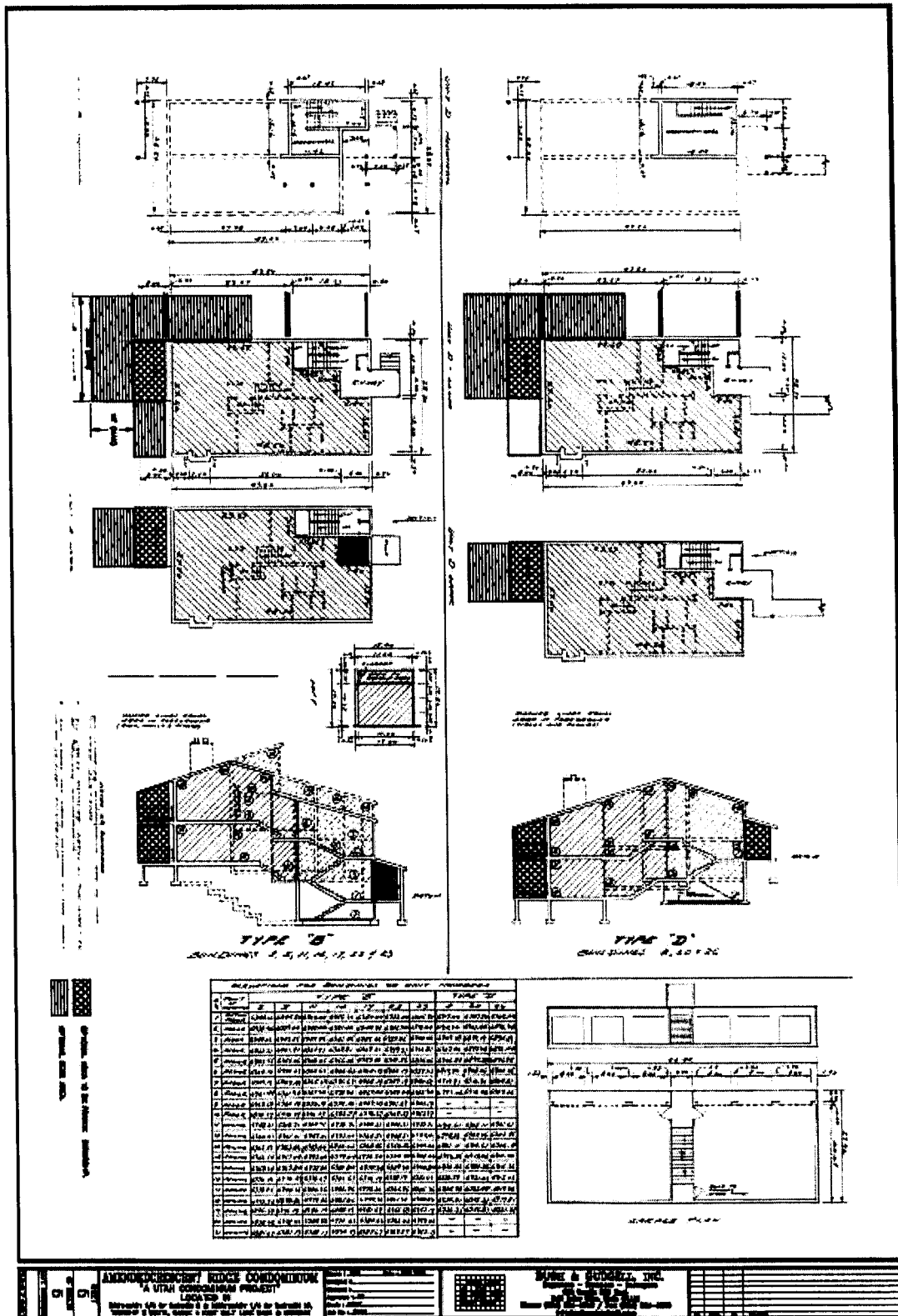
NOTED: ALL DIMENSIONS SHOWN ON THIS PLAT ARE PER THE
 OFFICIAL RECORDING PLAT COMMISSIONER PLAT AS SHOWN IN
 THE OFFICIAL RECORDING PLAT AS SHOWN IN THE OFFICIAL RECORDING PLAT

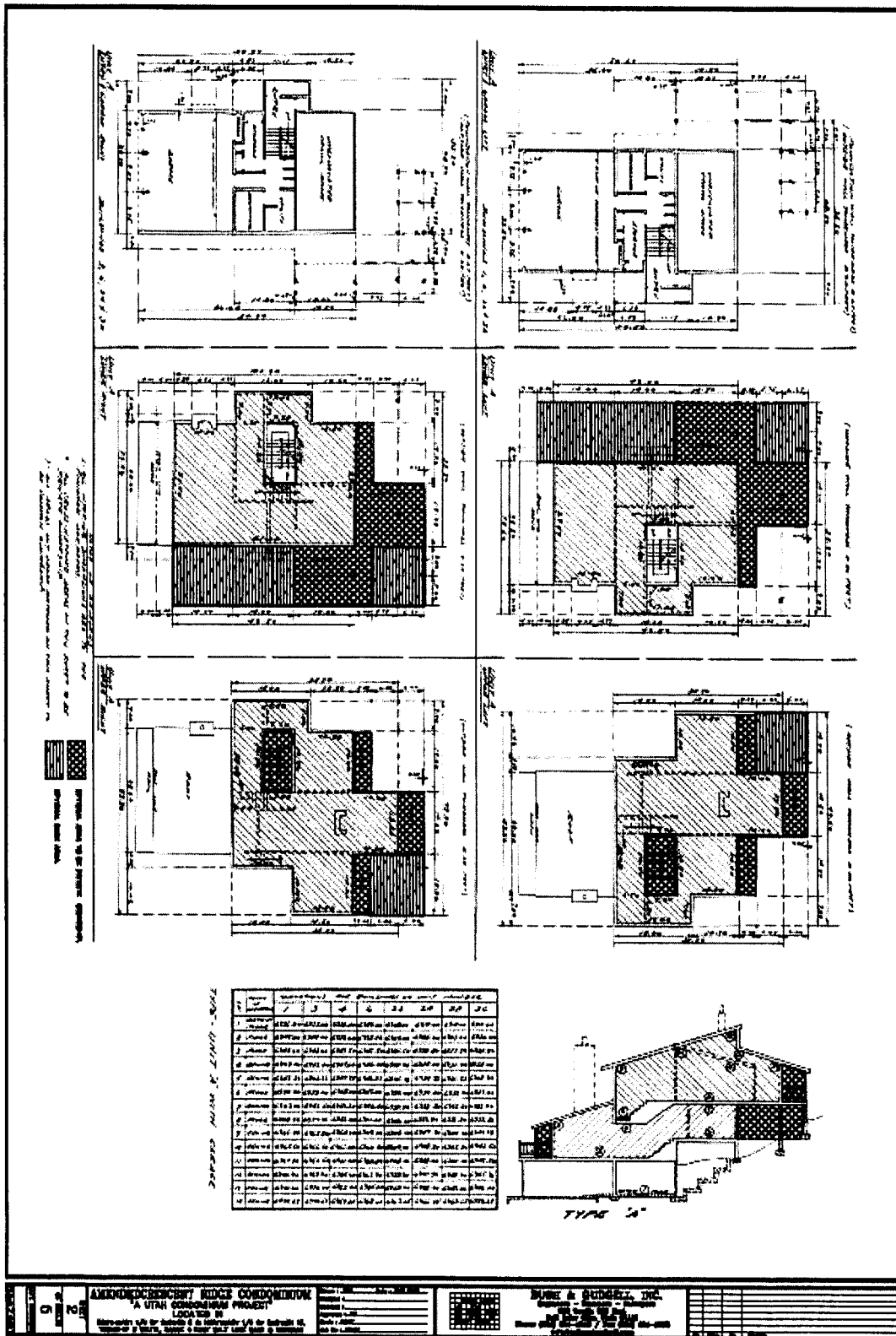
CITY OF SALT LAKE COUNTY
 OFFICE OF THE CITY ENGINEER
 APPROVED THE _____
 CITY ENGINEER

CITY OF SALT LAKE COUNTY
 OFFICE OF THE CITY ENGINEER
 APPROVED THE _____
 CITY ENGINEER









CITY COUNCIL Staff Report



Author: Ray Milliner
Subject: 352 Main Street
Date: November 9, 2006
Type of Item: Plat Amendment

PLANNING DEPARTMENT

SUMMARY RECOMMENDATIONS

Staff recommends the City Council hold a public hearing for the 352 Main Street plat amendment and approve it based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

TOPIC

Project Name: 352 Main Street
Applicant: Hoffman Properties
Representative: Alliance Engineering
Location: 352 Main Street
Zone: Historic Commercial Business (HCB)

BACKGROUND

On June 30, 2006 the applicant submitted a completed application for a plat amendment to combine all of Lot 13 and all of the First Amended 350 ½ Main Street Subdivision into one lot of record. The property is located at 352 Main Street. There is an existing contemporary commercial building on lot 13 and an existing contemporary mixed use building on the 350 ½ property. There is a 5 foot wide pedestrian access from Main Street to Swede Alley along the south property line.

The applicant is requesting the plat amendment to create one lot of record from the existing lot and subdivision, in order to combine the contiguous properties into one, and to accommodate an addition to the commercial unit in the rear. This unit is currently used as the Spur bar and grill, and the applicant would like to expand the kitchen. Because Lot 13 fronts the 350 ½ property, the rear property line of Lot 13 will need to be removed to accommodate the expansion. When recorded, the plat amendment would create one lot of record of approximately 5,832 square feet.

There are 7 existing access/utility easements on the property. No changes to the existing easements are proposed as part of this application. Each easement is located on the bottom floor of the building. The proposed expansion is located on the second floor.

ANALYSIS

The purpose of the application is to combine the properties into one lot of record. There is good cause for the application as the lot combination will bring the lot into compliance with state law by removing all interior lot lines and enabling the proposed development. Staff finds that the plat will not cause undo harm on any adjacent property owners because the proposal meets the requirements of the

Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements.

Land Management Code Compliance

	Permitted	Proposed
Height	30' Front façade 24' Rear facade. 45' interior	Complies, no changes proposed
Front setback	0'	Complies
Rear setback	0'	Complies
Side setbacks	0'	Complies
Lot size	1,250 square feet	5,832 square feet. Complies
Footprint	N/A	N/A

The subdivision would create a lot of approximately 5,832 square feet. No expansions of the building footprint or height are proposed. The applicant proposes an interior remodel of the building that would enlarge the existing kitchen of the Spur Bar and Grill. Section 15-2.6-7 of the LMC establishes criteria for development on Swede Alley. These criteria establish requirements for pedestrian circulation, height, access, design open space and pedestrian connections. Staff finds that because no external changes to the building are proposed, no additional review of the building as it relates to these criteria is necessary.

There are 7 existing access easements on the property. In order to maintain a secondary ingress/egress, the Bald Eagle Real Estate Building (354 Main) and the Main Street Mall (333 Main) have separate easements through the 352 Main property to Swede Alley, and there are other separate utility easements. It is important that these easements remain open and unobstructed, as it provides emergency access to both buildings. Staff finds that as proposed, this lot combination will not negatively impact any existing easements on the property or limit the ingress/egress for either the Bald Eagle Real Estate Building or the Main Street Mall.

DEPARTMENT REVIEW

The request was discussed at a Staff Review Meeting on August 29, 2006 where representatives from local utilities and City Staff were in attendance.

NOTICE

The property was posted and notice was mailed to property owners within 300 feet on September 20, 2006. Legal notice was also put in the Park Record.

PUBLIC INPUT

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

ALTERNATIVES

1. The City Council may approve the 352 Main Street plat as conditioned or amended, or
2. The City Council deny the 352 Main Street plat and direct staff to make Findings for this decision, or

3. The City Council may continue the discussion on the 352 Main Street plat.

SIGNIFICANT IMPACTS

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

CONSEQUENCES OF NOT TAKING ACTION

The property will remain as platted and the two properties will not be combined into one lot of record.

RECOMMENDATION

Staff recommends the City Council hold a public hearing for the 352 Main Street plat amendment and approve it based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance

Exhibit B – Proposed Plat Amendment

Ordinance No. 06-

AN ORDINANCE TO CREATE THE 352 MAIN STREET PLAT COMBINING ALL OF LOT 13 AND ALL OF THE FIRST AMENDED 350 ½ MAIN STREET SUBDIVISION INTO ONE LOT OF RECORD LOCATED AT 352 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the owner of the property known as 352 Main Street and 350 ½ Main Street has petitioned the City Council for approval of the 352 Main Street Plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on October 11, 2006 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on November 9, 2006 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, the proposed plat amendment allows the property owner to combine all of Lot 13 and all of the First Amended 350 ½ Main Street Subdivision into one lot of record property; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 352 Main Street Plat as shown in Exhibit B is approved subject to the following findings of fact, conclusions of law and conditions of approval.

Findings of Fact: The following are also adopted by City Council as findings of fact:

- 1 The property is located in the Historic Commercial Business (HCB) zone.
- 2 The HCB District is characterized by a mix of historic commercial structures and larger contemporary commercial structures.
- 3 The proposed plat amendment will combine all of Lot 13 and all of the First Amended 350 ½ Main Street Subdivision into one lot of record.
- 4 An existing 8' wide access/utility easement exists from 354 Main through the 350 ½ subdivision of the Park City Survey.
- 5 There is an existing 8' wide access easement with a 6' wide utility easement overlay from 333 Main through 350 ½ Main to Swede Alley.

- 6 There is an existing 5' wide public sidewalk easement on the eastern side of the property running parallel to Swede Alley.
- 7 The plat amendment will not require additional parking for the 350 ½ Main structure.
- 8 The building meets all required setbacks for the HCB zone.
- 9 The plat amendment will not create any remnant lots.

Conclusions of Law. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

Conditions Of Approval. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the record of survey amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the amendment.
2. All existing easements on the property will remain in effect.
3. The applicant will record the record of survey amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the amendment will be void.

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

PASSED AND ADOPTED this 9th day of November 2006.

OWNER'S CERTIFICATE

I, the undersigned, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

DEED RECORDING

This deed is being recorded for the purpose of recording the same in the public records of the State of Utah, and for no other purpose.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, do hereby declare and consent to the recording of this deed in the public records of the State of Utah, and for no other purpose.

ACKNOWLEDGMENT

I, the undersigned, do hereby acknowledge the recording of this deed in the public records of the State of Utah, and for no other purpose.

A PARCEL COMBINATION PLAT

352 MAIN STREET

TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASIN AND MERIDIAN, SALT CITY, SALT COUNTY, UTAH

PLANNING COMMISSION

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF SALT LAKE COUNTY, UTAH, ON THIS 30TH DAY OF JUNE, 2006.

ENGINEER CERTIFICATE

I, the undersigned, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

APPROVAL BY THE CITY

APPROVED BY THE CITY OF SALT LAKE COUNTY, UTAH, ON THIS 30TH DAY OF JUNE, 2006.

RECORDING

RECORDED IN THE PUBLIC RECORDS OF THE STATE OF UTAH, ON THIS 30TH DAY OF JUNE, 2006.

JUN 30 2006

PLANNING COMMISSION



City Council Staff Report

Author: Kirsten Whetstone **Planning Department**
Subject: Land Management Code Amendments –
Chapter 2 (SF, R-1, RD, RDM, RM, RC, RCO, GC, LI, FPZ, PUT)
Zoning Districts
Date: November 9, 2006
Type of Item: LMC Amendments

Summary Recommendations

Discuss proposed revisions to the Land Management Code, conduct a public hearing, and approve amendments to the Land Management Code for the following chapters: Chapter 2.11 (SF District), 2.12 (R-1 District), 2.13 (RD District), 2.14 (RDM District), 2.15 (RM District), 2.16 (RC District), 2.17 (RCO District), 2.18 (GC District), 2.19 (LI District), 2.20 (FPZ), and 2.22 (PUT).

Topic

Project Name: LMC Amendments
Applicant: Planning Department
Proposal: Revisions to the Land Management Code- Chapter 2

Background

The Planning Department is preparing amendments to the Land Management Code (LMC) to address planning and zoning issues that have come up in the past year. Reorganization of the Community Development Department required language in the Land Management Code to be revised to reflect the new organization. Additional revisions are proposed to address specific LMC issues and substantive revisions that have been identified since the 2000 LMC updates. Legal staff has recommended additional amendments to comport with the revisions to the Utah Code. Staff is currently redlining the entire LMC to resolve this situation.

On October 25, 2006, the Planning Commission conducted a public hearing, discussed the amendments and voted to forward a positive recommendation to the City Council.

Included in this packet are portions of Chapter Two- Zoning Districts (see Exhibits A – K). The remaining sections of Chapter 2 (ROS and SLO) will be submitted for review at the first meeting in December. A copy of the current zoning map has been attached as Exhibit L to indicate the location of the various zoning districts under review.

Analysis

Revisions due to CDD reorganization

Reorganization of the City Departments and the elimination of a Community Development Director (CDD) necessitates revisions to the Land Management Code to

replace references to the Community Development Director or CDD and replace them with either the Planning Department; Planning Director; Planning, Engineering and Building Departments; City Engineer; and/or Chief Building Official. In general, when a decision is strictly a planning matter, "Planning Director" will replace the "CDD Director". When the decision requires a coordinated effort of Building, Planning, and Engineering then "CDD" will be replaced with "Planning, Building and Engineering Departments".

Revisions due to creation of an Historic Preservation Board

Revisions are also made to replace the terms "Historic District Commission" or "HDC" with either, "Historic Preservation Board", "HPB", "Planning Director", "Planning Department", etc. based on the language approved by the 2003 amendments to Chapter 11- Historic Preservation.

Revisions due to adoption of the International Building Code in place of the UBC

Revisions have also been made to replace the language referring to the Uniform Building Code (UBC) with the International Building Code (IBC).

Summary of additional technical and substantive amendments and revisions made to comport with the revised State Code

Chapter 2.11- Single Family (SF)

- Added language to allow the Planning Director to determine lot width measurements for unusual lot shapes and configurations.
- Allow an area of the driveway to extend into the side yard setback for the purpose of providing a back-out turning area.

Chapter 2.12- Residential (R-1)

- Added language to allow the Planning Director to determine lot width measurements for unusual lot shapes and configurations.
- Allow an area of the driveway to extend into the side yard setback for the purpose of providing a back-out turning area.

Chapter 2.13- Residential Development (RD)

- Allow an area of the driveway to extend into the side yard setback for the purpose of providing a back-out turning area.

Chapter 2.14- Residential Development Medium Density (RDM)

- Added language to allow the Planning Director to determine lot width measurements for unusual lot shapes and configurations.
- Allow an area of the driveway to extend into the side yard setback for the purpose of providing a back-out turning area.

Chapter 2.15- Residential- Medium Density (RM)

- Added language to allow the Planning Director to determine lot width measurements for unusual lot shapes and configurations.

Chapter 2.16- Recreation Commercial (RC)

- Added language to allow the Planning Director to determine lot width measurements for unusual lot shapes and configurations.
- Added the HR-1 maximum building footprint language to the sections that apply to single family and duplex lots.

Chapter 2.17- Regional Commercial Overlay (RCO)

- No substantive changes.

Chapter 2.18- General Commercial (GC)

- No substantive changes.

Chapter 2.19- Light Industrial (LI)

- No substantive changes

Chapter 2.20- Frontage Protection Zone (FPZ)

- Allow sidewalks and trails within the setback areas.

Chapter 2.22- Public Use Transition (PUT)

- No substantive changes

Department Review

These amendments have been reviewed by the Planning, Engineering, and Building Departments, as well as by the Legal Department. A draft of these amendments is available at the Planning Department for review.

Notice

Legal notice of the public hearing was posted in the required public spaces and placed in the Park Record.

Public Input

A public hearing is required to be conducted by the Planning Commission and City Council prior to adoption of these amendments. The public hearing was properly and legally noticed as required by the Land Management Code.

Alternatives

- Conduct a public hearing and forward a positive recommendation to the Council on proposed revisions to Chapter 2 as presented.
- Conduct a public hearing and direct staff to incorporate additional edits.
- Continue this item to a date certain.

Recommendation

Staff recommends the Commission conduct a public hearing, discuss the proposed amendments, and forward a positive recommendation to the City Council on Chapter 2, Sections 2.11, 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, and 2.22.

Exhibits (under separate cover, but attached to the electronic packet)

Exhibit A- Chapter Two- Section 2.11 (SF District)
Exhibit B- Chapter Two- Section 2.12 (R-1 District)
Exhibit C- Chapter Two- Section 2.13 (RD District)
Exhibit D- Chapter Two- Section 2.14 (RDM District)
Exhibit E- Chapter Two- Section 2.15 (RM District)
Exhibit F- Chapter Two- Section 2.16 (RC District)
Exhibit G-Chapter Two- Section 2.17 (RCO District)
Exhibit H- Chapter Two- Section 2.18 (GC District)
Exhibit I- Chapter Two- Section 2.19 (LI District)
Exhibit J- Chapter Two Section 2.20 (FPZ Overlay)
Exhibit K- Chapter Two Section 2.22 (PUT District)
Exhibit L- Park City Zoning Map

Draft Ordinance

**AN ORDINANCE APPROVING AMENDMENTS TO
THE LAND MANAGEMENT CODE
OF PARK CITY, UTAH, TO REFLECT RE-ORGANIZATION OF THE COMMUNITY
DEVELOPMENT DEPARTMENT, TO COMPORT WITH REVISIONS TO THE UTAH
CODE, AND TO ADDRESS SUBTANTIVE AMENDMENTS,
FOR THE FOLLOWING CHAPTERS:
CHAPTER 2.11 SF ZONING DISTRICT, 2.12 R-1 ZONING DISTRICT, 2.13 RD
ZONING DISTRICT, CHAPTER 2.14 RDM DISTRICT, CHAPTER 2.15 RM DISTRICT,
CHAPTER 2.16 RC DISTRICT, CHAPTER 2.17 RCO DISTRICT, CHAPTER 2.18 GC,
CHAPTER 2.19 LI, CHAPTER 2.20 FPZ, CHAPTER 2.22 PUT**

WHEREAS, the Land Management Code is designed and enacted to implement the objectives of the Park City General Plan; to protect the general health, safety, and welfare of Park City's citizen's and property owners; to maintain the quality of life and experience for its residents and visitors; and to preserve the community's unique character and values;

WHEREAS, the City is in the process of preparing amendments to the entire Land Management Code to address reorganization of the Community Development Department and to ensure that the Park City Land Management Code comports with revisions to the Utah Code in 2005;

WHEREAS, approval of these amendments to the Land Management Code serve to implement amendments to the City's General Plan and to address substantive amendments to the Land Management Code regarding lot width determination for unusual lot configurations, allowing a back-out area on a driveway to be within the side setback, add the HR-1 maximum building footprint language to the RC District for single family and duplex lots, allow sidewalks and trails within setback areas in the FPZ.

WHEREAS, these amendments are changes identified since the 2000 Land Management Code revisions.

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at its regularly scheduled meeting on October 25, 2006 and forwarded to City Council a positive recommendation to the City Council;

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on November 9, 2006; and

WHEREAS it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Utah State Code and the Park City General Plan, and to be consistent with the values and identified goals of the Park City community to protect health and safety, maintain the quality of life for its residents, and to preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO CHAPTER 2 OF THE LAND MANAGEMENT CODE. Chapter 2 (Sections 2. 11, 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, and 2.22) is hereby amended as attached hereto as Exhibits A-K. Any conflicts or cross-references from other provisions of the LMC to Chapter 2 shall be resolved by the Planning Director.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

Note: Chapters distributed under separate cover; they can also be reviewed on-line at www.parkcity.org (navigate to meetings and agendas).

Author: Brooks T. Robinson
Subject: United Park City Mines Company
Annexation Petition for Lands at PCMR
Date: November 9, 2006
Type of Item: Legislative

Recommendation

Staff recommends that the City Council review the re-filed annexation petition and re-accept the petition for annexation, while maintaining a noncommittal position with regard to the annexation itself.

Description

Project Name: UPCM PCMR Annexation Petition
Project Planner: Brooks Robinson
Applicant: United Park City Mines Company and
Royal Street Land Company
Location: Metes and Bounds Parcels located immediately west of the
Park City Mountain Resort (PCMR) base area and includes
the ski lease area of PCMR.

Background

On January 6, 2006 the applicant filed a petition for annexation with the City Recorder for annexation of approximately 2,800 acres currently within the jurisdiction of Summit County. The property is located directly west of the PCMR base area and south to the Flagstaff annexation boundary of Park City Municipal Corporation.

The applicant has submitted all necessary signatures and annexation petition materials according to provisions of the City's Annexation Policy Plan and Utah State Code. A signed annexation plat, prepared by a licensed surveyor, has been filed. The applicant also has provided necessary notification of the intent to file the petition to the required affected entities.

Due to the applicant's desire not to formally initiate the process until clear direction to move forward was received, the petition was never certified and notice to affected entities was not sent. Therefore, the applicant has re-filed the petition, which if accepted, once again starts the 30 day certification process.

Analysis

The annexation petition has been reviewed pursuant to the Utah Code Annotated (UCA) Section 10-2-402 and 10-2-403. The property is a contiguous area consisting of 2,800 acres. The property is also contiguous to the Park City Municipal boundary. The parcel is within the Annexation Expansion Area, as described by the adopted Annexation Policy Plan. The proposed annexation will not create any islands or peninsulas of unincorporated land. The annexation petition requirements set forth in UCA 10-2-403 have been met.

After the Council accepts the petition, then a 30-day certification review process commences wherein Staff determines whether the petition meets all requirements of Utah State Code Sections 10-2-403(2), (3), and (4).

Alternatives

Pursuant to Utah State Code Section 10-2-405(1)(a)(i)(B), if the Council does not take action on this annexation petition at its first regularly scheduled meeting that is at most 14 days after the date the petition was found complete (this meeting, January 26, 2006), then the annexation petition shall be considered accepted for further consideration. Accordingly, taking no action and/or continuing this item are not options available to the Council; either action represents acceptance of the petition. Council alternatives include:

- Re-accept the annexation petition for further consideration, thereby triggering the 30-day certification review process;
- Reject the annexation petition, thereby ending the annexation process; or
- Do nothing or continue the item. Pursuant to state law, the annexation petition is considered accepted for further consideration, thereby triggering the 30-day certification review process.

Recommendation

Staff recommends that the City Council review the re-filed annexation petition and re-accept the petition for annexation, while maintaining a noncommittal position with regard to the annexation itself.

Exhibits

Exhibit A - Proposed Annexation Plat

Exhibit B - Vicinity/Mining Claims Map

I:\Cdd\Brooks\COUNCIL\Council 2006\UPCM-PCMR annexation petition 110906.doc



SINCEKOR'S CERTIFICATE

I, _____, State Engineer of the State of Utah, do hereby certify that the following is a true and correct copy of the original as the same appears on file in the office of the State Engineer at the State Capitol Building, Salt Lake City, Utah.

Date _____

STANDARD DESCRIPTION

That the following is a true and correct copy of the original as the same appears on file in the office of the State Engineer at the State Capitol Building, Salt Lake City, Utah.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, _____, do hereby declare that the foregoing is a true and correct copy of the original as the same appears on file in the office of the State Engineer at the State Capitol Building, Salt Lake City, Utah.

110

ACTION/EMENDMENT

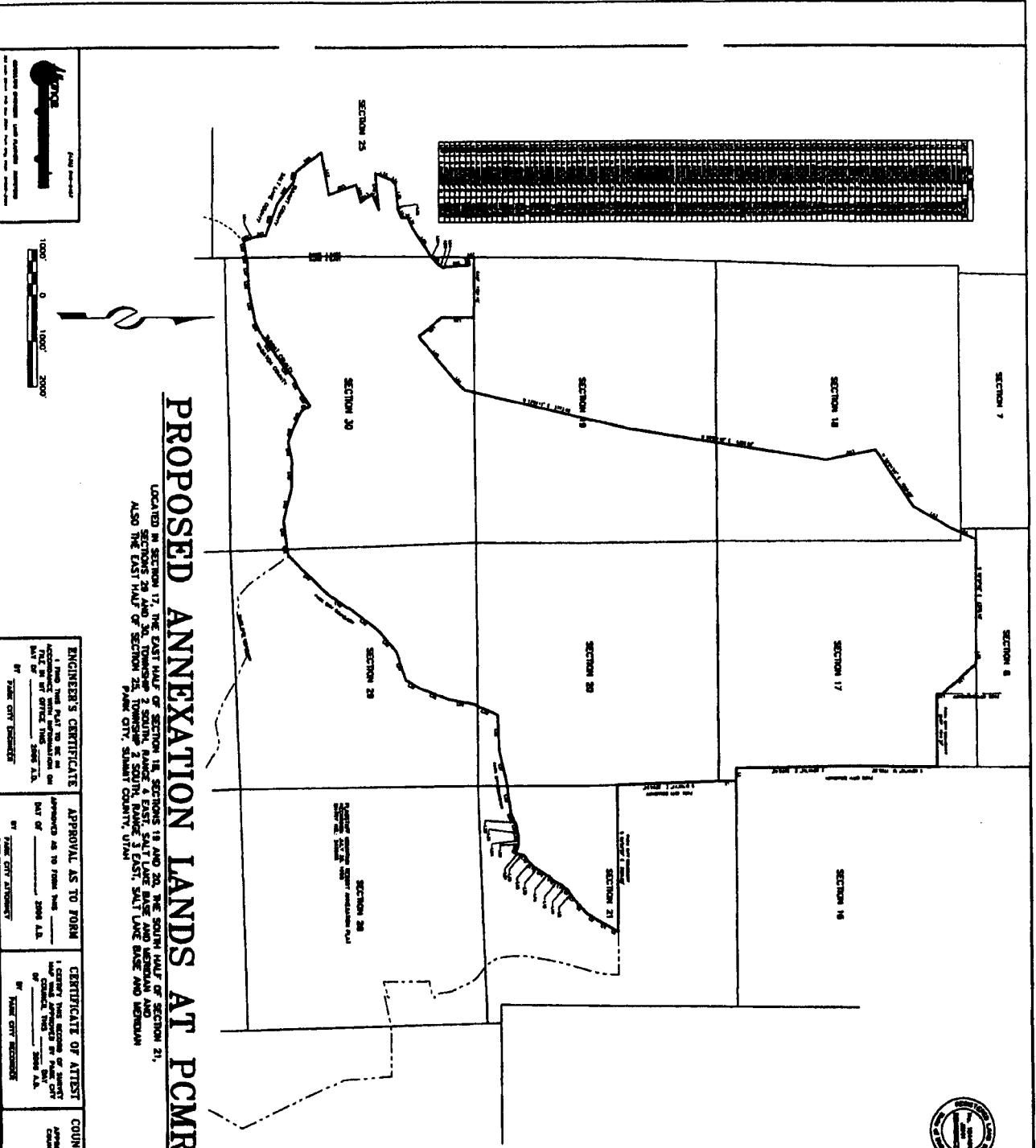
I, _____, do hereby declare that the foregoing is a true and correct copy of the original as the same appears on file in the office of the State Engineer at the State Capitol Building, Salt Lake City, Utah.

A History of the State of Utah

History of the State of Utah

PROPOSED ANNEXATION LANDS AT PCMR

LOCATED IN SECTION 17, THE EAST HALF OF SECTION 18, SECTIONS 19 AND 20, THE SOUTH HALF OF SECTION 21, SECTIONS 22 AND 23, TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASIN AND MEDIUM PARK CITY, SALT LAKE COUNTY, UTAH



ENGINEER'S CERTIFICATE I, _____, State Engineer of the State of Utah, do hereby certify that the following is a true and correct copy of the original as the same appears on file in the office of the State Engineer at the State Capitol Building, Salt Lake City, Utah. BY _____ STATE ENGINEER	APPROVAL AS TO FORM I, _____, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in the office of the State Engineer at the State Capitol Building, Salt Lake City, Utah. BY _____ STATE ENGINEER	CERTIFICATE OF ATTEST I, _____, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in the office of the State Engineer at the State Capitol Building, Salt Lake City, Utah. BY _____ STATE ENGINEER	COUNCIL APPROVAL AND ACCEPTANCE I, _____, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in the office of the State Engineer at the State Capitol Building, Salt Lake City, Utah. BY _____ STATE ENGINEER	RECORDED STATE OF UTAH, COUNTY OF SALT LAKE, AND PLAT AT THE OFFICE OF THE STATE ENGINEER DATE _____ TIME _____ HOUR _____ MINUTE _____
---	---	---	---	---

LOCATED IN SECTION 17, THE EAST HALF OF SECTION 18, SECTIONS 19 AND 20, THE SOUTH HALF OF SECTION 21, SECTIONS 29 AND 30, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERRIDIAN AND ALSO THE EAST HALF OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERRIDIAN PARK CITY, SUMMIT COUNTY, UTAH



PARK CITY, SUMMIT COUNTY, UTAH

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE _____ THIS _____ BOOK _____ PAGE _____

RE	ACCOMPLISH
----	------------

