

Ordinance No. 2020-34

AN ORDINANCE AMENDING LAND MANAGEMENT CODE § 15-1-12(C), NOTICE, AND 15-1-18(F), FORM OF APPEALS, TO REPLACE THE REQUIREMENT THAT APPLICANTS SUBMIT STAMPED, PRE-ADDRESSED ENVELOPES WITH A REQUIREMENT THAT APPLICANTS SUBMIT AN ELECTRONIC LIST OF CERTAIN PROPERTY OWNERS

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah, to promote the health, safety, and welfare of the residents, visitors, and property owners of Park City;

WHEREAS, the Land Management Code implements the goals, objectives, and policies of the Park City General Plan to maintain the quality of life and experiences for City residents and visitors;

WHEREAS, to improve customer service and convenience, the Planning Department is transitioning from paper applications to an online application process;

WHEREAS, Land Management Code § 15-1-12(C), *Notice*, requires land use applicants to submit pre-addressed and stamped envelopes for mailed notice to certain surrounding properties;

WHEREAS, Land Management Code § 15-1-18(F), *Form of Appeals*, requires appellants to submit pre-addressed and stamped envelopes for mailed notice to certain surrounding properties;

WHEREAS, as part of the transition to online applications, the Planning Department is shifting to post card notices to be mailed by a third party;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on June 24, 2020, and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing on July 9, 2020.

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

SECTION 1. LAND MANAGEMENT CODE § 15-1-12(C), *Notice*. The recitals above are incorporated herein as findings of fact. Section 15-1-12(C) of the Land Management Code of Park City is hereby amended as outlined in Exhibit A.

SECTION 2. LAND MANAGEMENT CODE § 15-1-18(F), *Form of Appeals*. The recitals above are incorporated herein as findings of fact. Section 15-1-18(F) of the

Land Management Code of Park City is hereby amended as outlined in Exhibit A.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 9th day of July, 2020

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

0340104CDC42481... Andy Beerman, Mayor

Attest:



DocuSigned by:

E5F006BB533E431
City Recorder

Approved as to form:

DocuSigned by:

P747E973467480
City Attorney's Office

1 Exhibit A

2 Section 15-1-12(C) is amended to read:

3 **15-1-12 Notice**

4 All notice of public hearing, unless otherwise specified in this Code or State law, must
5 be provided in accordance with this Section and must state the general nature of the
6 proposed action; describe the land affected; and state the time, place, and date of the
7 hearing. Once opened, the hearing may be continued, if necessary, without
8 republication of notice until the hearing is closed. Notice shall be given according to
9 Section 15-1-21 Notice Matrix and as follows:

10 . . .

11 **C. MAILED NOTICE.** Pursuant to Section 15-1-21 Notice Matrix for required or courtesy
12 mailed notice to adjacent and surrounding Property Owners, and to Affected Entities,
13 the Applicant must provide the Planning Department with ~~[stamped and pre-addressed~~
14 ~~envelopes for]~~ an electronic list of each Property Owner of record of each Parcel located
15 entirely or partly within three hundred feet (300') from all Property Lines of the subject
16 Property, and as further specified in Section 15-1-21 Notice Matrix~~[, together with a~~
17 ~~mailing list for those Property Owners]~~. The addresses for Property Owners must be as
18 shown on the most recently available Summit County tax assessment rolls. If the
19 subject Property is a Condominium, the Owners Association is sufficient in lieu of the
20 address for each unit Owner. For courtesy mailed notice that is not a legal requirement
21 per Utah State Code, for specific actions and noted herein, and further specified in
22 Section 15-1-21 Notice Matrix, any defect in such courtesy mailed notice shall not affect
23 or invalidate any hearing or action by the City Council or any Board or Commission

24 . . .

25 Section 15-1-18(F) is amended to read:

26 **15-1-18 Appeals And Reconsideration Process**

27 . . .

28 **F. FORM OF APPEALS.** Appeals to the Planning Commission, Board of
29 Adjustment, or Historic Preservation Board must be filed with the Planning
30 Department. Appeals to the City Council must be filed with the City Recorder.
31 Appeals must be by letter or petition, and must contain the name, address, and
32 telephone number of the petitioner; his or her relationship to the project or
33 subject Property; and must have a comprehensive statement of all the reasons
34 for the appeal, including specific provisions of the law, if known, that are alleged
35 to be violated by the action taken. The Appellant shall pay the applicable fee
36 established by resolution when filing the appeal. The Appellant shall present to
37 the appeal authority every theory of relief that it can raise in district court. The
38 Appellant shall provide [required envelopes] courtesy mailing to all parties who
39 received mailed notice for the action being appealed within fourteen (14) days of
40 filing the appeal.