

**Ordinance No. 14-23**

**AN ORDINANCE APPROVING THE ECHO SPUR SUBDIVISION PLAT  
AMENDMENT LOCATED ON LOT 21-32, BLOCK 58, PARK CITY SURVEY,  
PARK CITY, UTAH.**

WHEREAS, the owner of the property located on Lot 21-32, Block 58, Park City Survey has petitioned the City Council for approval of the plat amendment; 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 April 9, 2014, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 8, 2014, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Echo Spur Subdivision Plat Amendment.

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

**SECTION 1. APPROVAL.** The Echo Spur Subdivision Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located on Echo Spur between platted Fourth Street (Rossi Hill Road) and platted Third Street.
2. The property is in the Historic Residential (HR-1) District.
3. The property entails lots 21 – 32, Block 58 of the Park City Survey.
4. The proposed plat creates a total of seven (7) lots of record from the twelve (12) Old Town lots. Three (3) of the existing twelve (12) lots, do not meet the minimum lot size due to a 2008 property ownership dispute and settlement.
5. The subject property is vacant.
6. Lot 1, 2, 3, 6, and 7 are 2,812.5 square feet.
7. Lot 4 is 3,772 square feet.
8. Lot 5 is 3,858 square feet.

9. The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling.
10. The seven (7) proposed lots meet the minimum lot are for single-family dwellings.
11. The lot width of lot 1, 2, 3, 6, and 7 is thirty-seven and a half feet (37.5').
12. The lot width of lot 4 and 5 is 56.25 feet.
13. The minimum width of a lot is twenty five feet (25').
14. The seven (7) proposed lots meet the minimum lot width.
15. The maximum building footprint of any structure located on a lot is calculated according to the formula for building footprint, illustrated in Table 15-2.2 of the Land Management Code (LMC).
16. The maximum building footprint for Lot 1, 2, 3, 6, and 7 are 1,200.7 square feet.
17. The maximum building footprint for Lot 4 is 1,525.8 SF square feet.
18. The maximum building footprint for Lot 5 is 1,553.0 SF square feet.
19. Front and rear yard setbacks are determined by the depth of each lot.
20. The minimum front and rear yard setbacks are ten feet (10'). The total front/rear yard setback is twenty feet (20').
21. Side yard setbacks are determined according to the width of each lot.
22. The minimum side yard setbacks for Lots 1, 2, 3, 6, and 7 are three feet (3'). The total side yard setbacks are six feet (6').
23. The minimum side yard setbacks for Lots 4 and 5 are five feet (5'). The total side yard setbacks are fourteen feet (14').
24. Single-family dwellings are an allowed use within the district.
25. Duplex dwelling are a conditional use, which are reviewed and approved by the Planning Commission.
26. The proposed layout of the requested plat amendment allows lot 4 and 5 to have a duplex pending Planning Commission review and approval.
27. At this time the property owner has indicated that they would build seven (7) single-family dwellings.
28. Steep Slope Conditional Use Permit (CUP) is required for any structure in excess of one thousand square feet (1,000 sq. ft.) if said structure and/or access is located upon any existing slope of thirty percent (30%) or greater.
29. The combined building footprint of the existing lot configuration is currently 9,798 square feet.
30. The combined footprint of the proposed lot configuration is 9,082.3 square feet if approved.
31. The reconfiguration of the existing twelve (12) lots into the proposed seven (7) lot configuration will reduce the overall footprint by 715.7 square feet.
32. Staff has analyzed the site and finds that when viewing the site from across canyon (or any of the other ten [10] LMC defined vantage points), at approximately the same elevation, the site is framed by the existing higher topography behind the proposed development and the skyline is not broken.
33. The average lot width on the east side of Ontario Avenue is approximately thirty-six feet (36').
34. The average lot area on the east side of Ontario Avenue (including un-platted lot combinations) is approximately 2,800.7 square feet, which equates to 1.49 Old Town Lots.

35. The lots on the east side of Echo Spur, Gateway Estates Replat Subdivision (Amended), and Silver Pointe Subdivision, also within the HR-1 District, consist of much larger lots.
36. The proposed plat amendment consists of five (5) lots containing 2,812.5 square feet and two bigger (2) lots consisting 3,772 square feet (lot 4) and 3,858 square feet (lot 5).
37. The proposed five (5) lots are 1½ Old Town lot combinations while the other two (2) bigger lots are approximately 2 (2) Old Town Lot combinations.
38. The requested plat amendment is appropriate for this new neighborhood.
39. The east side of Echo Spur, also within the HR-1 District contains significantly larger lots that yield larger structures.
40. The west side of Echo Spur, east Ontario Avenue, contains a pattern of 1½ Old Town lot combination sites.
41. The mix of lot sizes provides appropriate transition between the larger lots and home sizes on the east side of Echo Spur towards the east side of Ontario Avenue.
42. The proposed plat amendment provides a good mix of different lot sizes within Echo Spur.
43. Traffic increases will be minimized from the potential development of the twelve (12) lots as the applicant proposes to decrease the density from twelve (12) lots to seven (7) lots of record for the purpose of constructing single-family dwellings.
44. In terms of the entire street the overall density would drop from the potential of sixteen (16) Old Town lots to nine (9) Lots of record.
45. When the road and utilities were built in 2009, the topography was slightly altered. By comparing a topographic survey on file dated October 2006, the lowest elevation located on this site was 7,156 feet and the highest elevation was 7,208 feet.
46. The current survey submitted with this plat amendment application indicates that the lowest elevation is the same at 7,156 feet while the highest is 7,202 feet.
47. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

#### Conclusions of Law:

1. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

#### Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment 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 plat 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 for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. A ten foot (10') snow storage easement shall be dedicated to Park City across the lot's frontage to the satisfaction of the City Engineer.
4. Modified 13-D sprinklers will be required for all new construction.

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

PASSED AND ADOPTED this 8<sup>th</sup> day of May, 2014.

PARK CITY MUNICIPAL CORPORATION



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Liza Simpson MAYOR Pro Tem

ATTEST:




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Marci Heil, City Recorder



APPROVED AS TO FORM:



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Mark Harrington, City Attorney

