

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
September 24, 2014**



AGENDA

MEETING CALLED TO ORDER AT 5:40PM

ROLL CALL

ADOPTION OF MINUTES OF August 27, 2014

PUBLIC COMMUNICATIONS – *Items not scheduled on the regular agenda*

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

CONTINUATIONS

900 Round Valley Drive – Park City Medical Center/IHC
Master Plan Development

PL-13-01932

Planner Whetstone

Public hearing and continuation to October 8, 2014

900 Round Valley – Park City Medical Center
Conditional Use Permit for Phase II

PL-14-02427

Planner Whetstone

Public hearing and continuation to October 8, 2014

1825 Three Kings Drive
Conditional Use Permit for Office Building

PL-14-02329

Planner Whetstone

Public hearing and continuation to October 8, 2014

REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

1103 + 1105 Lowell Avenue - An ordinance considering Barbara's Subdivision
Plat Amendment

PL-14-02448

41

Planner

Astorga

Public hearing and possible recommendation to October 9, 2014

Round Valley Park City Annexation and Zoning Map Amendment–
Annexation of 1,368 acres located in Sections 28, 33, 34, and 35 T1SR4E and
Sections 2 and 3, T2SR4E East of US 40 and North of SR 248. Park City
Municipal is the applicant. The proposed zoning is Recreation Open Space. The
property is primarily City owned open space encumbered with conservation
easements, with the exception of two 1 acre City owned, non-encumbered parcels,
and includes the 120 acres Osguthorpe conservation easement area.

PL-13-01857

61

Planner

Whetstone

Public hearing and recommendation to City Council on October 23, 2014

510 Payday Drive – Thayne's Creek Ranch Estates Phase II
Subdivision Plat

PL-14-02427

179

Planner

Whetstone

Public hearing and possible recommendation to City Council on October 23rd, 2014

Ratification of Amended Park City Heights Development Agreement

PL-13-02009

243

Planner

Whetstone

Public hearing and possible action

ADJOURN

A majority of Planning Commission members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
AUGUST 27, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Christy Alexander, Planner; Anya Grahn, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:35 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

August 13, 2014

MOTION: Commissioner Phillips moved to APPROVE the minutes of August 13, 2014 as written. Commissioner Campbell seconded the motion.

VOTE: The motion passed. Commissioners Strachan and Joyce abstained since they were absent from the August 13th meeting.

PUBLIC INPUT

Mary Wintzer, a resident at 320 McHenry stated that she is part owner of the Iron Horse District, one of the two largest stakeholders in the BoPa area. Ms. Wintzer noted that she had to leave town after the special meeting on August 6th and this was the first opportunity she had to publicly thank the Planning Commission for the thoughtful questions they asked regarding the Bonanza Park Plan. She has been asking those same questions for three years. Ms. Wintzer believed much of the process has been lacking. She called her partners, the Wolf Family, who own the Sports Authority building, and they said they have never received notification about Bonanza. Ms. Wintzer remarked that by typing in Bonanza Park Redevelopment on YouTube you can see the very first presentation that

Mark Fischer put on in 2010. She thought it would be a good spring board for the new Commissioners to understand the genesis of the plan and how it started.

Ms. Wintzer noted that the LMC states that the purpose of the Planning Commission is to act as a non-political long-range planning body for the City. She commended the Commissioners for carrying out that role at the special meeting and for not yielding to the pressure from the consultants. The citizens depend on the Planning Commission as part of a check and balance system and it gives the citizens a second set of ears so they might be heard. As a citizen, Ms. Wintzer was grateful that all the Commissioners wanted to have a thorough understanding before the Plan is passed. It is important to achieve the very best plan possible because it will impact this community as no other project has done. Ms. Wintzer thanked the Commissioners for their time and for serving on the Planning Commission.

Russ Coburn, the managing partner of Jan's and White Pine stated that he was previously a banker in the community with Silver King State Bank. Mr. Coburn stated that he had not been notified about BoPa at all. After spending the last 18 months refinancing the Park Avenue Building with an SBA loan, as well as being a past SBA officer, he was certain that it would be impossible for people in this community to obtain loans for that area.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington recalled a previous discussion regarding drop box. That conversation occurred prior to the Commissioners having iPads, and he wanted to know if the Commissioners would prefer to download the packet from drop box.

Commissioner Joyce thought drop box would be a little easier, but he did not want to create additional work for the Staff. Commissioner Strachan suggested that the Staff could put a drop box link in the email for the Commissioners who wanted to use drop box. Director Eddington stated that going forward the Staff report packet would be available online and in the drop box.

Commissioner Strachan wanted to know why Jan's and the Wolf's were not noticed on BoPa. Director Eddington was unsure. He noted that when they started the formal outreach 18 months ago they noticed every property owner on the Summit County property tax website. If someone is part of an HOA or a condo complex the notice sometimes goes to the President of the HOA or the building contact person. That is one reason why notices are not received. Commissioner Strachan thought a larger problem was that Scott Polite, the consultant, specifically said that they had reached out to all the businesses. He noted that the Wolf property and Jan's are two prominent buildings. Director Eddington would

follow through to see why they were not on the property tax list. However, aside from the property tax list the Planning Department also utilized e-notify and every email address from every public hearing.

Commissioner Strachan thought the property owners in that realm would benefit more by a personal visit or a phone call, as opposed to electronic notifications.

Commissioner Stuart stated that these were major stakeholders. Anything less than a phone calls to help people understand what could happen with their property was an inadequate effort. Chair Wore concurred.

Commissioner Strachan remarked that if the stakeholders are not adequately informed they could start expressing their anger, which would delay the time line for finishing Form Based Code.

Chair Wore noted that her concern throughout the entire process was that the major stakeholders have not been at the table. She did not want it to be a big surprise when a plan is suddenly approved. She thought the special meeting regarding Form Based Code on September 16 would be a good time to redo the notifications and make sure everyone is included.

Director Eddington reminded the Planning Commission of the special meeting on Tuesday, September 16th at 5:30. Commissioner Joyce stated that he was unable to attend that meeting.

WORK SESSION

Discussion regarding shoring and remediation bonds

Director Eddington reported that the during the discussion on the application for 166 Ridge Avenue the Planning Commission had raised issues regarding bonds and whether or not they should be required on Steep Slopes. George Reid with the Building Department was here this evening to explain the current process of how bonding and shoring plans are carried out through the Building Department.

Assistant City Attorney McLean noted that two issues were raised by the Planning Commission during the 166 Ridge Avenue discussion. The first had to do with construction mitigation and how the Building Department protects the community when building occurs on very steep slopes. The second issued related to remediation bonds and whether or not it was appropriate when construction required cuts in large slopes.

George Reid provided a brief overview of how the steep cuts and other issues are addressed. He stated that shoring plans are required as part of the permitting process if it exceeds a 2:1 slope. That also applies to cuts close to an adjoining property line. The shoring plans must be designed by a geo-technical engineer. If the plans are not satisfactory to the Building Department they are sent back as many times as necessary until the Building Department has a satisfactory shoring plan that ensures that there will not be slippage during construction. The shoring plan is then addressed in the geo-technical report. The Building Department also requires grading and ground cover with 80% germination to make sure there is vegetation to retain the soil. Mr. Reid stated that every project must submit a Construction Mitigation Plan, unless the project is minor in scope such as a small addition or remodel. Erosion control is addressed in the mitigation plan.

Mr. Reid provided the Commissioners with a copy of the mitigation requirements.

Commissioner Strachan asked what the Building Department looks for in a shoring plan. Mr. Reid stated that the process is to go over the engineering to make sure that safety factors are in place and that the shoring would actually work. Each site is different and each shoring plan is site specific. The Building Department makes sure the plan meets all the Code requirements.

Commissioner Strachan asked if the Building Department has ever seen a shoring plan fail. Mr. Reid stated that none have failed to the point of causing any issues. There is always some potential for slight failure; but almost every plan requires observation by the geo-technical engineer. As soon as a slight failure occurs, the geo-technical engineer is called onto the job site and the issue is immediately addressed. Mr. Reid stated that because the soil in Park City is so Rocky, it is conducive to holding the soil in place without any measures, but a shoring plan is still required for certain situations.

Mr. Reid stated that soils reports are required any time they see a 2:1 slope. He commented on situations that would trigger a soils report. He noted that Environmental also gets involved in those situations.

Commissioner Strachan asked if the Building Departments checks the shoring plans for legitimacy. Mr. Reid stated that for the most part the shoring plans submitted is decent plans. Typically, it is the same entity submitting shoring plans. They are familiar with the area and the contractors use the same engineer. They are highly-recommended and the issues are minimal.

Commissioner Stuart stated that since his time on the Planning Commission the Commissioners have seen three situations. One was the Roundabout subdivision, which was an extremely tall excavation. It was a total of 43' but it stepped back 10' at one point;

and it comes very close to adjacent properties at the top end of the cut. Commissioner Stuart noted that the concern was potential sliding and impacts to the adjacent properties at the top of the slope, as well as hazards on the job site. Another situation was less tall but very close to a road right-of-way and has an existing structure on the property. The neighboring property owner attended the public hearing and expressed concern about dirt and rocks potentially falling on to his property. Commissioner Stuart stated that the third situation was the Ridge subdivision application. There is a very large distance from the actual construction site down to the properties along Daly Avenue. Those neighbors were concerned about boulders running down the hill and demolishing their property.

Commissioner Stuart agreed that the shoring plan could address some of the impacts, but in some cases, in addition to the shoring plan, he thought it might be appropriate to have something at the bottom to stop falling rocks. Commissioner Stuart asked if the Building Department has ever considered that. Mr. Reid replied that chain link fencing is used to retain soil, but they have not considered what Commissioner Stuart suggested. Mr. Reid clarified that a subdivision is regulated through the Engineering Department. The Building Department does not get involved with subdivisions until individual lots are ready for construction. He could not speak to the subdivision, but for individual projects the Building Department addresses those issues in the shoring plan to make sure there would be no falling debris. That intent is to avoid that at all cost. The Building Department controls the erosion and falling rocks is some form of erosion, but not to the extent of boulders. Mr. Reid remarked that the shoring plan should address any concerns regarding falling debris.

Commissioner Joyce recalled that another concern raised by the Planning Commission was the fact that the only bond required was the 75 cents per square foot for reseeding. He pointed out that if someone makes a steep cut and for whatever reason walks away from the project and leaves the cut intact, 75 cents per square foot is not enough to cover the cut. Commissioner Joyce asked if any other type of bonding would be a helpful tool to protect against this type of situation.

Mr. Reid stated that he and the Building Official have had that discussion over the past few days and it was something they needed to look into. He agreed that 75 cents per square foot was insignificant. Mr. Reid remarked that he and the Building Official discussed setting up a remediation fund for the rare occasions when the City has to go in and mitigate the site. They believed that might be a better option than requiring a bond for every project where site remediation is not an issue. Another option would be to raise the bond amount. Mr. Reid stated that the discussion was ongoing and no decisions have been made.

Commissioner Stuart remarked that Commissioner Strachan had made a good point several meetings ago when he said they were done with the easy sites and only the difficult sites were left. Commissioner Stuart believed that the usual process going forward was

no longer adequate. The 75 cent per square foot bond to remediate the site was not enough, and consideration should be given to falling debris on very steep sites and how it might affect the adjacent properties.

Chair Worel asked if the Building Department has the authority to increase the bond amount. Assistant City Attorney McLean stated that it was in the Construction Mitigation Section of the Municipal Code. Changing the amount or placing it within the Building Department's purview would require a Code change. Ms. McLean asked Mr. Reid if he thought there should be an additional bond for steep slopes. She also asked for the number of times the City has had to remediate a site.

Mr. Reid stated that in terms of proceeding with the status quo, safeguards are built-in within the International Building Code. The Code requires that adjacent properties, pedestrians, vehicle traffic, etc. must be protected. If the Building Department feels there is a particular concern, they can enact that section of the Code and require some form of barrier to protect from falling debris.

Mr. Reid stated that professionally he would not recommend a bond specifically for steep slopes. Placing a bond on a steep slope that requires engineers and other professionals to be closely involved opens the door for less diligence in getting it right because funds are in place in case it fails.

In terms of addressing abandoned sites, Mr. Reid noted that the Building Department currently requires all fees to be paid upfront whenever excavation or building permits are pulled. He believed that would mitigate a lot of the issues that were present in the last recession. Mr. Reid recalled three or four sites last year that had to be remediated. The City rarely has to remediate an abandoned site that requires re-vegetation.

Commissioner Strachan noted that Mr. Reid had mentioned a remediation fund. He asked how that would be funded. Mr. Reid replied that the idea was still in the preliminary stages of discussion. He was unsure how it would work logistically.

Chair Worel asked if there was anything the Planning Commission could do to help the Building Department from the standpoint of conditions of approval on steep slopes. Mr. Reid stated that as long as the Building Department is aware of their concerns they would make sure all the issues are addressed. Voicing their concerns was the best way to help them do a better job. Chair Worel thanked Mr. Reid and the Building Department for already doing their job well.

Commissioner Phillips asked if it would make a difference if the Planning Commission added a condition of approval requiring a barrier to protect neighboring homes from rolling

rocks. Mr. Reid replied that the Building Department would most likely require a barrier in the shoring plan to be designed to protect from rolling debris. He noted that the geo-tech would look at the size of the material and make an engineering judgment.

Assistant City Attorney asked if Mr. Reid thought Code changes should be made from the Building Department standpoint to deal with building on steep slopes. Mr. Reid could not think of any changes that would benefit the Building Department. He believed the instruments already in place were working well.

Commissioner Stuard hoped Mr. Reid was right. That by having this discussion the Building Department would be extra diligent on steep slope permits and use the provisions in the IBC when necessary. He also encouraged the Building Department to incorporate barriers designed by a geo-tech when appropriate.

900 Round Valley Drive Park City Medical Center/IHC MPD Amendment and Conditional Use Permit for Phase two (2)

Chair Worel disclosed that her office is located within the People's Health Clinic on the IHC campus. She did not believe it would affect her decision if she needed to vote this evening.

Morgan Bush stated that he was the original project manager when the hospital was built in Park City. He was still part of the project team for Phase 2. Mr. Bush introduced Cy Hut, the Hospital Administrator at Park City Medical Center; Dan Kohler, the Director of Facilities for Intermountain Health Care; and Steve Kelly, the project manager for Phase 2.

Planner Whetstone noted that the Staff report contained the Staff analysis and questions for discussion. She stated that it was always anticipated that the hospital would have several phases. This was the second phase and the applicants were proposing to change how they approach the phasing. The proposed change would impact some of the parking phasing, the affordable housing and the uses.

Planner Whetstone reported that the application for the conditional use permit was for an addition to the hospital building for 82,000 square feet of medical support. The second phase was originally going to be more hospital and the support was going to be in the next phase on Lots 6 and 8 of the subdivision plat. The applicants had prepared a presentation that would go into more detail on what they were requesting. Planner Whetstone noted that there would be additional square footage for hospital uses, but Phase 2 would be medical support.

Planner Whetstone outlined two amendments to the MPD. The first is to shift the density allocated on Lots 6 and 8 of the plat to Lot 1, which is the hospital, as shown on Exhibit K in the Staff report. Planner Whetstone noted that the Planning Commission looked at three options in February. The applicant eventually chose Option A, which was an option supported by the Planning Commission. Option A was slightly modified after they worked more with the details. Planner Whetstone reviewed the site plan. She indicated Lot 3, which was the USSA Center for Excellence; Lot 10, the People's Health Clinic and Summit County Health Department Building; and Lot 8, which is currently vacant and has a density of 25,000 square feet of medical support. Lot 7 was the Physicians Holding medical office building. Lot 6 was the other vacant lot that had 25,000 square feet of medical support. Lot 1 was the hospital.

Planner Whetstone stated that the second request related to what would be built in the Second Phase.

Planner Whetstone reviewed the issues for discussion on page 69 of the Staff report.

Mr. Bush stated that the MPD amendment requests moving the density, accelerating the density that would be shifted from Lot 8 and moving up the timing of that density, getting clarification on the affordable housing and the timing of that, parking, and the building height exception. Mr. Bush commented on another request that was omitted from the Staff report. He explained that the architect had identified an opportunity to do additional excavation for storage. The question was whether or not that would be permitted and if it would have to be incorporated within the density allocation. Mr. Bush stated that the intent this evening was to get clarification on the questions raised by the Staff before coming forward with the final proposal for consideration and action by the Planning Commission.

Mr. Bush stated that there was an additional item of information on the affordable housing, but he felt it would be better to address it when they discuss that question. Mr. Bush stated that when they did the ground lease with Summit County, the County assumed the affordable housing obligation for Lot 10. In talking about IHC's future density, the 5.83 unit equivalents were no longer part of their long term obligation. Commissioner Strachan asked where the County intended to put the affordable housing units. Mr. Bush replied that IHC has been in discussions with Summit County and the Peace House about potentially doing something on the IHC site. The discussions are very preliminary but it may be part of what IHC and the County chooses to do to help address affordable housing. There was nothing definitive at this point.

Commissioner Strachan stated that if hypothetically the County decided to put the units right next to the hospital, he wanted to know if that would change the analysis of where the units being discussed this evening should go. Mr. Bush stated that their desire, and he

believed the desire of the City Council, has always been that an institutional type affordable housing solution would make sense on this campus. The problem is that the campus is not good for residential per se, which is why the hospital's affordable housing obligation was incorporated into the Park City Heights subdivision. Mr. Bush remarked that IHC's preference would be to stay consistent with that principle. They were open to affordable housing that is more institutional in nature and would tie with the campus, but they did not envision individual family homes being appropriate on the campus.

Commissioner Strachan understood that one of the issues in the proposal being discussed this evening was whether or not to put that affordable housing on the campus. Mr. Bush explained that when the hospital was originally built, as part of the annexation agreement the Burbidge's, who sold them the property, developed a plan with the City to provide 44.78 units of affordable housing to cover the hospital's affordable housing obligation at full build-out. At the time the medical support was not part of that plan. However, they decided that as long as the hospital is not fully built out, the excess affordable housing from the hospital covers the medical support until the total exceeds 44.78. Mr. Bush calculated that this project when built, in combination with the amount of hospital that is built out, would be 44.1 unit equivalents; slightly under 44.78.

Mr. Bush stated that the question raised by Staff was, as they amend the MPD is it appropriate for both Intermountain Health Care and the City to document how and when the next affordable housing needs to be done before any more construction can occur. Commissioner Strachan believed the how was also part of the where. Mr. Bush replied that it was all open for discussion. He remarked that the intent is to amend the MPD so they all have a clear understanding of how to proceed going forward.

Planner Whetstone suggested that they use the phasing plan that was part of the MPD approved in 2007 as the guiding document because it talks about parking and affordable housing. It would show the changes proposed with the requested amendment. Planner Whetstone noted that the MPD always allowed 300,000 for hospital uses and an additional 50,000 square feet of support of the total 150,000 square feet of support for this MPD. The MPD said that 50,000 square feet of that could be on the hospital and they have completed 18,000 square feet. Planner Whetstone remarked that 25,000 square feet and another 25,000 square feet were built with the MOB and the Public Health. There are still two vacant lots for the remainder of the 50,000 and they would like to put that on the hospital. She pointed out that the acceleration would change the phasing. Planner Whetstone stated that the Staff would like to see a new phasing plan showing how they were bringing in hospital support.

Planner Whetstone outlined the calculated affordable housing units. She would prepare a clear diagram of the affordable housing for the next meeting. She was looking for direction

from the Planning Commission on whether the 44.78 affordable housing units would cover the next phase, even though the phasing plan specified that it was for building the 300,000 square foot hospital.

Commissioner Strachan clarified that the question in the Staff report was whether affordable housing should go on Lots 6 and 8. He stated that “where” is always the key question with affordable housing.

Commissioner Joyce stated that institutional or not, in his opinion it would be a terrible place to live. He had visited the site and tried to imagine what it would like living next to a hospital, office buildings and sports parks, without any conveniences or services or the feel of living in a neighborhood.

Commissioner Campbell thought it might be appropriate for Peace House or something similar where people would live there for a few weeks or months. Commissioner Campbell stated that affordable housing is always talked about but it never seems to materialize. If there are affordable housing requirements for this phase he would like it to be on a strict timetable.

Commissioner Stuard stated that if the density is transferred from Lots 6 and 8 on to Lot 1, and there will be no affordable housing on Lots 6 and 8, he wanted to know what the proposed use would be for Lots 6 and 8 in the future. Mr. Bush replied that currently the lots would be left vacant. He explained that the CT zone allows up to three units of density per acre. In the future they could potentially request a separate amendment to have up to 50,000 square feet of medical support go back on to those sites. Mr. Bush stated that the intention is to keep the campus medical, health, health education, wellness and like uses. To qualify they must keep 80% of the site. The only viable option he could see would be to put the same density back on Lots 6 and 8.

Commissioner Stuard thought it would be better to request an amendment to add 50,000 square feet to Lot 1 now and leave Lots 6 and 8 as is. Mr. Bush replied that medical offices attached to hospitals tend to be more patient friendly. Assumptions were done when they did the original campus, but they are now finding that more physicians would rather be housed in buildings that are physically attached to the hospital. There may be a need in the future for an additional 50,000 square feet of medical support, but that is not for sure. Rather than trying to guess for the future, they preferred to work with the density they know they need now and follow the same process if additional density becomes necessary.

Planner Whetstone asked what Mr. Bush anticipated as a future timeline. Mr. Bush was hesitant to predict a timeline because the growth to date has been faster than what was originally anticipated, which is why they were requesting this amendment.

Commissioner Phillips agreed with the comments made by Commissioner Joyce. He also liked the clustering of the buildings and making it convenient for the patients.

Commissioner Strachan asked if there was enough capacity in Park City Heights for the remaining affordable housing units. Planner Whetstone stated that the City was constructing affordable housing units in Park City Heights but she was unsure of the details. Commissioner Strachan remarked that the balance between affordable housing and non-affordable housing in Park City Heights was argued and debated for years. The intent was to strike the appropriate balance so it would not be exclusively an affordable housing development. He was concerned that if they put more of the affordable housing allocated to this campus into Park City Heights it would disrupt the balance. Commissioner Strachan agreed with Commissioner Joyce but he was unsure how they could keep that balance in place and at the same time tell IHC that space needs to be set aside for affordable housing. He concurred with Commissioner Campbell that the Planning Commissioner needed to tell the applicant where affordable housing should go and specify a timeline. Commissioner Strachan believed the Planning Commission needed to revisit the balances in Park City Heights to make sure that the additional units from Lots 6 and 8 would not disrupt the balance. If the units can go in Park City Heights then the problem is solved. If not, then it becomes a bigger problem and they would need to look for alternative places. If there are no alternatives, the question is what affordable uses the applicant would be comfortable with on Lots 6 and 8.

Mr. Bush stated that from the applicant's standpoint, they have enough affordable housing to cover the current proposal. What they need is to agree on a direction for affordable housing in the MPD amendment. Mr. Bush felt it was less critical to have all the answers and more critical to have some direction.

Commissioner Strachan stated that the applicant needed to work with the Staff on how to divide up the 48 units. Once they determine where to put the units, the Planning Commission could give direction on how to phase them.

Commissioner Campbell requested informal consensus on whether or not the Commissioners could support the density transfer. He thought they needed to be sensitive to the expense incurred by the applicant. He personally supported the shift from Lots 6 and 8 into Lot 1. The hospital is a good neighbor and he thought they should be supported.

Commissioner Strachan was comfortable moving the density to Lot 1.

Mr. Bush stated that after receiving the same direction from the Planning Commission last year, IHC hired their architect VCBO to design the 82,000 square foot building that would be attached to the hospital. The intent was to create a building consistent with the campus.

Commissioner Strachan asked if the building height discussion was incorporated in the presentation this evening. Mr. Bush explained that when the CT zone was created, the height restriction in the CT did not work for the hospital. Exceptions were necessary because for various reasons the ceiling to floor height for a hospital is different than a traditional building. They were requesting that the same exception be granted for this addition. Mr. Bush clarified that the intent was not to build a taller building with more stories above grade. The purpose was to make it look like it was part of the same building. Commissioner Strachan understood that they were not asking for any additional height beyond the height of the current hospital building. Mr. Bush replied that this was correct.

Tanya Davis and Dan Simpson, the project architects, gave a power point presentation. Ms. Davis indicated the three stories of the hospital and the three stories of the proposed addition. Currently there are three levels above grade. The applicants were proposing two levels above grade and one level below grade. It would still be a three-story building and it would not exceed the height on the site. However, it allows them to line up the floor plates for the first and second floor, and bring in an education center that has a ground level entry. She pointed out that the site slopes away at that point approximately 16-feet, which allows them to build into the natural curve of the slope and get an extra story without increasing the height.

Chair Worel asked for the location of the storage area that was referenced earlier. Ms. Davis reviewed a slide showing the basement plan of the education center. She indicated a large room that could be divided into three components. She noted that the floor plan was shown in black and white. The gray color identified the unexcavated area around the building. The yellow color was a proposed possibility that could be used for storage. It would have no egress and it would never be occupied. The storage area would be completely under finished grade. Mr. Kohler, Facilities Director for IHC, noted that the level shown was one level below the main level of the current hospital.

Ms. Davis reviewed the site plan and noted that the light red color was the existing hospital. The new proposed addition was shown in darker red. She indicated the proposed parking around the site to support that addition and how it relates to the ring road and the area of disturbance outlined by the MPD amendment. Mr. Simpson pointed out that the building

would not look any different regardless of whether or not the storage space was built. Ms. Davis noted that the new addition has two entry points.

Ms. Davis reviewed the parking plan showing the different parking areas for specific uses, as well as overflow and staff parking. She clarified that the parking needs for the proposed addition was patient parking driven. Planner Whetstone suggested that the applicants provide a site plan detailing the access from the parking lots to the buildings.

Ms. Davis commented on screening. The applicant would like to put a berm around the edge of the parking on the back side to help screen the parking along that side. Careful attention was given to that side of the building because that view is seen from the entire transportation corridor. Planner Whetstone asked about the location of the future structured parking. Ms. Davis stated that when the actual hospital expansion occurs in the future, increased staff needs would drive the need for increased parking and a parking structure would be appropriate at that point.

Commissioner Joyce stated that in looking at the notes and minutes from the original MPD, there was significant discussion regarding the parking and visibility. From his reading there was a push to consolidate parking to avoid the look of asphalt paved parking everywhere on the site. In the end it was decided that 63% of the parking spaces was supposed to be structured. Commissioner Joyce felt this parking plan clearly builds out the rest of the unstructured parking. He noted that a lot of thought and discussion went into the parking issue as part of the MPD process, but they appeared to be deviating in the second phase by dropping the percentage of structured parking to 14% and building more surface parking. Even with the proposed berm, parking around the side of the new addition and around the back side is very visible from everywhere and there is no way to hide it. Commissioner Joyce believed there would be a lot more visible parking than what was envisioned when the MPD was approved.

Mr. Bush stated that when the original phasing was done, the intention was for the parking structure to be a single major project and tie it with the hospital expansion. As this project is still medical support, they wanted to keep the surface parking. They were seeing more surface parking because the parking from Lots 6 and 8 was being moved to Lot 1. Mr. Bush remarked that the phasing plan has always been to delay the structured parking and build it with the bigger hospital expansion.

Commissioner Joyce stated that the fundamental concept with the agreement of the MPD was to build structured parking to keep from having sprawling parking lots. In his opinion that concept still made sense independent of what uses go on Lots 6 and 8. Commissioner Joyce believed that the more they start consolidating into one spot the more they have to put parking lots further and further away from the buildings. He remarked that

the goal was to have 60% structure parking. They are reaching the point where 86% is unstructured and 14% is structured, which tells him that the parking is way out of whack from the 60% envisioned in the original MPD.

Commissioner Stuard thought it was the ring road and the quality around the ring road that ultimately defines this campus. Whether there is surface parking or structured parking between the ring road and the building would not make much difference. If the parking structure is located within the ring road, it might be more visible from the freeway than surface parking. Commissioner Stuard was more concerned about the quality of the landscape buffer along the ring road in terms of screening whatever type of parking ends up being there.

Commissioner Campbell had hoped they would not get into this kind of detail this evening. Secondly, he agreed with Commissioner Joyce about the level of detail that the previous Planning Commissions went through in the original MPD process. He was not opposed to changing what was done, but there needs to be good reason to do it.

Commissioner Strachan concurred. He also thought there should be more of a pronounced entrance off the back because of the amount of parking in that location. Commissioner Strachan suggested that the applicants look at the concept of a dual entrance.

Commissioner Phillips thought the lower parking in the front ties in with what already exists, and it is a better location for the new area. He could understand why that was being built now. Commissioner Phillips agreed with Commissioner Strachan regarding the entrance.

Commissioner Strachan commented on the parking ratio. He is always open to re-visiting the ratio of four spaces per 1,000 feet, but that is often business driven and it depends on the kind of business. He asked if the applicants believed they would need more or less parking.

Mr. Kohler replied that they typically use four spaces per 1,000 as a guideline for their facilities. Some of their facilities are able to accommodate less parking. They do not see a need for obtaining more. Mr. Kohler stated that especially in this case, if parking is an issue they would obviously entertain less of a requirement per 1,000 to reduce some of the parking, particularly on the back side. Commissioner Strachan thought it was better to mitigate the impact of the surface parking.

Commissioner Joyce had driven by the hospital around 3:00 p.m. and the lot was approximately 70% full. Commissioner Strachan stated that he has seen the lot full, but

the back structured parking is always empty. There is ample parking but people do not always know where to find it.

Chair Worel asked for the percentage of usage as currently built. Mr. Bush stated that it depends on the time of year. During the winter and in July and August it could be 80% to 90% full during the daytime hours. Chair Worel clarified that it was not way overbuilt. Mr. Bush replied that it was not way overbuilt for peak times. However, during the slow times of the year the lot might only be 40% full.

Planner Whetstone understood that the parking for this next phase was necessary for what was being proposed. However, if there was an area where parking could be reduced until there was a demand, she wanted to know how they would phase that. Mr. Kohler identified an area they would look at to reduce the parking. If they could cut that and still accommodate the parking requirements it would lessen the impact and visibility because the other parking is tiered and can be landscaped. Mr. Kohler pointed out that as it extends out over the crown of the hill it becomes more and more visible, which is why they were proposing to screen it with berming. If they could remove 40 stalls from that location and still satisfy the City's requirements, it would also satisfy the hospital's needs.

Planner Whetstone thought it would be helpful to have that analysis. The Commissioners concurred. Commissioner Strachan suggested a happy medium where some of the structured parking and some of the surface parking was built in an early phase. Commissioner Stuard suggested that they make sure the existing structured parking is being used thoroughly before they build more surface parking.

On the building height issue, the Commissioners concurred that the addition should have the same height as the existing building. The Commissioners were comfortable with the subgrade storage as proposed. All the Commissioners supported moving the 50,000 square feet of medical support offices from Lots 6 and 8 to Lot 1.

Regarding trails, Planner Whetstone commented on the community trail that goes out to the Silver Summit area. The trail is paved. Mr. Bush stated that there is a continuous trail from the north end of the campus all the way to the south and connecting into the trails system on the rec property. Chair Worel asked if the trail connects over to the NAC. Commissioner Strachan stated that it did not connect to the NAC but it should.

Mr. Bush explained that IHC had originally agreed to put the trail all the way through. However, when the trail was paved from the rec property up to the hospital, it had a dirt trail the rest of the way. They eventually partnered with the City to pave the rest of the trail so it was all connected. As they developed the site the idea was to have their campus link with the recreation campus and the trails system. It was also consistent with the Wellness

approach at the hospital. Planner Whetstone would speak with the trails people to see what was planned in the trails master plan in terms of providing additional connections to this property. She would provide a better exhibit and prepare an analysis for the next meeting.

Mr. Bush recalled from the MPD discussions that the bigger concern was walking on the campus from the parking to the building rather than to the trail per se. He believed it goes back to the site plan discussion that the architect needed to have for the next meeting.

REGULAR AGENDA – Discussion, public hearing, action.

**1. St. Regis Club Conditional Use Permit – One (1) Year Review
(Application PL-11-01189)**

Planner Kirsten Whetstone reported that the Deer Crest Amenity Club at the St. Regis was approved by the Planning Commission through a conditional use permit on February 23rd, 2011. One of the conditions of approval was to return to the Planning Commission with a one-year review to talk about the use, operation, membership and traffic impacts, as well as any complaints that were received. The minutes from the February 23rd, 2011 meeting were included in the Staff report. The use was new to Park City and Amenity Clubs were added to the Land Management Code prior to the St. Regis approval. The Staff report also contained the action letter with the conditions of approval.

Planner Whetstone noted that Attachment 3 on page 180 of the Staff report was the summary of the uses and the operation membership. The Staff had called the police dispatch and found that there have been no complaints for that address for several years.

Tom Bennett, representing the St. Regis, introduced Michael Zaccaro, the COO for the ownership group, Deer Crest Janna; and Edward Shepard, the General Manager of the Hotel. Mr. Bennett explained that a condition for the one year review was placed because the Deer Crest Amenity Club was the first amenity club approved by the City. The Planning Commission was curious as to the types of impacts that might occur and placed a condition of approval for this review. Mr. Bennett pointed out that the Club has been operating for a couple of years; therefore, the data is more complete and thorough than it would have been after one year.

Mr. Bennett stated that the impacts on the Deer Crest and the Deer Valley community have been minimal. As of the end of July there were 69 memberships in the Club, even though 195 memberships were originally authorized with the CUP. The 195 number was based on the determination of the amount of excess parking at the site on the busiest days of the

year. Mr. Bennett stated that out of the 69 active memberships, 12 are owned by owners of the condominiums at the Saint Regis and 21 are owned by Deer Crest Owners. He pointed out that nearly half of the memberships were owned by people who were already within the Deer Crest gates. Of the remaining memberships, 20 are held by residents in Park City and another 14 were held by people residing in other places in Summit County and Wasatch County. Only two memberships are held by people outside of the region.

Mr. Bennett stated that part of the Club benefits is the right to use the shuttle service provided by the St. Regis. He noted that approximately 45 of the 69 members regularly use the shuttle service for access to and from the St. Regis. On average, four people drive to the Club and use parking every day. Four to six employees work at the Club and with the exception of one or two, the rest are already employed at the Hotel and service the Club as an additional job responsibility.

Mr. Bennett commented on the lack of complaints. He noted that people in that area are not hesitant to complain if there is a problem, but no complaints had been voiced to the hotel staff, the Deer Crest Master Association, or to the City. The use has gone smoothly and it has been a nice amenity for the facility.

Commissioner Strachan referred to the comment that 45 of the members were taking the shuttle and he wanted to know from where. Mr. Bennett believed most of the users live within Deer Crest. It is also used by Park City residents who call for the shuttle rather than drive their car. Commissioner Strachan asked if they knew whether the Club members were parking in the Deer Valley lots. He recalled that the Planning Commission had raised that concern during the approval process. Mr. Bennett stated that there would be no reason to use the Deer Valley lots because there was adequate parking on site. Mr. Shepard remarked that occasionally a new employee gets lost or confused and parks in a Deer Valley lot. When that occurs Deer Valley contacts Deer Crest immediately and the problem is resolved. Commissioner Strachan felt more comfortable knowing that Deer Valley contacts Deer Crest when there is a parking issue.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Strachan asked if there was any reason to think that the trend may change and problems might occur later. Mr. Bennett did not think it would. He noted that a third of the memberships have already been sold. Multiplying that number by three is still less people parking than what was anticipated in the approval.

Commissioner Strachan could see no reason to require another review. Commissioner Stuard agreed that this appeared to be a low key use and there would be nothing more to talk about. The Commissioners concurred.

Assistant City Attorney McLean noted that this was an informational review and no action was required.

2. 166 Ridge Avenue – Steep Slope Conditional Use Permit – King Ridge Estates/Ridge Avenue (Application PL-14-02268)

Planner Christy Alexander reported that this item was discussed by the Planning Commission on July 23, 2014 and was continued to this meeting. On July 23rd the Planning Commission requested that the applicant come back with a construction mitigation plan and the geo-tech report. The Planning Commission also continued the item pending a discussion with the Building Department on whether or not to impose a different type of remediation bond. Another issue was whether or not to impose restrictions on access and the hours for accessing the site.

Planner Alexander stated that the applicant had submitted the construction mitigation plan and the geo-tech report. Both documents were included in the Staff report. The Building Department had provided their opinion on the bond during the work session this evening. The Building Department did not believe it was necessary to impose an additional bond on applicants because the issues are addressed through the Building Department review.

Jonathan DeGray, representing the applicant, was available to answer questions.

Commissioner Strachan referred to page 202 of the Staff report and the picture showing the lot location at the U-turn on Ridge. He asked if the lot stops at Anchor. Mr. DeGray replied that Anchor was actually part of the lot as part of the non-disturbed area. Commissioner Strachan wanted to know how far the lot goes over the hill off to the side of Anchor. Mr. DeGray clarified that the lot stops at the edge of Anchor just before it begins to get really steep.

Chair Worel recalled a discussion at the last meeting about restricting Daly Avenue in terms of accessing the site and appropriate hours. She noted that the Planning Commission had questioned whether it was appropriate to have construction vehicles on Daly Avenue from 7:00 a.m. to 9:00, but she could not find that addressed in the Construction Mitigation Plan. Commissioner Strachan recalled that the Planning Commission had intended to make that decision this evening.

Planner Alexander stated that the Building Department thought it would be better to limit the access to using one road up and the other road down. Mr. DeGray recalled that the Commissioners had talked about using King Road for up and down construction traffic and limiting Ridge to Daly to down only. Mr. DeGray believed the bulk of the construction vehicles would use King Road. He was open to discussion as long as it was reasonable access.

Chair Worel reiterated that she could not find that addressed in the Construction Mitigation Plan. Commissioner Strachan did not believe the Planning Commission had given Mr. DeGray specific direction to be included in the construction mitigation plan.

Commissioner Strachan asked Mr. DeGray what he would anticipate as a reasonable number of loads from excavation. Mr. DeGray stated that due to the steepness of the initial part of the lot off the access road, the excavation is fairly limited on this particular lot. He believed the amount of excavation would be more typical to a low slope or a flat lot. Mr. DeGray assumed the dump trucks would want to use King because Ridge to Daly is very narrow. From the site on Ridge to King is a shorter route. Commissioner Strachan clarified that his concern was the fact that Daly has a lot of children and pedestrians. He was trying to estimate the number of trucks on the road. Mr. DeGray expected the excavation to take approximately one week. The trucks typically run every hour or two.

Commissioner Strachan confirmed that the plan before the Commissioners this evening was the exact same plan they saw previously. Mr. DeGray answered yes.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel opened the public hearing.

Commissioner Joyce thought the primary concern was the steep slope and he believed the Building Department had sufficiently addressed their questions and concerns. He was comfortable restricting the access to up King Road and down Daly Avenue. Commissioner Joyce recalled that the Planning Commission was in favor of the architectural plans at the last meeting and he had no other concerns.

Commissioner Campbell stated that his concerns from the last meeting had been alleviated. However, he stated for the record that he was opposed to putting restrictions on one job site that they would not require for all projects. He questioned whether the Planning Commission had the right to say which roads could be accessed and how. He felt it was a matter to be handled by the police department if safety was an issue.

Commissioner Campbell would support the Planning Commission if they placed the restriction, but it would set a bad precedent. Chair Worel clarified that the Planning Commission has the purview to place the restriction because it is a matter of public safety. Commissioner Campbell thought the restriction was too arbitrary because there were no set parameters for doing so such as truck size and weight.

Commissioner Stuard concurred with the comments made by Commissioner Joyce.

Commissioner Phillips was comfortable with the project. He had checked the site plan to see whether any portion of the lot near the excavation drops off, but he could not see where that would occur on this particular lot. Commissioner Phillips believed the excavation would be minimal compared to what has been hauled from other sites.

Commissioner Strachan was ready to approve the application this evening. He appreciated that Mr. DeGray had provided the requested information. Commissioner Strachan stated that his only concern was the hours of operation. He was uncomfortable with the idea of large dump trucks going down Daly during the times when children are outside playing. Commissioner Strachan recommended restricting the hours of operation for the excavation only to hours when children are in school. Commissioner Phillips agreed with restricting the hours as suggested by Commissioner Strachan. Daly is a narrow street and when he walks it he has to move off the street every time a vehicle passes even if the car is small.

Commissioner Stuard stated that he has always believed the construction hours set by the City were overly lenient. He personally did not think construction should occur anywhere after 7:00 p.m. He pointed out that later construction hours only work during certain times of the year when it stays light. Commissioner Stuard requested that the Planning Commission consider a future discussion on whether the construction hours should be changed.

Commissioner Campbell agreed that the construction hours were too lenient. However, until the hours are changed for everyone he disagreed with imposing a restriction on one applicant.

Commissioner Strachan clarified that he was only talking about restricting hours during the excavation period. Framing and other construction or hauling could occur per the City regulations. He believed that placing a restriction on the excavation hours was reasonable and that public safety concern supports it.

Mr. DeGray stated that instead of restricting hours on Daly during certain periods of the day, he preferred to add a condition stating that during excavation, heavy trucks would be

prohibited down Ridge to Daly, and have all truck traffic use King Road. Commissioner Strachan felt that was a better solution. Mr. DeGray clarified that the restriction would only be for heavy trucks during the period of excavation. Commissioner Strachan answered yes.

Commissioner Strachan revised Condition of Approval #18 to read, "Heavy truck access during excavation shall only be on King Road and Ridge Avenue and never down Daly Avenue." Commissioner Campbell wanted to know who would enforce the condition. Commissioner Strachan replied that it would be the Building Department since they enforce all other conditions of approval.

Planner Alexander noted that the Planning Commission still needed to discuss whether or not to grant the garage height exception because they had deferred their decision to this meeting. Planner Stuard thought there was consensus at the last meeting that all the Commissioners were comfortable with the height exception. The Commissioners concurred.

Commissioner Strachan asked if the height exception was addressed in the current conditions of approval in the draft ordinance. Planner Alexander replied that the height exception would be part of the HDDR review. Director Eddington clarified that he would be approving the height exception based on input from the Planning Commission.

MOTION: Commissioner Joyce moved to APPROVE 166 Ridge Avenue, Steep Slope Conditional Use Permit, King Ridge Estates, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 166 Ridge Avenue

1. The property is located at 166 Ridge Avenue.
2. The property is described as a Lot 1, King Ridge Estates, a portion of Block 75, Millsite Reservation to Park City.
3. The lot is 131.07' in length on the north side, by 99.12' in length on the south side, with a width of 50'; the lot contains 5,899 sf of area. The allowable building footprint is 2,117.3 sf for a lot of this size and the proposed building footprint is 1,624 sf.
4. The Plat states the maximum floor area cannot exceed 3,030 sf; the proposed home

has a floor area of 2,881 sf (excluding a 267 sf garage as the Plat Notes state garages up to 600 sf are not included in the overall floor area).

5. The vacant site is not listed as historically significant on the Park City Historic Sites Inventory and there are no structures on the lot.

6. The property is located in the HRL zoning district and is subject to all requirements of the Park City Land Management Code (LMC) and the 2009 Design Guidelines for Historic Districts and Historic Sites.

7. Access to the property is from Ridge Avenue, an unbuilt right-of-way to be built by the applicant. The lot is a downhill lot. Two parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway in a tandem configuration to the garage.

8. The neighborhood is characterized by primarily historic and non-historic single family houses and vacant lots.

9. A Historic District Design Review (HDDR) application was reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. The design was found to comply with the Guidelines.

10. The lot is an undeveloped lot containing primarily grasses, weeds, and shrubs that are not classified as significant vegetation.

11. The driveway is proposed to be a maximum of 13 feet in width and 27 feet in length from the edge of the street to the garage in order to place the entire length of the second parking space entirely within the lot. The garage door complies with the maximum width and height of nine feet (9').

12. The garage does not exceed 18 feet in height above the garage floor.

13. The proposed structure complies with all setbacks.

14. The proposed structure complies with allowable height limits and height envelopes for the HR-L zoning district as the house measures less than 27 feet in height from existing grade, the structure is less than the maximum height of 35 feet measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters, and the design includes a 10 foot step back at a height slightly below 23 feet.

15.The proposal, as conditioned, complies with the Historic District Design Guidelines as well as the requirements of 15-5-5 of the LMC.

16.The proposed materials reflect the historic character of Park City's Historic Sites, incorporating simple forms, unadorned materials, and restrained ornamentation. The exterior elements are of human scale and the scale and height follows the predominant pattern of the neighborhood, in particular the pattern of houses on the downhill side of Park Avenue.

17.Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as the foundation, roofing, materials, as well as window and door openings. The single car attached garage and off-street parking area also complies with the Design Guidelines.

18.No lighting has been proposed at this time. Lighting will be reviewed by the Planning Department at the time of the building permit for compliance with the Land Management Code lighting standards.

19.The applicant submitted a visual analysis/ perspective, cross canyon view from the east, and a streetscape showing a contextual analysis of visual impacts on adjacent streetscape.

20.There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at four feet (4') or less. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography.

21.The site design, stepping of the building mass, articulation, and decrease in the allowed difference between the existing and final grade for much of the structure mitigates impacts of construction on the 30% or greater slope areas.

22.The plans include setback variations, increased setbacks, decreased building heights and an overall decrease in building volume and massing.

23. The proposed massing, articulation, and architectural design components are compatible with the massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to the stepping, articulation, and placement of the house.

24.The garage height is 34.5 feet on a downhill lot; garage height may exceed up to 35'

on a downhill lot subject to Planning Director approval.

25. The findings in the Analysis section of this report are incorporated herein.

26. The applicant stipulates to the conditions of approval.

Conclusions of Law – 166 Ridge Avenue

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B).

2. The CUP, as conditioned, is consistent with the Park City General Plan.

3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.

4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 166 Ridge Avenue

1. All Standard Project Conditions shall apply.

2. No Building permit shall be issued until the Plat has been recorded.

3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.

4. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.

5. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

6. A final Landscape Plan shall be submitted to the City for review prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation, and shall mitigate the visual effects of the retaining walls. Lawn area shall

be limited in area.

7. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.

8. This approval will expire on July 23, 2015, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.

9. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.

10. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade, except that retaining walls in the front yard shall not exceed four feet (4') in height, unless an exception is granted by the City Engineer per the LMC, Chapter 4.

11. Modified 13-D residential fire sprinklers are required for all new construction on this lot.

12. The garage door shall be a "carriage" style door made of wood.

13. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.

14. Construction waste should be diverted from the landfill and recycled when possible.

15. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain.

16. Parking is only allowed on the private driveway in front of the garage for 166 Ridge Avenue; parking is prohibited on the private drive (extending from Ridge Avenue).

17. The contractor shall provide and place signage such as Heavy Truck Traffic, etc. along access routes.

18. Heavy truck access during excavation shall only be on King Road and Ridge Avenue and never down Daly Avenue.

19. This approval will expire on August 27, 2015, if a building permit has not been Issued.

3. 15 Anchor Avenue – the 15 Anchor Avenue Subdivision, Subdivision Plat Amendment (Application PL-14-02405)

Planner Anya Grahn noted that 15 Anchor Avenue is also known as 55 Anchor Avenue because it is labeled as 55 on some of the Sanborn Fire Insurance maps. The property includes 11 partial lots. The applicant, Judy Scipione, was proposing to subdivide the property into two legal lots of record. Lot one would be where the historic house is located.

Planner Grahn stated that the house was in dilapidated condition and this was a great opportunity to renovate the house, add an addition and preserve a local landmark. She stated that Anchor Avenue was platted but never built upon, and it is included in a portion of the property.

Planner Grahn reported that in 1996 the Millsite Reservation Subdivision was created, which created Lots 55 and 57. She stated that 15 Anchor Avenue, as well as the other properties off of King Road, are accessible by a private driveway that is secured by an access easement, as well as an emergency access agreement with the City.

Planner Grahn remarked that at the time 55 and 57 King Road were platted and approved, conditions of approval were added to prohibit a duplex or an increase in density to avoid having to increase the parking. A similar condition of approval was added to this application to only allow a single family home on each lot.

Planner Grahn noted that the current setbacks of the historic house were outlined in the Staff report. The current house and the historic shed do not meet the current setback but they are valid complying structures because they are historic. The lot size created by the subdivision is slightly larger than average in the HR-1 District. However, overall the size would be in keeping with the neighborhood. If the applicants decide to build over 1,000 square feet on a slope steeper than 30%, they would have to apply for a Steep Slope CUP.

Commissioner Strachan asked where the footprint of the new lots would be in relation to the steep slopes. Planner Grahn used a site plan to show the location of the addition proposed for the historic house, as well as and the new lot line for Lot 2. She pointed out that based on the lot lines the new house on Lot 2 would have to be a pie shape. Commissioner Strachan understood that the new house might touch on the steep slopes. He assumed the applicant could avoid the Steep Slope CUP process by making the footprint slightly smaller.

David White, the architect, stated that the proposed lot line dividing the two lots would be five feet to the right of the historic house and parallel to the wall of the historic house. Mr. White reviewed the proposed site schematics and explained the formula he used to determine the footprint. He noted that the allowable footprint for Lot 1 was 1984.96 square feet. The preliminary proposal for Lot 1 was 1731 square feet, which was less than what is allowed. The allowable footprint for Lot 2 is 1728.26 square feet and the preliminary proposed footprint for Lot 2 was 1613 square feet.

Chair Worel asked if the footprint would cross steep slopes for the house. Mr. White stated only the driveway would cross the steep slope on Lot 2. It would be possible to propose a bridge from the driveway to the house rather than disturbing the slope.

Planner Grahn reported that the applicant had not yet submitted a Historic District Design Review application. Everything at this point was just a preliminary proposal.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Joyce had visited the site and he believed building on Lot 2 would be a challenge. He was comfortable with the requested subdivision.

Commissioner Strachan thought the lot was ready for infill.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for 15 Anchor Avenue plat amendment, according to the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance attached to the Staff report. Commissioner Stuard seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 15 Anchor Avenue

1. The property is located at 15 Anchor Avenue within the Historic Residential (HR-1) Zoning District.
2. The applicants are requesting combine Lots 47, 48, 49, 50, 51, 54, 55, 56, 57, 58, 59, and 60 of the Amended Plat of the Park City Survey into two (2) legal lots of record.
3. The plat amendment is necessary in order for the applicant to move forward with a Historic District Design Review (HDDR) application for the purpose of renovating the historic house and adding an addition.
4. The amended plat will create two (2) new lots that measure 5,367.5 sf (Lot 1) and 4,435.8 sf (Lot 2) in size. Minimum lot size in the HR-1 zone is 1,870 sf.
5. The site is identified as “Landmark” on the City’s Historic Sites Inventory (HSI). The existing house was in poor, deteriorated condition as documented on the 2009 Historic Sites Inventory.
6. The historic shed structure encroached over the east property line and into the neighboring property. The structure would not be permitted to be relocated on the property unless the relocation meets the criteria outlined in LMC 15-11-13.
7. The renovation of the house will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process. At this time, no HDDR application has been submitted to the Planning Department in order to renovate the house and add a small addition.
8. The maximum allowed building footprint allowed on Lot 1 is 1,985.0 square feet and on Lot 2 is 1,728.6 square feet. The applicant intends to construct a new rear addition and renovate the historic structure on Lot 1. A new single family house will be constructed on Lot 2.
9. This plat amendment will create two (2) legal lots of record that are slightly larger than adjacent properties in the HR-1 District, but remain comparable in size to the neighborhood overall.
10. The historic house and shed have a front and rear yard setback of 0 feet, a north side yard setback of 5 feet, and a south side yard setback of 4 feet. Historic structures that do not comply with building setbacks are valid complying structures.

11. New additions to the rear of the historic home require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.

12. Any new development on Lot 2 of the 15 Anchor Avenue Subdivision will be required to meet the current setbacks, footprint, and height restrictions as required by the HR-1 District.

13. On June 16, 2014, the applicant applied for a plat amendment. The application was deemed complete on June 19, 2014.

14. In 1985, Park City Municipal Corporation entered into an Agreement to Provide Emergency Access with the owners of lots in Block 75 of the Park City Survey. The agreement stipulated that the property owners would widen the width of the access easement agreement to sixteen feet (16') and pave an area at least twelve feet (12') in width within the easement in order to accommodate emergency vehicles.

15. There is an existing easement between the applicant and Anchor Development allowing the applicant to access her property via a private driveway extending approximately 185 feet from the north property line of 55 King Road to the built King Road and measuring sixteen feet (16') in width. The paved driveway built within the easement is twelve feet (12') in width.

16. In 1996, City Council approved the 55-57 King Road Plat Amendment which created the adjacent lots at 55 and 57 King Road. This plat amendment included provisions negating the further subdivision and/or the development of additional units beyond the two (2) units for that subdivision to ensure that the private driveway and limited access were not further burdened by increased development

17. The applicant has reviewed and agreed to the Conditions of Approval.

Conclusions of Law – 15 Anchor Avenue

1. There is good cause for this plat amendment.

2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

3. Neither the public nor any person will be materially injured by the proposed plat amendment.

4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 15 Anchor Avenue

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 (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.

4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

5. The addition of a plat note specifying that further subdivision and/or the development of additional units beyond the two (2) single family houses on Lots 1 and 2 shall be prohibited.

6. The plat shall contain a note referencing the 2008 access agreement for the private driveway.

7. The applicant shall change the addresses of Lots 1 and 2 of the 15 Anchor Avenue Subdivision to the satisfaction of the City Engineer and the addresses shall be identified on the plat prior to plat recordation.

8. An encroachment agreement for the historic shed is recommended.

4. **Round Valley Park City Annexation and Zoning Map Amendment – Annexation of 1,368 acres located in Sections 28, 33, 34 and 35 T1SR4E and Sections 2 and 3, T2SR4E East of US 40 and North of SR 248. Park City Municipal is the applicant. The requested zoning is Recreation Open Space (1,262 acres) and**

LI, Limited Industrial (2 acres). The property is primarily City owned open space encumbered with conservation easements, with the exception of two 1 acre City-owned, non-encumbered parcels, and includes the 120 acres Osguthorpe conservation easement area. (Application PL-13-01857)

Planner Whetstone reviewed the application for approximately 1368 acres of almost exclusively open space areas purchased by the City. Most of the properties have conservation easements and deed restrictions. The properties are owned by Park City but they are located in unincorporated Summit County. Planner Whetstone noted that the annexation petition was submitted by Park City Municipal as the property owner.

Planner Whetstone stated that the first step of an annexation is to take the petition to the City Council, and that was done March 21st, 2013. The City Council accepted the petition and proper noticing was done. During the three week noticing period the Planning Department received no protests and; therefore, a hearing with the Boundary Commission was not necessary. The next step was to notice all the affected property owners, which includes all the special improvement districts and any municipalities and counties that might be affected. No comments were heard during that noticing period. Planner Whetstone remarked that in February 2014 the Staff brought this petition to the Planning Commission for discussion. The proposed zone is the ROS, Recreation Open Space. Planner Whetstone noted that the red lines on the site plan identified the existing trails. A 121 acres is still owned by the Osguthorpe Family Trust, and the City has a conservation easement on the property that allows for recreation use in the winter. The 121 acres is zoned agriculture and has an agricultural use that would continue. An agreement in the annexation indicates that the only water rights would be on that property.

Planner Whetstone reported that the current zoning is rural residential which allows a density of one unit per 20 acres; or one unit per 40 acres on Sensitive Lands. The Hillside Stewardship, which is primarily the Osguthorpe property or property on other hillsides is one unit per 30 acres for developable and one unit per 40 for sensitive.

Planner Whetstone stated that the requested zoning was ROS, which the Planning Department agreed with. She noted that the Planning Staff would work with the City Attorney to attach all of the recorded deed restrictions and conversation easements to the annexation agreement for easy reference.

Planner Whetstone presented an exhibit showing the existing zoning, the proposed zoning and the surrounding zoning. She indicated the northern area and the southern area with an area of City in between with 250' feet along Highway 248 in the frontage protection zone. Planner Whetstone indicated two one-acre parcels known as the Gordo parcels. The Planning Commission held a site visit in June to look at those two parcels. Other than

the UDOT parcels, the Gordo parcels are the only parcels that do not have a deed restriction. The Gordo parcels were purchased for the purpose of land banking the property to allow time for the City Council to discuss the best potential for the land, which may include open space, affordable housing or additional area needed for current operations on City land for uses such as recreational and/or public works support. Those uses are consistent with the ROS zone. The City, as the petitioner, was requesting Light Industrial Zoning for those parcels. The Staff was hesitant to support Light Industrial zoning and recommended that those two parcels be zoned ROS as well.

The Staff would make it clear in the annexation that if the City were to submit a proposal for public works or other support use, it would not be considered open space in the same way as the rest of the property that is zoned ROS. Planner Whetstone noted that the additional redlines in the annexation agreement was intended to make the difference in ROS zone uses more clear.

Planner Whetstone noted that an annexation requires a report to address all the specific criteria for reviewing an annexation. The Staff had conducted a review and believes the proposed annexation complies with all the requirements of an annexation. The Staff requested that the Planning Commission discuss the proposed zoning as outlined on page 339 of the Staff report. The Staff recommended that the Planning Commission review the annexation petition and the report, conduct a public hearing and consider forwarding a positive recommendation to the City Council in accordance with the draft ordinance.

Heinrich Deters, representing Park City Municipal Corp. as the petitioner, thanked the Planning Commission for attending the site visit in June. Mr. Deters stated that he is the Trails Coordinator and he does trails, open space, walkability and property for the City. He introduced Roger McClain with the Water Department. Mr. Deters noted that Mr. McClain would provide insight on some of their needs, as well as recent experiences and issues the City has had with limitations on Public Works facilities.

Mr. Deter noted that the Staff report contained a report from the former City Manager, Tom Bakaly, regarding the purchase of the Gordo parcels. Mr. Deters stated that as the City grows it will be necessary to look at that property for various options, including affordable housing and public facilities and services.

Mr. Deters stated that when the City made the application, they looked at the parcels and proposed Light Industrial with the intent of clarity and transparency for the public. They wanted it clear that these parcels were owned by the City but it would not be open space. Mr. Deters understood that the Planning Commission had concerns with LI zoning along the entry corridor. He believed the Planning Staff had done a good job of proposing recreational open space because it meets the goals of the entry corridor uses and it

acknowledges that it is a conditional use is required for a public facility greater than 600 square feet.

Mr. Deters stated that the City was requesting additional language through the annexation agreement that was provided to the Staff this evening. He asked that the Planning Commission allow time for the City Legal Department to review that language before it is adopted by the City Council.

Mr. Deters commented on the needs of essential public facilities that need to be addressed. Roger McClain, with the Water Department, stated that Public Works was in the initial stages of a facility plan and moving forward as far as actual Public Works needs, size, site locations, etc. Nothing specific has been laid out and it will be a thorough process of programming and discussions with the Planning Department, the Planning Commission and the City Council to work through the issues. Mr. McClain remarked that it was important to preserve the available sites and make sure they were still on the table. This came to light during the paving operations utilizing the North 40 and conflicts that were encountered with the neighborhood when they tried to make it a staging area. Mr. McClain noted that it became apparent that they needed to be careful in how they address snow removal, paving, water operations, etc. Part of the process will be working through the issues and looking at the outcome. He pointed out that it is important to have good facilities for first responders in an emergency situation. Mr. McClain looked forward to many future conversations.

Mr. Deters stated that an item that comes up frequently for the Gordo parcels is the relocation of the Recycling Center. He noted that there have been discussions but nothing has been decided.

Commissioner Strachan asked if the City was considering any other parcels within the annexation area to apply for a CUP, or if it would only be the Gordo parcels. Mr. Deters replied that it was just the Gordo parcels.

Mr. Deters stated that another issue he would like the Planning Commission to address was the conservation easement on the Osguthorpe parcel. Agricultural uses currently take place on that property and if the parcel is zoned ROS it would become an existing non-conforming use. He believed people like the different agricultural uses in open space. Commissioner Strachan asked if the existing use was the alfalfa field. Mr. Deters answered yes. Commissioner Strachan questioned why that would be non-conforming with the ROS zone. Planner Whetstone explained that conservation is an allowed use and agriculture is a conditional use.

Commissioner Strachan asked if the Land of Oz was a conservation activity. Mr. Deters stated that Land of Oz was part of the conservation agreement as a recreational use. Mr. Deters explained that when they determined the allowed uses on that parcel recreation was called out. However, in looking at the values of the easement it was agricultural. He stated that part of the agreement with the Osguthorpe's was to make sure significant public benefit was associated with the open space purchase.

Assistant City Attorney McLean believed the distinction is that it is a conditional use under the zone. Agriculture is allowed under the conservation easement that was bought for it, but under the ROS zone, agriculture requires a CUP. The use can continue as an existing non-conforming use.

Commissioner Strachan asked if the Planning Commission was being asked to grandfather the use. Mr. Deters answered yes. Ms. McLean felt it was likely that the applicant would come in after the fact for a CUP in order to make it conforming. Commissioner Strachan asked if Osguthorpe or the City would be the applicant. He was told that it would be Osguthorpe since he is the landowner.

Mr. Deters asked if it would be over-stepping to address the issue in the annexation agreement. Assistant City Attorney replied that it could not be included in the annexation agreement.

Commissioner Strachan was concerned that Osguthorpe could apply for a different kind of CUP. Mr. Deters stated that the easement governs the use of the property. Therefore, the easement strips the development right from the property. Commissioner Strachan did not believe there was any advantage for Osguthorpe to go through the CUP process and pay the fees if he could continue the use as existing non-conforming.

Assistant City Attorney clarified that she misunderstood and thought they were talking about it was the City-owned parcel and not the one owned by Osguthorpe. She agreed that Osguthorpe would probably not apply for a CUP if he owns the land.

Commissioner Stuard understood that all the concerns expressed regarding the space for adequate public facilities had been targeted on the south parcel. He could not understand why they would not zone the north parcel POS rather than ROS. Mr. Deters noted that currently the only City parcel zoned POS was next to the NAC. He stated that most of the open space parcels within the City boundaries are zoned ROS. ROS is consistent with the recreation and open space bond that was used to purchase the land. It is also consistent with all the conservation easements as recreational uses. Mr. Deters believed ROS zoning best fits the spirits of the parcels at the moment.

Commissioner Stuard clarified that he was most concerned with some of the conditional uses of the ROS zone for the north parcel, specifically a golf course. Assistant City Attorney McLean pointed out that under the Code, if an applicant or a petitioner from the annexation asks for either ROS or POS, the LMC 15-8-3(E) states that a request for ROS is not subject to Planning Commission review. Under the Code, the Planning Commission does not have the ability to change a request from ROS.

Planner Whetstone asked if Mr. Deters knew the conservation easements well enough to say whether a golf course would be allowed on the north parcel. Mr. Deters stated that passive recreation is the terminology in most of the conservation easements. Even the deed restrictions on the parcels call out specifically certain recreation that is passive, as opposed to uses such as amusement parks, etc. He was unsure whether the language specifically calls out a golf course, but he thought it did. Mr. Deters stated that the existing encumbrances of the property remove those possibilities.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Stuard stated that the golf course on the north parcel was his primary concern and he was prepared to move forward.

Commissioner Phillips stated that he was still undecided and needed to be swayed on the Gordo parcel. He was uncomfortable limiting the possibilities for the City with ROS zoning, but he was also uncomfortable with LI zoning in the event that the City may sell the property. It would be difficult to downsize the zoning if that occurred.

Director Eddington clarified that whether it was Light Industrial or Recreation Open Space, a municipal facility would still require a conditional use permit. He pointed out that ROS zoning would provide protection from private possibilities. Commissioner Phillips asked if the Recycling Center could be located there. Director Eddington answered yes, noting that a 501C3 is municipal facilities. Commissioner Phillips was satisfied with the explanation and felt more comfortable about making a decision.

Planner Whetstone noted that the LMC does not have a good definition for essential public municipal facilities services. Part of the future LMC updates would be to draft a clear definition. With the current wording, the Staff was comfortable that a Recycling Center in the ROS zone could be considered for a conditional use permit.

Commissioner Strachan had no concerns. He always believed that ROS was the proper zoning.

Commission Campbell understood that the applicant was requesting LI zoning for the Gordo parcels but the Staff was recommending ROS zoning. Mr. Deters clarified that the applicant agreed with the Planning Staff because ROS was the best way to approach the concerns of the Planning Commission. Mr. Deters believed the next step would be to work through the subdivision process for those small parcels. Commissioner Campbell favored the idea of the same zoning on all the parcels and he liked the idea of the City following the same rules as everyone else.

Commissioner Joyce was pleased that the zoning moved from LI to ROS and he was comfortable moving forward. Commissioner Joyce wanted to know who owns the RD property. Director Eddington stated that it was City-owned property. Commissioner Joyce asked why that property would not be zoned ROS in conjunction with the annexation parcels. Mr. Deters explained that the RD zoned parcels are referred to as the Bango-Whartley parcels. It was a deal from the 1990's and the property was annexed after the City purchased the property. It was originally an affordable housing project and he was unsure how the City got involved. However, the City purchased those parcels as well as the current site of the Water Treatment Plant. Mr. Deters stated that part of the purchase agreement included development parcels and park parcels. When the annexation went through the property was zone RD. He assumed that no one has ever looked at changing it.

Assistant City Attorney noted that the item this evening was the annexation and the associated zoning. She suggested that the Planning Commission could direct the Staff to look at the history of those parcels and provide a report regarding the zoning and how the property was acquired.

Commissioner Joyce understood that it was not part of this discussion. However, he keeps hearing about how the City needs the two Gordo parcels; but no one is paying attention to the property right next to it that is six times larger. He thought there appeared to be a disconnection. Commissioner Joyce was interested in hearing the background and having an answer. In his opinion it should be zoned ROS to be consistent with everything else they were doing in that area unless there was a compelling reason to leave it RD.

Assistant City Attorney McLean noted that the Annexation Agreement needed to be reviewed as part of their recommendation to the City Council this evening. Planner Whetstone stated that the City Council would take final action on the Annexation Agreement. The Staff had added additional language and the applicant had not had the opportunity to review it.

Mr. Deters clarified that he had just received the additional language before the meeting stated. He requested that the Planning Commission wait to take action until he could review the document with their attorney.

Planner Whetstone preferred that the Planning Commission take action this evening to avoid having it come back at another meeting.

Chair Worel asked if the Legal Department had reviewed the new language. Assistant City Attorney McLean explained that she had reviewed the language and believed it reflects the annexation being proposed. However, the applicant, represented by City Staff, needed to speak directly with their legal group. Ms. McLean clarified that she looks at it from a regulatory standpoint and the attorney representing the petitioner needs to review it from their standpoint. She suggested that Mr. Deters could review the document prior to the September 24th meeting and if he requested changes to the annexation agreement, it would be placed on the agenda for the September 24th meeting. If no there were changes the recommendation would go to the City Council.

Mr. Deter stated that as representative of the applicant, he was more comfortable with asking for a Continuance this evening to make sure everyone agreed with the additional language before the Planning Commission forwards a recommendation.

MOTION: Commissioner Strachan moved to CONTINUE the Round Valley Park City Annexation and Zoning Map amendment to September 24, 2014. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Park City Planning Commission meeting adjourned at 8:20 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report

Subject: Barbara's Subdivision
Author: Francisco J. Astorga, Planner
Project Number: PL-14-02448
Date: September 24, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staffs recommends the Planning Commission hold a public hearing for Barbara's Subdivision Plat Amendment located at 1103 and 1105 Lowell Avenue and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the Planning Department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Steven and Mark Parker
represented by Elliott Workgroup Architecture
Location: 1103 and 1105 Lowell Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action

Proposal

The applicant requests to re-plat all of Lot 1 & Lot 2, southern portions of Lot 3 and 30, and Lot 31 and Lot 32 (minus the west ten feet of lots 30, 31, & 32) of Block 34 of Snyder's Addition into two (2) lots of record.

Background

On August 11, 2014 the City received a completed Plat Amendment application for Barbara's Subdivision Plat Amendment. The property is located at 1103 + 1105 Lowell Avenue. The property is in the Historic Residential (HR-1) District. The subject property consists of all of Lot 1 & Lot 2, southern portions of Lot 3 and 30, Lot 31 and Lot 32 (minus the west ten feet of lots 30, 31, & 32) of Block 34 of Snyder's Addition Survey. The entire area is recognized by the County as Parcel no./Tax id no.: SA-321-A. The lots were platted in the traditional Old Town configuration (25'x75'); see Exhibit E – County Tax Map.

Currently the site contains a three (3) story duplex setback twenty-seven feet (27') from the front property line. According to Summit County records the structure was built in

1978 and contains a total of 3,155 square feet. The duplex is forty-six feet (46') in width and twenty-five feet (25') in depth, excluding the decks on the north and south façade. The footprint of the duplex is approximately 1,150 square feet. The subject area contains portion of lot 30, 31, and 32, which do not have access to a right-of-way (Pacific Avenue was vacated by the City numerous years ago). Two (2) of the existing lots currently meet the minimum lot area in the HR-1 District.

On August 9, 2012 the City Council reviewed a request where the same applicant proposed to combine the entire area into one (1) lot of record. Their intention was to later submit a Condominium Record of Survey application to be able to build three (3) units on the site. The City Council approved the one lot combination. On July 31, 2013 the City received an application from the applicant requesting an extension of the approval which was set to expire on August 9, 2013. On September 12, 2013 the City Council granted the extension giving the applicant until July 26, 2014 to record the plat. The plat approval has now expired and the applicant has indicated that they decided not to pursue the former approval as they have decided to change their plans to request two (2) lots to be re-platted from the entire area.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis

The proposed plat amendment creates two (2) lots of record from the existing area consisting of 8,680 square feet. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District. The minimum lot area for a single-family dwelling is 1,875 square feet. Lot 1 is proposed to be 2,581.10 square feet. Lot 2 is proposed to be 6,094.03 square feet. The proposed lots meet the minimum lot area for a single-family dwelling.

A duplex is a conditional use in the Historic Residential (HR-1) District. The minimum lot area for a duplex is 3,750 square feet. Lot 1 does not have enough area to qualify for a duplex dwelling. Lot 2 meets the minimum lot area for a duplex. The applicant has indicated that should this Plat Amendment be approved by the City they would want to build one (1) single-family dwelling on each lot. The site currently contains a duplex

that was built in 1978. When the structure was built a two-family building (duplex) was an allowed use in the district. Should this application be approved, the applicant would then demolish the existing duplex prior to plat recordation.

The minimum lot width allowed in the district is twenty-five feet (25'). Lot 1 is proposed to have a lot width of thirty seven feet (37'). Lot 2 is proposed to have a lot width of twenty five feet (25'). The proposed lots meet the minimum lot width requirement.

The following table shows applicable development standards in the Historic Residential (HR-1) District:

LMC Requirements	Proposed Lot 1	Proposed Lot 2
Building Footprint	1,118.5 square feet	2,163.5 square feet
Front/Rear Yard Setbacks	FY: 15 feet minimum RY: 10 feet minimum	FY: 10 feet minimum RY: 10 feet minimum
Side Yard Setbacks	3 feet minimum, 6 feet total	5 feet minimum, 14 feet total
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.	
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].	
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].	
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].	
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	
Parking	2 parking spaces, minimum	

Staff has identified that the duplex does not meet current LMC standards outlined above such as the side setbacks and height including vertical articulation. The current building on the site is considered legal non-complying. The LMC indicates that a non-complying structures may continue to be used and maintained subject to the standards and limitation of LMC Chapter 15-9. However, with the lot sizes proposed, the duplex will be required to be demolished prior to plat recordation.

As show on Exhibit F – Vicinity map, the character of the west side of Lowell Avenue is completely different than the character of the east side of the street. The lots on the east side of Lowell Avenue contain the traditional Old Town configuration (25'x75'). The use is also consistent as this portion of Lowell Avenue has various duplexes and condominiums on the north and the south of the subject site.

In July/August of 2011 Planning Staff, the Planning Commission, and the City Council discussed lot combinations, plat amendments, and further limitations to achieve greater compatibility with the historic character in terms of mass and volume, etc. At that time,

the Planning Commission and City Council choose not to amend the Land Management Code (LMC). During the many meetings and discussions it was recognized that the area around the Northstar Subdivision, which is adjacent to the subject site, did not reflect the purpose statements of the Historic District (HR-1) District as there are no historic structures on Lowell Avenue and the lot areas are much larger than the traditional Old Town lot configuration. It was also discussed that after the General Plan update/amendment/re-write, that this area would most likely be of a different zone designation to match the future plans of this neighborhood.

Staff finds good cause for this plat amendment as the existing remnant parcels will become part of a legal lot of record. The other portions of the existing remnant parcels to the north have been incorporated into the adjacent Silverbell No. 2 Condominium. The other portions of the existing remnant parcels to the west are part of the Banberger ownership area identified Parcel no. SA-321. This plat amendment is consistent with the Park City LMC and applicable State law regarding subdivision plats.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record according to requirements of the Land Management Code.

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 Barbara's Subdivision Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Barbara's Subdivision Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on Barbara's Subdivision Plat Amendment.

Significant Impacts

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

Consequences of not taking the Planning Department's Recommendation

The site would remain as is and the property owner would not have the option to build two houses. The property owner could demolish the existing duplex and build two single-family dwellings on the two (2) complete Old Town lots of record.

Summary Recommendation

Staffs recommends the Planning Commission hold a public hearing for Barbara's Subdivision Plat Amendment located at 1103 and 1105 Lowell Avenue and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

- Exhibit A – Draft Ordinance with Proposed Plat
- Exhibit B – Applicant's Project Description
- Exhibit C – Aerial Photograph
- Exhibit D – Survey
- Exhibit E – County Tax Map
- Exhibit F – Vicinity Map
- Exhibit G – Planning Director Setback Determination

Ordinance No. 14-XX

AN ORDINANCE APPROVING THE BARBARA'S SUBDIVISION PLAT AMENDMENT LOCATED AT 1103 AND 1105 LOWELL AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1103 and 1105 Lowell Avenue has petitioned the City Council for approval of the record of survey plat; 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 September 24, 2014, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on September 24, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 9, 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 Barbara's Subdivision Plat Amendment.

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

SECTION 1. APPROVAL. Barbara's 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 at 1103 and 1105 Lowell Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of all of Lot 1 & Lot 2, southern portions of Lot 3 and 30, Lot 31 and Lot 32 (minus the east ten feet of lots 30, 31, & 32) of Block 34 of Snyder's Addition Survey.
4. The site currently contains a duplex that was built in 1978.
5. When the structure was built a two-family building (duplex) was an allowed use in the district. Should this application be approved, the applicant would demolish the existing duplex prior to plat recordation as a condition of approval.

6. The entire area is recognized by the County as Parcel no./Tax id no.: SA-321-A.
7. The proposed plat amendment creates two (2) lots of record from the existing area consisting of 8,680 square feet.
8. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District.
9. The minimum lot area for a single-family dwelling is 1,875 square feet.
10. Lot 1 is proposed to be 2,581.10 square feet.
11. Lot 2 is proposed to be 6,094.03 square feet.
12. The proposed lots meet the minimum lot area for a single-family dwelling.
13. A duplex is a conditional use in the Historic Residential (HR-1) District.
14. The minimum lot area for a duplex is 3,750 square feet.
15. Lot 1 does not have enough area to qualify for a duplex dwelling.
16. Lot 2 meets the minimum lot area for a duplex.
17. The minimum lot width allowed in the district is twenty-five feet (25').
18. Lot 1 is proposed to have a lot width of thirty seven feet (37').
19. Lot 2 is proposed to have a lot width of twenty five feet (25').
20. The proposed lots meet the minimum lot width requirement.
21. Lot 1 is proposed to have a building footprint of 1,118.5 square feet.
22. Lot 2 is proposed to have a building footprint of 2,163.5 square feet.
23. Land Management Code § 15-4-7 indicates that all lots shall have a front, two (2) sides, and a rear setback.
24. Land Management Code § 15-4-7 indicates that there are four (4) exceptions to setback standard. Furthermore sub-section E indicates that any lots, which are not specified in this section, shall have setbacks determine by the Planning Director.
25. The Planning Director has conducted an analysis of proposed lot 2 and have determined that this proposed lot does not fall under the four (4) specified exceptions listed under sub-sections A-D due to its unusual *flag lot* shape and have determined the following setbacks:
 - a. The front yard setback shall be limited to a fifteen feet (15'), minimum.
 - b. The rear yard setback shall be limited to ten feet (10'), minimum.
 - c. Where the lot is twenty five feet (25') wide, the side yard setbacks shall be three feet (3'), minimum.
 - d. Where the lot is sixty two feet wide, the side yard setbacks shall be five feet (5'), minimum, and fourteen feet (14'), total.
26. The Planning Commission agrees with the Planning Director's setback determination.
27. Development shall comply with Building Height parameters including the following height provisions: Maximum Height, Final Grade, Lowest Finish Floor Plane to Highest Wall Top Plate, Vertical Articulation, Roof Pitch, etc.
28. Each structure shall meet applicable parking standards.
29. Staff has identified that the duplex does not meet current LMC standards outlined above such as the side setbacks and height including vertical articulation.
30. The current building on the site is considered legal non-complying.
31. The LMC indicates that a non-complying structure may continue to be used and maintained subject to the standards and limitation of LMC Chapter §15-9.
32. The existing remnant parcels will become part of a legal lot of record.
33. This plat amendment is consistent with the Park City LMC and applicable State law

regarding subdivision plats.

34. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

35. The applicant stipulates to the conditions of approval.

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 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 at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) 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. All new construction will require modified 13-D sprinklers.
4. A ten feet (10') wide public snow storage easement will be required along the front of the property.
5. The existing duplex shall be demolished prior to plat recordation.

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

PASSED AND ADOPTED this 9th day of October, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

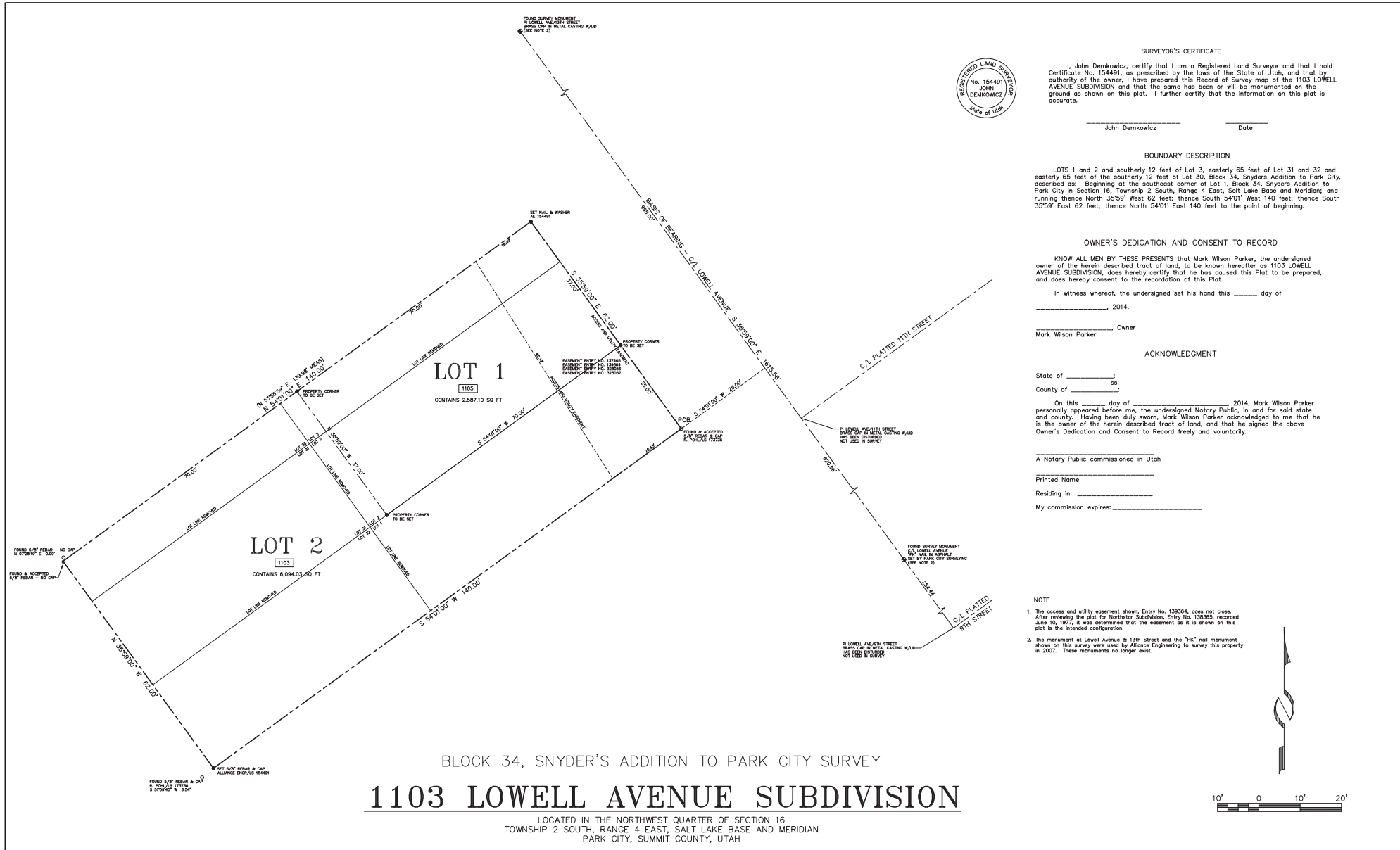
ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of the 1103 LOWELL AVENUE SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

John Demkowicz _____ Date _____

BOUNDARY DESCRIPTION

LOTS 1 and 2 and southerly 12 feet of Lot 3, easterly 65 feet of Lot 31 and 32 and easterly 65 feet of the southerly 12 feet of Lot 30, Block 34, Snyder's Addition to Park City, described as: Beginning at the southeast corner of Lot 1, Block 34, Snyder's Addition to Park City in Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 35°59' West 62 feet; thence South 54°01' West 140 feet; thence South 35°59' East 62 feet; thence North 54°01' East 140 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Mark Wilson Parker, the undersigned owner of the herein described tract of land, to be known hereafter as 1103 LOWELL AVENUE SUBDIVISION, does hereby certify that he has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2014.

Mark Wilson Parker
Owner

ACKNOWLEDGMENT

State of _____
County of _____

On this _____ day of _____, 2014, Mark Wilson Parker personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Mark Wilson Parker acknowledged to me that he is the owner of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name _____
Residing in: _____
My commission expires: _____

NOTE

- The access and utility easement shown, Entry No. 139364, does not close. After reviewing the plat for Northstar Subdivision, Entry No. 138365, recorded June 10, 1977, it was determined that the easement as it is shown on this plat is the intended configuration.
- The monument at Lowell Avenue & 13th Street and the "PK" nail monument shown on this survey were used by Alliance Engineering to survey this property in 2007. These monuments no longer exist.



BLOCK 34, SNYDER'S ADDITION TO PARK CITY SURVEY
1103 LOWELL AVENUE SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

<p>(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2014</p> <p>BY _____ S.B.W.R.D.</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2014</p> <p>BY _____ CHAIRMAN</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014</p> <p>BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 2014</p> <p>BY _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2014</p> <p>BY _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014</p> <p>BY _____ MAYOR</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____</p> <p>DATE _____ TIME _____ BOOK _____ PAGE _____</p> <p>ENTRY NO. _____ FEE _____ RECORDER _____</p>
	<p>1/26/14 JOB NO.: 1-9-11 FILE: X:\SnydersAddition\dwg\lrv\plat2011\010811.dwg</p>						



August 1, 2014

1103/1105 Lowell Avenue Plat Amendment

Project Description

The duplex at 1103/1105 Avenue in Park City, Utah sits across Lot 1, Lot 2 and the southern part of Lot 3 of Snyder's Addition Block 34. The property also includes Lot 32, Lot 31 and the southern part of Lot 30, which is located behind the existing duplex. The total property is 62 feet wide fronting Lowell Avenue and 140 feet deep. There is currently a driveway easement running parallel to Lowell which affords neighbors to the south access to private driveways.

A Plat Amendment will be created to reconfigure all of the existing lots into two distinct platted lots. Lot 1 will be thirty-seven feet wide by seventy feet deep. Lot 2 will be a slightly irregular shape. The street frontage will be twenty-five feet wide. The lot depth will be one hundred forty deep and the width of the lot at the rear will be sixty feet. Prior to execution of the plat, the existing duplex will be removed.

It is the intent of the Owners, Mark Parker and Steven Parker, to build one single family home one each lot.

Respectfully submitted,

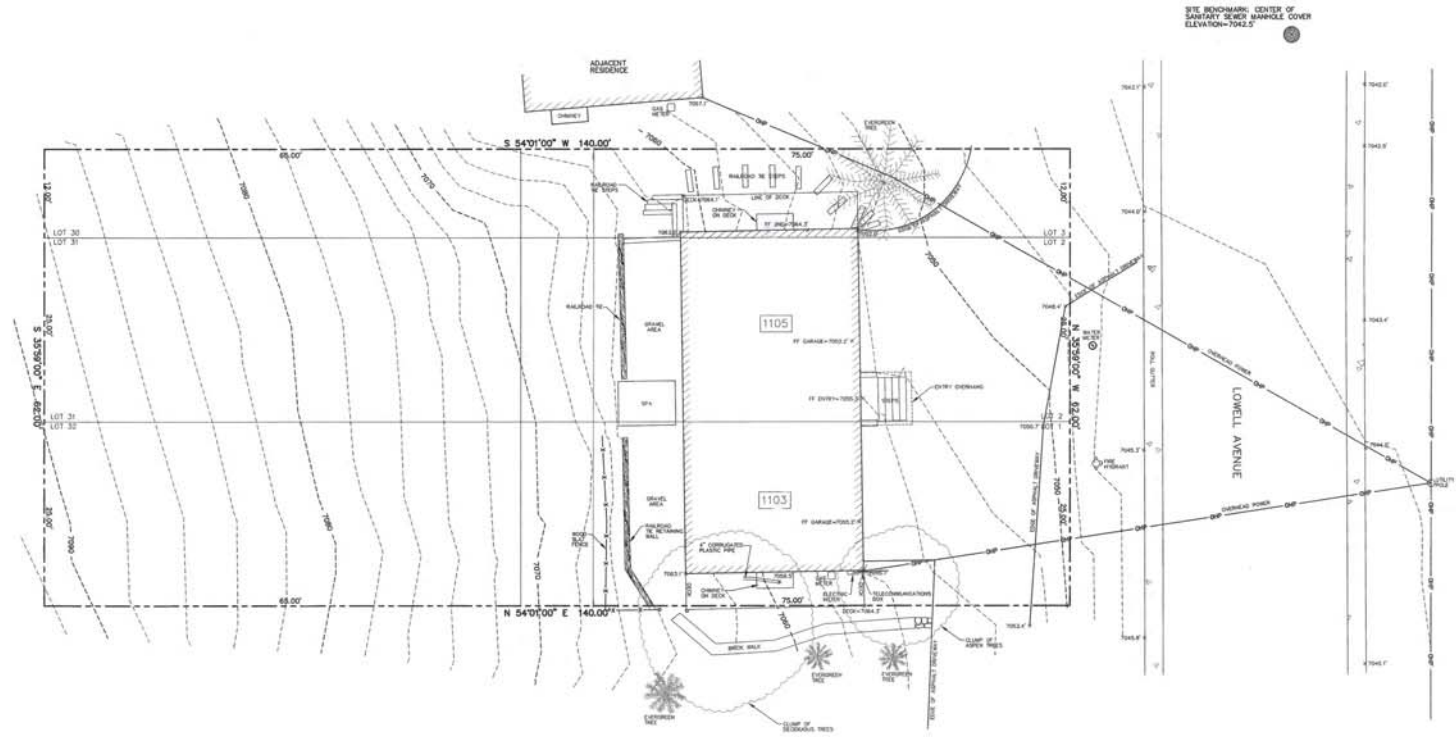
Craig Elliott, AIA
Principal



Exhibit C – Aerial Photograph



Exhibit D – Survey

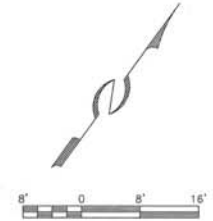


SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold Certification No. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

NOTES

1. Site Benchmark: Center of sanitary sewer manhole cover. Elevation=7042.5'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on March 9, 2007.
4. Property corners were set or found.
5. Snow coverage at the time of the survey was approximately 1' to 3". As a result, actual elevations may vary from elevations shown on this survey. In addition, monuments, improvements and/or conditions may exist which are not shown on this survey.




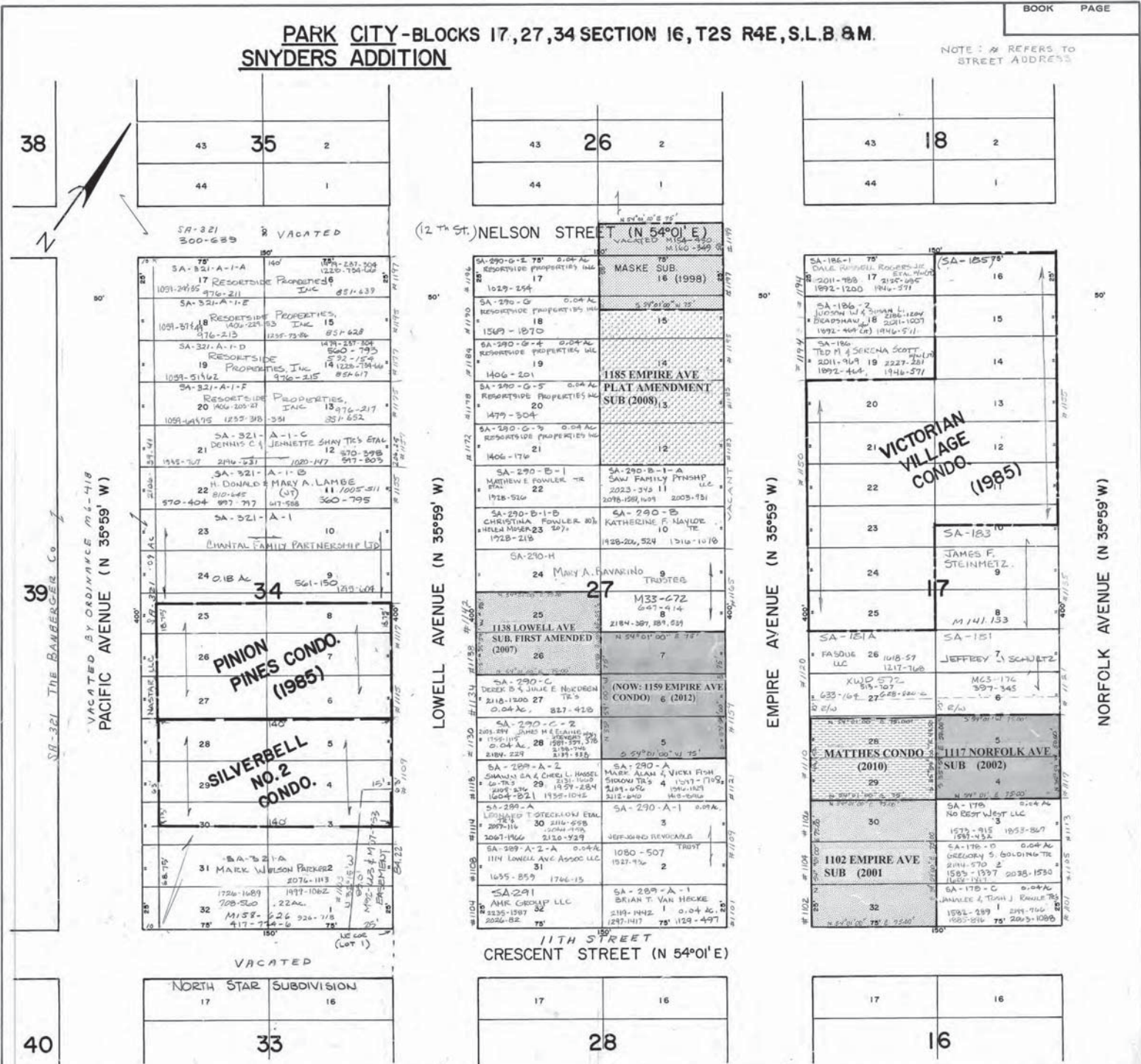
 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small> <small>323 Main Street, P.O. Box 2864, Park City, Utah 84302-2864</small>	<small>(435) 849-8487</small>	STAFF: MARTY MORRISON MARSHALL KING	TOPOGRAPHIC MAP SNYDER'S ADDITION, BLOCK 34 1103 & 1105 LOWELL AVENUE	SHEET 1 OF 1
	DATE: 4/10/07	FOR: RICK NAVARRETTE JOB NO.: 1-3-07 FILE: K:\SnydersAddition\dwg\svr\topo07\010307.dwg		

Exhibit E - County Tax Map

**PARK CITY - BLOCKS 17, 27, 34 SECTION 16, T2S R4E, S.L.B & M.
SNYDERS ADDITION**

BOOK PAGE

NOTE: * REFERS TO STREET ADDRESS



Approved	REVISIONS - DATE AND INITIAL	(In Pencil)
Utah State Tax Comm	Sept 27, 2010	
Date	By	

SUMMIT COUNTY, UTAH

SCALE
ONE INCH = 40 FEET
BOOK PAGE



1103 + 1105 Lowell Avenue Vicinity Map

RC

Northstar Rd

Lowell Ave







Empire Ave

Norfolk Ave

HR-1

ROS

Legend

-  Road Edges
-  Parcels
-  Park City HSI Significant Site
-  Park City HSI Landmark Site
-  Streets
-  Building Footprint (approx.)



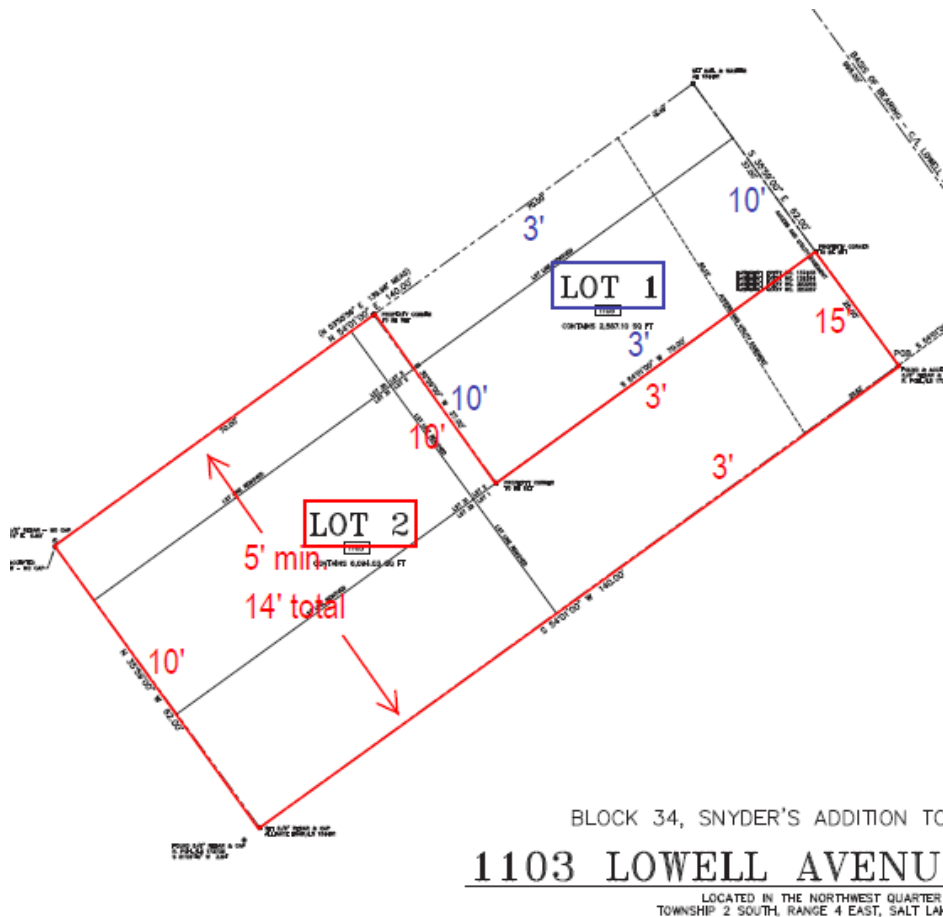


PLANNING DEPARTMENT

Planning Director Setback Determination

Subject: Barbara's Subdivision
Author: Thomas Eddington, Jr. AICP, Planning Director
Project Number: PL-14-02448
Date: September 2, 2014
Type of Item: Administrative – Plat Amendment
Setback Requirement for Unusual Lot Configurations

Land Management Code (LMC) § 15-4-7 indicates that all lots shall have a front, two (2) sides, and a rear setback. This same section indicates that there are four (4) exceptions to this setback standard. Sub-section E indicates that any lots, which are not specified in this section, shall have setbacks determine by the Planning Director. I have conducted an analysis of the proposed Lot 2 of Barbara's Subdivision Plat Amendment, which will be reviewed by the Planning Commission on September 24, 2014, and have determined that this proposed lot does not fall under the first four (4) specified exceptions listed under sub-sections A-D due to its unusual *flag lot* shape and have determined the following setbacks based on the attached diagram:



My determination is based on the fact that the proposed *flag lot* has two (2) different depths and widths since it is a combination of shapes unlike the lot listed exceptions and the more typical block lot.

Front/Rear yard setbacks: The LMC indicates that the front/rear yard setback within the Historic Residential (HR-1) District of a lot more than one hundred feet (100') in lot depth shall be fifteen feet (15') each; this would be the case on a standard *block lot*, a squared, rectangular shaped lot. Regarding the area consisting of the 140 feet lot depth shall have a front yard setback area of fifteen feet (15'), minimum. The majority of the lot containing the rear yard setback area (almost an independent lot behind a lot) has a lot depth of seventy feet (70'), due to proposed lot 1 being situated in front of the subject lot. The property to the west (rear) is in the Recreation and Open Space (ROS) District. Because of the majority of the rear yard area containing a lot depth of seventy feet (70') and the neighboring site to the west (rear), the rear yard setback shall be limited to ten feet (10'), minimum.

Side Yard Setbacks: Setbacks should simply follow the LMC standards depending on the specific width of the lot, i.e.: Where the lot is twenty five feet (25') wide, the setbacks shall be three feet (3'), minimum. Where the lot is sixty two feet (62') wide, the setbacks increase to five feet (5'), minimum, and fourteen feet (14'), total.

Due to the current application filed at the Planning Office, this setback determination is to be finalized by the Planning Commission/City Council during their perspective reviews, recommendations, and/or final action.

Attachment 1 – LMC § 15-4-7 Setback Requirement for Unusual Lot Configurations

Summit County Health Code, the Fire Code, or State Regulations on mass gathering.

(3) The Use must meet all applicable International Building Code (IBC) requirements.

(4) The Applicant shall adhere to all applicable City and State licensing ordinances.

(C) REVIEW CRITERIA-PRIVATE PROPERTY.

(1) The proposed Use must be on private Property. The Applicant shall provide written notice of the Property Owner's permission.

(2) The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.

(3) The proposed Use shall not impede pedestrian circulation, emergency Access, or any other public safety measure.

(4) The Use shall not violate the City Noise Ordinance.

(5) The Use and all signing shall comply with the Municipal Sign and Lighting Codes.

(6) The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.

(7) The Use shall not violate the International Building Code (IBC).

(8) The Applicant shall adhere to all applicable City and State licensing ordinances.

(Amended by Ord. Nos. 06-22; 09-10; 12-37)

15-4 -17. SETBACK REQUIREMENTS FOR UNUSUAL LOT CONFIGURATIONS.

All Lots shall have a front, two (2) sides and a rear Setback with the following exceptions and clarifications.

(A) Development on Corner Lots shall have two (2) front Setbacks, unless otherwise an exception by this Code. The Rear Yard will be the side of the Property opposite the driveway Access from the Street. If it is not clear which boundary should border the Rear Yard, the Planning Director may specify which is the Rear Yard.

(B) Lots with more than four (4) sides shall have a Side Yard on either side of the Front Yard. The third Side Yard and Rear Yard may be specified by the Planning Director.

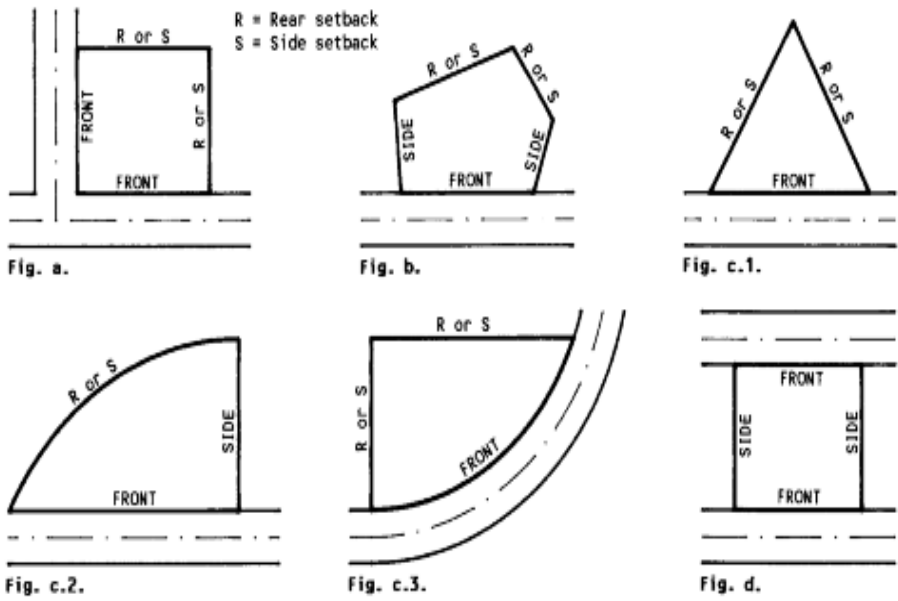
(C) Lots with three (3) sides will have a front Setback, side Setback and rear Setback. In those cases where one (1) side is clearly opposite the front, the rear Setback must be opposite the front Setback. If it is not clear where side and rear Setbacks should be, the Planning Director may choose which is a Side Yard and which is a Rear

Yard.

(D) On those Lots, which border a Street on both the back and front, both sides must have a front Setback, unless otherwise an exception by this Code.

(E) Any Lots, which are not specified in this section, shall have Setbacks determined by the Planning Director.

See the following illustrations:



(Amended by Ord. No. 06-22)

15-4 -18. PASSENGER TRAMWAYS AND SKI BASE FACILITIES.

(A) **CONDITIONAL USE.** The location and Use of a Passenger Tramway, including a ski tow or ski lift, is a Conditional Use. The location of base and

terminal facilities for the Passenger Tramway is a Conditional Use in all zones where the Use may be considered.

(B) **CONDITIONAL USE REVIEW.** Conditional Use permits under this section shall be issued only after public hearing before the Planning Commission, and upon the Planning Commission finding that all the following conditions can be met:

Planning Commission Staff Report



Subject: Round Valley Park City Annexation and Zoning
Date: September 24, 2014
Project #: PL-13- 01857
Type of Item: Legislative- Annexation and Zoning Map amendment

SUMMARY RECOMMENDATION

Staff recommends that the Planning Commission review the annexation and zoning petition and the attached Planning Commission Staff Report from August 27th for the Round Valley Park City Annexation and Zoning and consider forwarding a positive recommendation to City Council in accordance with the attached Ordinance. The public hearing was closed at the August 27th meeting.

DESCRIPTION

Project Name: Round Valley Park City Annexation
Project Planner: Kirsten A Whetstone, Senior Planner
Applicants (Petitioners): Park City Municipal Corporation (Sponsor), Afton Stephen Osguthorpe, and Utah Department of Transportation (UDOT)
Location: Round Valley Open Space north and south of the Quinn's Sports Complex on the west side of SR 248, west of US 40 and east of Old Ranch Road, including the Osguthorpe fields and Gordo parcels north of SR 248 at Richardson Flat Road.
Proposed Zoning: Recreation Open Space (ROS) is proposed for all open space and deed restricted properties. Applicants proposed Light Industrial (LI) for the lower four parcels located across SR 248 from the Quinn's Water Treatment Plant, however they have consented to ROS zoning for the entire annexation area. Frontage Protection Zone (FPZ) is proposed for the 250' of frontage on SR 248.
Adjacent Land Uses: Quinn's Sport's Complex, Open Space, Park City Ice Arena, National Ability Center, IHC Hospital, USSA Building, Summit County Health Department, Park City Clinic, Highway 248, and single family subdivisions to the west and north. Adjacent zoning includes Community Transition (CT), Residential Development (RD), Recreation Open Space (ROS), Protected Open Space (POS), Single Family (SF) and Hillside Stewardship (HS) in Summit County.
Proposed Uses: Recreation open space uses are proposed for all open space areas, subject to existing easements and deed restrictions. Agricultural uses are proposed to continue on the Osguthorpe parcel per existing deed restrictions and conservation easements. No future uses have been identified for four (4) lower non-deed restricted "Gordo" parcels located across SR 248 from the Quinn's Water Treatment Plant (2 owned by Park

City Municipal and 2 are UDOT owned). The 4 upper “Gordo” parcels are deed restricted as open space, owned by Park City.

PROPOSAL

The proposal is a request to annex approximately 1,368 acres into the Park City municipal boundary and to amend the official zoning map to include the properties in the Recreation Open Space (ROS) zoning district. Approximately five (5) acres are petitioned to be zoned Limited Industrial (LI), however staff recommends ROS zoning for all of the property (see Discussion section below). The applicant has since consented to ROS zoning for the entire annexation area. No development or subdivision of the land is proposed with this annexation. Existing uses of the property are consistent with the proposed zoning. The City and UDOT parcels, known as the “Gordo” parcels maybe developed in the future with essential municipal uses permitted as allowed or conditional within the ROS zone (See Exhibit A- August 27, 2014 Planning Commission Staff Report).

BACKGROUND

On August 27, 2014 the Planning Commission conducted a public hearing and discussed the proposed annexation and zoning map amendment (See Exhibit B- minutes of the August 27, 2014 Planning Commission meeting). The Commission was prepared to forward a positive recommendation to City Council; however the applicant requested the item be continued to the next Planning Commission meeting to allow additional time to review the Annexation Agreement (Exhibit C- Annexation Agreement). See Exhibit A- August 27, 2014 Staff Report for additional background information, analysis, and previous Exhibits.

NOTICE AND PUBLIC INPUT

On February 11, 2014 and again on August 13, 2014, the property was posted, notices were sent to surrounding property owners, and legal notice was published in the Park Record according to requirements of the Land Management Code.

Staff received several phone calls from neighboring residents and property owners requesting additional information regarding the location of the property to be annexed, proposed zoning, whether the property would remain as open space, who would maintain the trails, whether trails would continue to be public trails, questions about hunting regulations and enforcement, trail use, and whether regulations of dogs and leash laws would change.

A public hearing was conducted at the August 27th meeting. There was no public input and the public hearing was closed.

FUTURE PROCESS

Annexations require Planning Commission recommendation and City Council adoption and become pending upon publication of an ordinance and compliance with state code filing procedures. City Council action may be appealed to a court of competent jurisdiction per LMC Section 15-1-18.

RECOMMENDATION

Staff recommends that the Planning Commission review the annexation and zoning petition and the attached Planning Commission Staff Report from August 27th for the Round Valley Park City Annexation and Zoning and consider forwarding a positive recommendation to City Council in accordance with the attached Ordinance.

EXHIBITS

Ordinance

Exhibit A- August 27, 2014 Staff Report and Exhibits

Exhibit B- Minutes of the August 27, 2014 Planning Commission meeting

Exhibit C- Annexation Agreement

**AN ORDINANCE APPROVING THE ROUND VALLEY PARK CITY
ANNEXATION AND ZONING MAP AMENDMENT
ANNEXING INTO THE PARK CITY MUNICIPAL BOUNDARY AND ZONING AS
RECREATION OPEN SPACE (ROS), THE ROUND VALLEY OPEN SPACE
AREA, OSGUTHORPE FIELDS, AND GORDO PARCELS GENERALLY
LOCATED NORTH OF STATE ROAD 248, WEST OF HIGHWAY US 40, AND
EAST OF OLD RANCH ROAD LOCATED IN SECTIONS 28, 33, 34 AND 35
TOWNSHIP 1 SOUTH, RANGE 4 EAST, AND IN SECTIONS 2 AND 3,
TOWNSHIP 2 SOUTH, RANGE 4 EAST OF THE SALT LAKE BASE AND
MERIDIAN, SUMMIT COUNTY, UTAH**

WHEREAS, on March 11, 2013, the owners of the property known as the Round Valley Open Space, including the Osguthorpe Fields and the Gordo Parcels, namely Park City Municipal Corporation and Afton Stephen Osguthorpe Family Trust, petitioned the City Council for approval of an annexation of land into the Park City limits as shown on the attached Annexation Plat (Exhibit A), the "Property"; and

WHEREAS, the property is approximately 1,368 acres in area and is located generally north of State Road 248, west of US 40, and east of Old Ranch Road within, as described in the attached Legal Description (Exhibit B); and

WHEREAS, the Property will be zoned Recreation Open Space (ROS) with Frontage Protection Zone (FPZ) where the annexation properties have frontage on State Road 248; and

WHEREAS, the Property is included within the Park City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

WHEREAS, the Park City Council accepted the Round Valley Park City Annexation petition on March 21, 2013; and

WHEREAS, the City reviewed the petition against the criteria stated in Sections 10-2-403 (2), (3), and (4) of the Utah Code, annotated 1953 as amended, and found the petition complied with all applicable criteria of the Utah Code; and

WHEREAS, On April 22, 2013, the City Recorder certified the annexation petition and delivered notice letters to the "affected entities" required by Utah Code, Section 10-2-405, and published notice in the Park Record for three consecutive weeks, giving notice, that the petition had been certified and the required 30-day protest period had begun; and

WHEREAS, no protests were filed by any “affected entities” or other jurisdictions within the 30-day protest period and the petition was considered accepted on June 2, 2013; and

WHEREAS, on February 11th and August 12, 2014, written notice was sent to surrounding property owners, the property was posted, and legal notice was published in the Park Record providing legal notice of Planning Commission and City Council hearing dates; and

WHEREAS, the Planning Commission held public hearings on February 26, 2014 and August 27, 2014, to receive public input on the proposed annexation and zoning; and

WHEREAS, on June 26, 2014, the Planning Commission and Staff circumnavigated the annexation area by van and conducted a site visit to the Gordo parcel area; and

WHEREAS, on September 24, 2014, the Planning Commission forwarded to City Council a recommendation on the proposed annexation and zoning of the Round Valley Park City Annexation; and

WHEREAS, on October 23, 2014, the City Council held a public hearing to receive input on the proposed annexation and zoning; and

WHEREAS, the City Council finds that the requested zoning map amendment is consistent with the Park City General Plan; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Annexation and Park City Zoning Map amendment, as this annexation will bring the City Owned open space property known as Round Valley Open Space, as well as the deed restricted Osguthorpe fields and the City and UDOT owned parcels, known as the Gordo parcels, into the City Limits.

WHEREAS, an Annexation Agreement, between the City and Petitioners pursuant to the Land Management Code, Section 15-8-5 (C), setting forth further terms and conditions of the Annexation, is herein included as Exhibit C.

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

SECTION 1. ANNEXATION APPROVAL. The Property is hereby annexed into the corporate limits of Park City, Utah according to the Annexation Plat executed in substantially the same form as is attached hereto as Exhibit A and according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated below.

The Property so annexed shall enjoy the privileges of Park City as described in the Annexation Agreement attached as Exhibit C and shall be subject to all City levies and assessments, conditions, and restrictions as described in the terms of said Annexation Agreement.

The Property shall be subject to all City laws, rules and regulations upon the effective date of this Ordinance.

SECTION 2. ANNEXATION AGREEMENT. Council hereby authorizes the Mayor to execute the Annexation Agreement in substantially the same form as is attached hereto as Exhibit C and as approved by the City Attorney.

SECTION 3. COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN. This annexation and the proposed zoning meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code, the Park City General Plan, and The Annexation Policy Plan - Land Management Code Chapter 8, Annexation.

SECTION 4. OFFICIAL PARK CITY ZONING MAP AMENDMENT. The Official Park City Zoning Map is hereby amended to include said Round Valley Park City Annexation area in the Recreation Open Space (ROS) zoning district and the property with frontage on State Road 248 as Frontage Protection Zone (FPZ), as shown in Exhibit D.

SECTION 5. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL.

Findings of Fact:

1. The annexation petition is a request to annex approximately 1,368 acres into the Park City municipal boundary and to amend the official zoning map to include the property in the Recreation Open Space (ROS) zoning district.
2. The Round Valley Park City annexation area is currently located in unincorporated Summit County.
3. The non-deed restricted "Gordo" parcels, both UDOT and City owned, are within the Quinn's Junction neighborhood and along the main 248 entry corridor to Park City.
4. The proposed land uses are consistent with the purpose statements of the ROS zoning district and the Planning Staff recommends that the entire annexation area be zoned ROS.
5. The proposed annexation meets the purposes stated in the Annexation Policy Plan, in that this annexation contributes to the achievement of the goals and policies of the Park City General Plan and further protects the general interests and character of Park City.
6. The annexation will bring City owned open space land into the Park City Municipal boundary and enable services to be provided to the Property,

such as police and community development services, which are more easily accessible from the City than the County.

7. The annexation does not change or remove any existing deed restrictions or conservation easements from the Property and only the four lower "Gordo" parcels are not restricted from development due to deed restrictions and conservation easements.
8. Annexation of this parcel will not create an island, peninsula, or irregular city boundary. The annexation is a logical extension of the City Boundary.
9. This property is located within the Park City Annexation Expansion Area, adopted by the City Council in 2003.
10. Provision of municipal services, such as police, water, and community development, for this property is more efficiently provided by Park City than by Summit County, in particular for non-deed restricted "Gordo" parcels.
11. The annexation petition has been reviewed pursuant to Utah Code Annotated (UCA) Sections 10-2-401, 402, and 403. The annexation petition requirements set forth in these sections of the UCA have been met; including issues of 1) contiguity and municipal annexation expansion area, 2) boundaries drawn along existing local districts, special districts and other taxing entities, and 3) for the content of the petition.
12. The proposed annexation is consistent with the purpose statements of the Annexation Policy Plan and will protect the general interests and character of the community, assure orderly growth and development of the Park City community in terms of utilities and public services; will preserve open space and ensure environmental quality, will protect a prominent entry corridor, view sheds, and environmentally Sensitive Lands; enhance pedestrian connectivity, create buffer areas; and protect the general public health, safety, and welfare.
13. The City Staff and Review Team have reviewed the proposed annexation against the general requirements established for annexation to Park City as presented in LMC Section 15-8-2 and as further described in the Analysis section of the August 27, 2014 Planning Commission Staff Report.
14. No development or subdivision of the land is proposed at this time.

Conclusions of Law:

1. The Annexation and Zoning Map amendment are consistent with Annexation Policy Plan and the Park City General Plan.
2. Approval of the Annexation and Zoning Map amendment does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The Official Zoning Map shall be amended to include the Round Valley

Park City Annexation parcels with the Recreation Open Space (ROS) Zone with the Frontage Protection Zone for properties having frontage on State Road 248.

2. The annexation agreement shall be fully executed and recorded with the Annexation Plat.
3. All current ROWs will remain under their respective jurisdiction

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat and Annexation Agreement, and compliance with state annexation filing requirements, pursuant to the Utah Code Annotated Section 10-2-425.

PASSED AND ADOPTED this ___ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark D. Harrington, City Attorney

Exhibit A- Annexation Plat
Exhibit B- Legal Description
Exhibit C- Annexation Agreement
Exhibit D- Zoning Map Amendment

(See Exhibit A (Aug 27th Staff Report) below for these Exhibits to Ordinance)



Planning Commission Staff Report

Subject: Round Valley Park City Annexation and Zoning
Date: August 27, 2014
Project #: PL-13- 01857
Type of Item: Legislative- Annexation and Zoning Map amendment

SUMMARY RECOMMENDATION

Staff recommends the Planning Commission review the annexation and zoning petition and this report for the Round Valley Park City Annexation and Zoning, conduct a public hearing, and consider forwarding a positive recommendation to City Council in accordance with the draft Ordinance.

DESCRIPTION

Project Name: Round Valley Park City Annexation
Project Planner: Kirsten A Whetstone, Senior Planner
Applicants (Petitioners): Park City Municipal Corporation (Sponsor), Afton Stephen Osguthorpe, and Utah Department of Transportation (UDOT)
Location: Round Valley Open Space north and south of the Quinn's Sports Complex on the west side of SR 248, west of US 40 and east of Old Ranch Road, including the Osguthorpe fields and Gordo parcels north of SR 248 at Richardson Flat Road.
Proposed Zoning: Recreation Open Space (ROS) is proposed for all open space and deed restricted properties. Applicants propose Light Industrial (LI) for the lower four parcels located across SR 248 from the Quinn's Water Treatment Plant. Frontage Protection Zone (FPZ) is proposed for the 250' of frontage on SR 248.
Adjacent Land Uses: Quinn's Sport's Complex, Open Space, Park City Ice Arena, National Ability Center, IHC Hospital, USSA Building, Summit County Health Department, Park City Clinic, Highway 248, and single family subdivisions to the west and north. Adjacent zoning includes Community Transition (CT), Residential Development (RD), Recreation Open Space (ROS), Protected Open Space (POS), Single Family (SF) and Hillside Stewardship (HS) in Summit County.
Proposed Uses: Recreation open space uses are proposed for all open space areas, subject to existing easements and deed restrictions. Agricultural uses are proposed to continue on the Osguthorpe parcel per existing deed restrictions and conservation easements. No future uses have been identified for four (4) lower non-deed restricted "Gordo" parcels located across SR 248 from the Quinn's Water Treatment Plant (2 owned by Park City Municipal and 2 are UDOT owned). The 4 upper "Gordo"

parcels are deed restricted as open space, owned by Park City.

PROPOSAL

The proposal is a request to annex approximately 1,368 acres into the Park City municipal boundary and to amend the official zoning map to include the properties in the Recreation Open Space (ROS) zoning district. Approximately five (5) acres are petitioned to be zoned Limited Industrial (LI), however staff recommends ROS zoning for all of the property (see Discussion section below). No development or subdivision of the land is proposed with this annexation. Existing uses of the property are consistent with the proposed zoning. The City and UDOT parcels, known as the "Gordo" parcels maybe developed in the future with essential municipal uses permitted as allowed or conditional within the ROS zone.

BACKGROUND

On March 11, 2013, the petitioners (Park City Municipal, Afton Stephen Osguthorpe, and Utah Department of Transportation (UDOT)) filed a completed annexation petition with the City Recorder for annexation of 1,368 acres into the Park City Municipal boundary including necessary notification of the intent to file the petition with the County Clerk and Recorder and the County Planning Commission. Staff presented the Annexation petition to City Council on March 21, 2013. Following Council acceptance, the petition was certified by the City Recorder on April 22, 2013 and Council was provided notice of the certification, indicating that the petition met requirements of State Code for Annexation Petitions.

On May 3, 2013, notice of petition acceptance was mailed to all Affected Entities beginning a thirty (30) day protest period. Beginning on May 8, 2013, the City Recorder published notices of petition acceptance in the Park Record for three consecutive weeks. No protests were filed with the County Clerk regarding the Round Valley Annexation petition, allowing Staff to continue review of the Annexation according to the City's Annexation Policy Plan.

Staff's review was put on hold while the applicants considered inclusion of an adjacent small parcel, owned by a third party, located at the northwest corner of Quinn's Junction. The property owner of the parcel ultimately decided not to be included in this annexation.

On February 26, 2014 the annexation petition and proposed zoning were presented to the Planning Commission and an initial public hearing was conducted (see Exhibit L Meeting minutes). The Planning Commission requested a site visit as well as staff analysis comparing the various zones (POS, ROS, and LI). Due to Planning Department workload Staff had to set this application aside to focus on higher priority permits, applications, General Plan re-write, and LMC Amendments. The applicant agreed to the continuation until later in the summer.

On June 25, 2014, Staff and the Planning Commission conducted a site visit and circumnavigated the annexation area by van. At the Gordo parcels, staff oriented the Commission as to which were conservation/deed restricted encumbered parcels and which were parcels the petitioner (the City) is requesting Light Industrial (LI) zoning. The UDOT parcels, also included on the petition as LI zoning, were also examined. Staff provided a summary of site and lot requirements, as well as language from the LMC comparing the uses allowed in these zones.

DESCRIPTION OF ANNEXATION AREA

The annexation area consists of two related areas including 1) the 1,104 acre north Round Valley Open Space area and 2) the 264 acre south Round Valley Open Space area consisting of City owned open space south of the National Ability Center and south of the Quinn's Sports Complex, the Osguthorpe owned agricultural fields, and the "Gordo parcels"- eight small parcels (total of 8.42 acres) located off of SR 248 across from the Quinn's Water Treatment Plant at the intersection of SR 248 and Richardson Flats Road as depicted on the proposed Annexation Plat (Exhibit A).

The north area is undeveloped open space consisting of rolling hills, ridges, draws, and a main central valley (Round Valley). Vegetation is primarily sage brush, oak, grasses and other native trees and shrubs. Numerous non-motorized trails have been constructed in the area, utilized by hikers, bikers, runners, snowshoers and skiers (Exhibit B).

Agricultural uses are permitted on the Osguthorpe parcel in the south area (subject to the conservation easement), with the remaining parcels consisting of sage brush hills with other native shrubs and grasses. The southern area also contains a network of non-motorized trails accessed from a trailhead located south of the Quinn's Field Complex. The south area includes the "Gordo" parcels located along SR 248. Two of the eight "Gordo parcels" are owned by UDOT with the remaining parcels owned by Park City. Four of the City parcels are encumbered with conservation easements limiting use to recreation open space.

With the exception of the UDOT parcels and two of the Gordo parcels, the annexation property is currently subject to conservation easements and various deed restrictions. Most of the property has been purchased by Park City as open space with open space funds and is permanently restricted for open space uses as spelled out in each deed restriction and conservation easement (Exhibit C). The annexation would not change or remove any of these restrictions or easements.

Current underlying Summit County zoning for the property is 1) Rural Residential with an allowable density of 1 unit per 20 acres for Developable Lands (DL) and 1 unit per 40 acres for Sensitive Lands (SL) and 2) Hillside Stewardship (HS) with an allowable density of 1 unit per 30 acres for Developable Lands and 1 unit per 40 for Sensitive Lands (Exhibit D).

Requested zoning is Recreation Open Space (ROS) for nearly all of the annexation area, including all of the existing open space and conservation easement areas (Exhibit D). Light Industrial (LI) is proposed for the four (4) lower “Gordo” parcels. Two of these four parcels are UDOT parcels (2.06 acres) and two are PCMC parcels (3 acres). These lower parcels are not deed restricted, were not purchased with open space funds, and the current zoning is Rural Residential (RR) (see Exhibit M). The lower City owned parcels have been used in the past for storage of various materials. **Staff recommends that all of the parcels be zoned ROS and requests discussion from the Planning Commission regarding this recommendation (see Discussion Section below).**

Additionally, Frontage Protection Overlay Zone (FPZ) is recommended for the annexation area along the property frontage with SR 248. The LMC identifies this area for Entry Corridor Protection Overlay (ECPO), as a subzone of the FPZ. ECPO includes specific regulations, such as no-build zones, height restrictions, and increased setbacks for the area within 250’ of the Highway ROW (Exhibit K). FPZ zoning is consistent with past annexations along entry corridors. The non-deed restricted Gordo parcels are not within the FPZ, however the UDOT parcels are.

The portion of SR 248 (the actual road and right-of-way area) not currently within the City boundary is also included in this annexation. The SR-248 right-of-way will not be dedicated to the City and will remain UDOT controlled as it is in the rest of the City. It will be within the City boundaries.

No subdivision plats or master planned development plans were submitted with this annexation petition because the immediate development of the property is not contemplated, other than as would be permitted within the ROS zone and/or as allowed by the existing deed restrictions and conservation easements. At this time no uses of the “Gordo” parcels have been identified. The City has contemplated the two non-deed restricted parcels . Prior to development of any uses on the “Gordo” parcels a subdivision plat will be required to create legal platted lots from the metes and bounds parcels.

The applicants have submitted an annexation plat (Exhibit A), prepared by a licensed surveyor and additional annexation petition materials and a report (Exhibits C, D, E, F, G, H, I and J) addressing items required by the City’s Annexation Policy Plan and Utah State Code.

PROCESS

Municipal annexation is a legislative act governed procedurally by Utah state law and the Park City Land Management Code. When an annexation petition is filed with the City Recorder, the petition for annexation is first presented to the municipal legislative body for acceptance or rejection. Because annexation is a legislative act, the Council has broad discretion to accept or reject the petition.

The City Council reviewed and accepted this petition on March 21, 2013 and the petition was certified by the City Recorder on April 22, 2013. Mailed notice to affected

entities was sent on May 8, 2013 and legal notice was published in the Park Record for three consecutive weeks. No protests were filed with the County Clerk, as allowed by the State Code; therefore the annexation may proceed.

City code requires the creation of a Staff Review Team which includes the following or their designees: Planning Director, City Engineer, Public Works, Fire Marshall, Police Chief, representatives from applicable utility providers and the Park City School District Superintendent. This annexation proposal has been reviewed by the Staff Review Team at the Development Review Committee meetings and comments received have been incorporated into the application and/or draft Ordinance.

In addition, the Planning Department has prepared this staff report which evaluates the annexation proposal and includes a review of applicable criteria per the Annexation Policy Plan (LMC 15-8-5).

In evaluating the annexation and zoning map amendment, the Planning Commission and City Council review the proposal in accordance with the City's Annexation Policy Plan (LMC 15-8-5) and the Utah Code. This process includes a public hearing, Commission review and recommendation to Council, with City Council making the final decision and taking final action.

This report is required by the Municipal Code regarding Annexations to review and explain the implications of the annexation to the City in terms of zoning, use, access, city services and utilities, impacts on surrounding properties, and whether the annexation is consistent with the Park City General Plan. The Applicant provided a comprehensive report as well (Exhibit J).

ANALYSIS

Utah Code Annotated (UCA) Section 10-2-401, 10-2-402 and 10-2-403

The annexation petition has been reviewed pursuant to the Utah Code Annotated (UCA) Sections 10-2-401, 10-2-402 and 10-2-403. The annexation petition requirements set forth in these sections of the UCA have been met; including issues of 1) contiguity and municipal annexation expansion area, 2) boundaries drawn along existing local districts, special districts and other taxing entities, and 3) for the content of the petition.

Review pursuant to the City's Annexation Policy Plan

The annexation petition has been reviewed pursuant to the City's Annexation Policy Plan. The annexation consists of a 1,104 acre north parcel and a 264 acre south parcel that are separated by property that is already within the Park City Municipal boundary. The total annexation area is approximately 1,368 acres. The property is contiguous to the Park City Municipal boundary and the proposed annexation area is located within the Park City Annexation Expansion Area, as described by the adopted Annexation Policy Plan. The annexation of this area will eliminate an existing peninsula within the City's boundary. Annexation of this area will bring into the City land that was purchased by the City for the purpose of open space and recreational uses.

Review pursuant to the Annexation Policy Plan- purpose

Chapter 8 of the Land Management Code is considered Park City's annexation policy plan and declaration. In Section 15-8-1 the Code states the following:

The annexation requirements specified in this Chapter are intended to protect the general interests and character of the community; assure orderly growth and development of the Park City community in terms of utilities and public services; preserve open space, enhance parks and trails; ensure environmental quality; protect entry corridors, view sheds and environmentally Sensitive Lands; preserve Historic and cultural resources; create buffer areas; protect public health, safety, and welfare; and ensure that annexations are approved consistent with the Park City General Plan and Utah State Law.

In addition the Annexation Policy Plan states:

If practical and feasible, boundaries of an Area proposed for annexation shall be drawn:

- (A) Along the boundaries of existing special districts for sewer, water, fire, and other services, along the boundaries of school districts whose boundaries follow City boundaries... and along the boundaries of other taxing entities;*
- (B) To eliminate islands and peninsulas of territory that is not receiving municipal type services;*
- (C) To facilitate the consolidation of overlapping functions of local government;*
- (D) To promote the efficient delivery of services; and*
- (E) To encourage the equitable distribution of community resources and obligations.*

It is the intent of this Chapter to ensure that Property annexed to the City will contribute to the attractiveness of the community and will enhance the resort image which is critical for economic viability, and that the potential deficit of revenue against expense to the City is not unreasonable.

Staff finds that the proposed annexation is consistent with the purpose statements of the Annexation Policy Plan and that as conditioned will protect the general interests and character of the community; preserve open space, ensure environmental quality; protect entry corridors, view sheds and environmentally Sensitive Lands; enhance pedestrian connectivity, create buffer areas; and protect the general public health, safety, and welfare.

As conditioned, and subject to all existing conservation easements and deed restrictions already in place, the property will be maintained as open space for the community and visitors. Any future development on the four “Gordo” parcels, if zoned ROS, will be consistent with the purposes of the ROS zone while providing some opportunity for essential municipal service uses compatible with uses on surrounding properties that enhance the rural and resort image of Park City.

No City roads are contemplated. Existing ROWs will remain under their current jurisdiction. Extension of utility services, including sewer and water, is not contemplated.

Review pursuant to the Annexation Policy Plan- requirements

The Annexation Policy Plan (see Section 15-8-5 (B)) requires an annexation evaluation and staff report to be presented that contains the following items:

1. General Requirements of Section 15-8-2

See below for detailed analysis of the annexation as it relates to Section 15-8-2.

2. Map and natural features

The property is contiguous with the Park City Municipal boundary and is located within the Annexation Expansion Area, as described by the adopted Annexation Policy Plan. The property consists of two related areas including 1) the 1,104 acre north Round Valley Open Space area and 2) the 264 acre south Round Valley Open Space area that consists of City owned open space south of the National Ability Center and south of the Quinn’s Sports Complex, the Osguthorpe owned agricultural fields, and the “Gordo parcels”- eight small parcels (total of 8.42 acres) located off of SR 248 across from the Quinn’s Water Treatment Plant at the intersection of SR 248 and Richardson Flats Road as depicted on the proposed Annexation Plat (Exhibit A).

The property is characterized by the expanses of open, rolling terrain with high mountain desert vegetation consisting of sage brush, oak brush, grasses, wildflowers, and other plants and shrubs typical of this ecosystem. A large central valley (Round Valley), located on the northern portion, is surrounded by higher ridges and rounded hills. The lowest point of the valley appears to contain a small wetlands area, based on type of vegetation and moist soils visible at the surface. Numerous non-motorized trails have been constructed in the area, utilized by hikers, bikers, runners, snowshoers and skiers.

3. Density

The City (PCMC), as applicant of this annexation, is not requesting any density allocation for the annexation properties currently subject to conservation easements or deed restrictions. The City contemplates possible future essential municipal services uses for the Gordo parcels owned by the City. UDOT has not indicated possible future uses for their parcels. State owned land is not subject to

the City's LMC unless the property was sold to the City or another private entity. The ROS zoning does not permit density, in terms of residential or commercial unit equivalents but does allow for Essential Municipal facilities as a conditional use. No residential or commercial unit equivalents are requested as part of this annexation.

4. Land Uses-existing and proposed

Wildlife - The applicant provided wildlife information from the Utah Division of Wildlife. Deer, elk, and moose along with a variety of smaller mammals and birds are found on the property. Preservation of the property as open space preserves wildlife habitat, including habitat for sage grouse, a species of special interest in Utah.

Environmental Issues

The annexation is outside the City's Soils Ordinance District. The property contains areas of Steep or Very Steep Slopes and prominent ridges. There is little surface water, in streams or ponds, located on the property.

Utility & Access

There are no plans to extend utilities or create additional access routes into the annexation property. The Gordo parcels already have and un-improved access so additional access routes are not going to be provided for these properties.

5. Character and Development of adjacent property

The area is bounded on three sides by highways and a county road. Development along the annexation boundary is primarily rural and low density residential, recreation and open space, and institutional/medical.

6. Zoning- existing and proposed

Current underlying Summit County zoning for the property is 1) Rural Residential with an allowable density of 1 unit per 20 acres for Developable Lands (DL) and 1 unit per 40 acres for Sensitive Lands (SL) and 2) Hillside Stewardship (HS) with an allowable density of 1 unit per 30 acres for Developable Lands and 1 unit per 40 for Sensitive Lands.

Requested zoning is Recreation Open Space (ROS) for nearly all of the annexation area, including all of the existing open space and conservation easement areas. Light Industrial (LI) is proposed for the four (4) lower "Gordo" parcels. Two of these four parcels are UDOT parcels (2.06 acres) and two are PCMC parcels (3 acres). These lower parcels are not deed restricted and were not purchased with open space funds (see Exhibit M). The lower City owned parcels have been used in the past for storage of various materials. **Staff recommends that all of the parcels be zoned ROS and requests discussion from the Planning Commission regarding this recommendation.**

The ROS zone allows only conservation activities as an Allowed use. Trails and Trailhead improvements; Outdoor recreation equipment; Essential municipal public

utility uses, service, or structures less than 600 sf; Accessory structures less than 600 sf, Parking areas with four or fewer spaces, Temporary construction improvements, Raising and grazing of horses and livestock, and Anemometers are permitted with an Administrative Conditional Use. All other listed uses (see Exhibit K) require a Conditional Use Permit with a public hearing and approval by the Planning Commission.

Frontage Protection Overlay Zone (FPZ) is recommended for the annexation area along the property frontage with SR 248. The LMC identifies this area for Entry Corridor Protection Overlay (ECPO), as a subzone of the FPZ. ECPO includes specific regulations, such as no-build zones, height restrictions, and increased setbacks for the area within 250' of the Highway ROW (Exhibit K). FPZ zoning is consistent with past annexations along entry corridors.

7. Goals and Policies of the Park City General Plan

(See (B) below.)

8. Assessed valuation

Annexation of the property will have a neutral impact on the property's assessed valuation as all properties have tax exempt status.

9. Demand for municipal services

If annexed, the following are providers of municipal services in this area: Park City Police, Park City Fire District, Park City Water, and Snyderville Basin Water Reclamation District (SBWRD - sewer), and Park City School District. Questar gas, Rocky Mountain Power- power, Comcast - cable, and Qwest – gas provide utility services to portions of this property.

Additional demand for services is not expected for a majority of the property, with the exception of the Gordo parcels. County Sheriff provides law enforcement services at this time. County Planning, Engineering, and Building provide community development services at this time. County Health Department provides health related services and will continue upon annexation. Recreation services (trails and trail head maintenance, signs, mapping, event management, etc.) are provided jointly by the City, Mountain Trails, and Basin Recreation and this arrangement is anticipated to continue upon annexation. City Planning, Engineering and Building would provide community development services upon annexation.

Annexation of these properties changes the provision of law enforcement from County Sheriff to Park City Police, however services related to animal control and health will continue to be provided by Summit County, as they provide such services within the Municipal boundaries. Zoning enforcement and development review (trails, trailheads, etc.) would change from Snyderville Basin Planning Code and Commission/Summit County Council to Park City Land Management Code and Park City Planning Commission/City Council. For instance, in the event a new trail or trailhead is proposed on this property, the planning application and any

necessary building permits would be reviewed by the City's Planning, Building, and Engineering Departments rather than by Summit County.

10. Effect on City boundaries

This annexation does not create an island, peninsula, or other irregular shaped City boundary, but rather eliminates an existing peninsula. This annexation provides contiguity to the City Limits along all boundaries. The property is within the City's Annexation Expansion Area boundary and the City has expectations that this Property will be part of the City.

11. Timetable for extending services

Extension of extending services to the annexation area is not contemplated as the majority of the land is recreation open space. The existing conservation easements and deed restrictions limit future development and the need for these services.

12. Revenue versus costs

There is no revenue associated with this property due to its open space, tax exempt status. There are no residential or commercial uses associated with the property. There are costs associated with maintaining the open space lands.

13. Tax consequences

There are no tax consequences as a result of this annexation as the parcels are all tax exempt status currently.

14. Impact on Summit County

As there is no residential or commercial component to this annexation there is no impact on Summit County in terms of loss of sales tax revenue, taxes, etc. Park City not Summit County will be responsible for providing municipal services, including processing of applications related to the LMC and law enforcement.

15. Historic and cultural resources

There are no known historic structures or known cultural resources identified on the property according to information on record at the State, County, and City historic resources. The property is for the most part undeveloped land used for agricultural, mining (quarry), and recreational purposes. A detailed historic and cultural resource study has not been conducted for the property due to the fact that the proposed uses are not changing and remain as agricultural and recreational. The City may entertain such a study in the future.

Review pursuant to the Annexation Policy Plan- Section 15-8-2- General Requirements

City Staff has reviewed the proposed annexation against the following general requirements established for annexation to Park City as presented in LMC Section 15-8-2, as follows:

- (A) Property under consideration of annexation must be considered a logical extension of the City boundaries.

The property is contiguous to the Park City Municipal boundaries. It is a logical extension of the City boundaries to annex these properties, and the southern portion is considered a peninsula of County jurisdiction mostly surrounded by the City. The property is within the Park City Annexation Expansion Area boundary.

- (B) Annexation of Property to the City must be consistent with the intent and purposes of this Chapter and the Park City General Plan.

This annexation proposal has been submitted and processed consistent with the intent and purposes of LMC Chapter 8, the Annexation Policy Plan. The annexation petition has been accepted by the City Council and the petition certified by the City Recorder. The applicant submitted all required documents and information, per LMC Section 15-8-3 (A)-(J). Affected entities have been noticed of the petition acceptance by the City Council.

The southern portion is an infill property within existing Park City municipal boundaries and is within the Quinn's Junction neighborhood area of the prior General Plan, the Plan in effect at the time of the annexation petition. The northern portion is not within a specific neighborhood, but bounds the Quinn's Junction and Park Meadows neighborhoods. Applicable goals and objectives of these areas include:

- ***Preserve wetlands, drainage ways, and intermittent streams and incorporate them into developments as amenities, rather than as simply undeveloped land.***
- ***Preserve as many large cohesive, unbroken areas of open space and undeveloped land as possible through design, dedication, and acquisition, as development occurs.***
- ***Protect the views along the City's entry corridors by establishing design, setback, and landscape requirements***
- ***Decrease fire risk. Keep development out of certain sensitive areas, such as wildland interface zones and carefully control development where wildfire occurs.***
- ***Incorporate pedestrian trails and open space to allow movement between and through neighborhoods. Trails should link to other recreational and community facilities and provide viable alternatives to vehicular transportation. Trails should be consistent with the Master***

Trails plans.

Additionally, the General Plan established goals designed to address foreseeable problems and express community aspirations (Prior General Plan p. 5-10). The applicable key goals include:

- **Preserve the mountain resort and historic (agricultural too) character of Park City.**
- **Preserve environmental quality, open space, and outdoor recreational opportunities.**
- **Maintain the high quality of public services and facilities.**
- **Maintain the unique identity and character of an historic community.**
- **Involve the community in decision making.**

Staff finds, as conditioned, that the proposed annexation complies with these established goals.

(C) Every annexation shall include the greatest amount of Property possible that is a contiguous Area and that is contiguous to the City's municipal boundaries.

The annexation includes all of the Property possible that is contiguous to Park City's boundaries and within the Park City Annexation Expansion Area.

(D) Piecemeal annexation of individual small Properties shall be discouraged if larger contiguous Parcels are available for annexation within a reasonable time frame in order to avoid repetitious annexations.

The annexation area constitutes the largest area possible owned by the applicants (see above) and is not a piecemeal annexation of individual small Properties.

(E) Islands of county jurisdiction shall not be left or created as a result of the annexation and peninsulas and irregular boundaries shall be avoided.

The annexation does not create an island. The proposed annexation does not create an irregular boundary.

(F) In addition to services provided by existing districts, such as sewer, fire protection, and public schools, the following urban level services, consistent with those normally provided in the rest of the incorporated boundaries will be provided to the annexed Areas:

- **Police protection - City Police protection will be provided if annexed.**
- **Snow removal and maintenance of Public Streets- the City will provide snow removal from any future Public Streets within the property. None are planned at this time.**
- **Planning, zoning, and Code enforcement- Currently Summit County Planning and Building Department and would transfer to the City departments of planning, building, and engineering.**

- Availability of municipal sponsored parks and recreational activities and cultural events and facilities. **Open Space areas and parks are public and open to County and City residents and visitors.**
- Water services as the Area is developed. Existing water treatment and storage facilities may currently be inadequate to provide services to the annexed Area. Developers of annexed Area are required to pay for the cost of improvements related to the extension of and connection with the City lines and systems as well as participate in additional improvements such as storage capacity and distribution as necessary for safe, reliable, and efficient water flows. **Minimal to no additional water services are anticipated for the annexation property due to uses remaining as recreational and agricultural. Agricultural uses will maintain current irrigation water. Development of ROS uses on the City's Gordo parcels will require subdivision and utility plans, along with any required Conditional Use Permits.**

(G) If feasible and practical, water and sewer lines shall be extended to the Area proposed for annexation. Expenses associated with such extension shall be the responsibility of the developer of the property. The City shall determine timing and capacity of extending water to the proposed annexation area. The Water Reclamation district shall determine timing and capacity of extending sewer service to the proposed annexation area. **Minimal to no additional water or sewer lines are anticipated for the annexation property due to uses remaining as recreational and agricultural. Development of ROS uses on the City's Gordo parcels will require subdivision and utility plans, along with any required Conditional Use Permits.**

(H) Before considering requests for annexation the City shall carefully analyze the impacts of annexation of an Area, taking into consideration whether the Area will create negative impacts on the City and considering whether the City can economically provide services to the annexed Area. Community issues such as location and adequacy of schools and community facilities, traffic, fire protection, particularly in Wildfire/Wildland Interface Zones, useable open space and recreation Areas, protection of Sensitive Lands, conservation of natural resources, protection of view corridors, protection and preservation of Historic resources, affordable housing, balance of housing types and ownership, adequate water and sewer capacity to serve the future needs of the proposed annexation Areas shall also be considered. **Impacts of this annexation have been carefully analyzed and due to the fact that the majority of the property will remain as deed restricted Open Space this annexation has positive impacts on the City and surrounding property. If development of the City's Gordo parcels is desired in the future, any development that requires a building permit will require approval of a subdivision plat and utility plans. Protection of the entry corridor and Sensitive Areas; fencing, lighting, and landscaping; architectural character and compatibility of any structures; will be important items of**

review and the development will need to address and mitigate negative impacts as outlined in LMC Section 15-1-10- Conditional Use Permits.

- (I) Situations may exist where it is in the public interest to preserve certain lands from Development where there exist Geologic Hazards, excessive Slopes, flood plains or where the need for preservation of community open space and/or agricultural lands is consistent with the General Plan. In such circumstances, annexation may occur as a means of retaining those lands in a natural state. **The property is for the most part open space lands and it is in the public interest to preserve this land as open space. This annexation does not change the use of the majority of the area, which is deed restricted as recreation open space. The irrigated agricultural fields will also remain subject to a conservation easement. The Gordo parcels are vacant, disturbed parcels that are not on excessive slopes or within, flood plains, and are not currently agricultural land or designated open space.**

- (J) The City shall consider annexation of unincorporated Areas of Summit County that are within the annexation expansion Area. **The property is within the annexation expansion Area.**

- (K) In general, the City does not favor annexation of territory, which should be located within another municipality, nor does it favor the annexation of unincorporated territory solely for the purpose of acquiring municipal revenues, or for retarding the capacity of another municipality to annex. **The property is not within another municipality and the annexation is not solely for the purpose of acquiring municipal revenues or for retarding the capacity of another municipality to annex this property.**

- (L) Annexations that expand the resort and/or tourist economy provide second home or rental residential Properties, preserve environmentally Sensitive Lands, and provide significant public open space and community facilities are preferred.

The purpose of this annexation is to bring the City's open space into the City limits and jurisdiction to preserve the environmentally Sensitive lands and to maintain this significant open space as a community amenity and benefit.

Annexation Agreement

The Annexation Policy Plan establishes a requirement for an Annexation Agreement to be approved by the City Council to address standard conditions that must be met prior to completion of the annexation. The LMC requires the Planning Commission review the Annexation Agreement. A draft Annexation Agreement is provided for Planning Commission review (Exhibit N).

DISCUSSION REQUESTED

Staff requests discussion of the following item:

- **Proposed Zoning.** The petitioner is requesting ROS zoning for most of the annexation area. Light Industrial (LI) zoning is requested for two City owned parcels and two UDOT parcels along SR 248 in anticipation of future uses for essential municipal uses and/or facilities. FPZ Overlay zoning is proposed for the area within 250' of SR 248 to extend the existing Frontage Protection Overlay zone on this stretch of SR 248 (See Exhibit K for ROS and LI Allowed and Conditional Uses).

The ROS zone allows only conservation activities as an Allowed use. Trails and Trailhead improvements; Outdoor recreation equipment; Essential municipal public utility uses, service, or structures less than 600 sf; Accessory structures less than 600 sf, Parking areas with four or fewer spaces, Temporary construction improvements, Raising and grazing of horses and livestock, and Anemometers are permitted with an Administrative Conditional Use. All other listed uses (see Exhibit K) require a Conditional Use Permit with a public hearing and approval by the Planning Commission. **Staff recommends discussion.**

Does the Commission find that LI zoning is appropriate in this area given the types of uses that could be proposed as either allowed or conditional or would a different zone, such as ROS, be more appropriate given the location within the City's entry corridor given that most of the listed uses within the ROS zone would be a Conditional Use rather than an Allowed use, as is the case of the LI Zone, and many LI zoned uses include commercial, retail, auto related, housing, etc. types of uses that are not contemplated for this area in the General Plan?

Consider that if the parcels are ever sold to a private entity there are many LI uses that may not be appropriate in this location.

Consider that the re-development of BOPA may reduce the total square footage of LI zone in the community.

There have been discussions regarding relocation of the Recycling Center to the Gordo parcels, or other public works types of uses, such as snow storage or a public works facility. Essential Municipal Public Utility Use, Facility, Service, and Structure are allowed as a Conditional Use in the ROS zone.

The non-deed restricted Gordo parcels contain approximately 2.0 acres (1 acre each).

DEPARTMENT REVIEW

The application was reviewed in detail by the Development Review Committee on July 9, 2013. Staff provided the entire petition and submittal report with all exhibits. The Committee provided comments which have been incorporated in this report and Ordinance.

NOTICE AND PUBLIC INPUT

On February 11, 2014 and again on August 13, 2014, the property was posted, notices were sent to surrounding property owners, and legal notice was published in the Park Record according to requirements of the Land Management Code.

Staff received several phone calls from neighboring residents and property owners requesting additional information regarding the location of the property to be annexed, proposed zoning, whether the property would remain as open space, who would maintain the trails, whether trails would continue to be public trails, questions about hunting regulations and enforcement, trail use, and whether regulations of dogs and leash laws would change.

FUTURE PROCESS

Annexations require Planning Commission recommendation and City Council adoption and become pending upon publication of an ordinance and compliance with state code filing procedures. City Council action may be appealed to a court of competent jurisdiction per LMC Section 15-1-18.

RECOMMENDATION

Staff recommends the Planning Commission review the annexation and zoning petition and this report for the Round Valley Park City Annexation and Zoning, conduct a public hearing, and consider forwarding a positive recommendation to City Council in accordance with the draft Ordinance.

EXHIBITS

Ordinance

Exhibit A- Annexation Plat

Exhibit B- Vicinity Map and Existing Conditions

Exhibit C- Map of Conservation Easements and Deed Restrictions

Exhibit D- Existing and Proposed Zoning

Exhibit E- View shed Corridors, site photos, typical vegetation

Exhibit F- Surrounding property map

Exhibit G- Sensitive Lands Analysis

Exhibit H- Wildlife Habitat

Exhibit I- County Zoning

Exhibit J- Annexation Petition Report

Exhibit K- ROS and LI Uses from LMC

Exhibit L- Minutes of the February 26th Planning Commission meeting

Exhibit M- Gordo parcel exhibit

Exhibit N- Annexation Agreement draft (under separate cover)

**AN ORDINANCE APPROVING THE ROUND VALLEY PARK CITY
ANNEXATION AND ZONING MAP AMENDMENT
ANNEXING INTO THE PARK CITY MUNICIPAL BOUNDARY AND ZONING AS
RECREATION OPEN SPACE (ROS), THE ROUND VALLEY OPEN SPACE
AREA, OSGUTHORPE FIELDS, AND GORDO PARCELS GENERALLY
LOCATED NORTH OF STATE ROAD 248, WEST OF HIGHWAY US 40, AND
EAST OF OLD RANCH ROAD LOCATED IN SECTIONS 28, 33, 34 AND 35
TOWNSHIP 1 SOUTH, RANGE 4 EAST, AND IN SECTIONS 2 AND 3,
TOWNSHIP 2 SOUTH, RANGE 4 EAST OF THE SALT LAKE BASE AND
MERIDIAN, SUMMIT COUNTY, UTAH**

WHEREAS, on March 11, 2013, the owners of the property known as the Round Valley Open Space, including the Osguthorpe Fields and the Gordo Parcels, namely Park City Municipal Corporation and Afton Stephen Osguthorpe Family Trust, petitioned the City Council for approval of an annexation of land into the Park City limits as shown on the attached Annexation Plat (Exhibit A), the "Property"; and

WHEREAS, the property is approximately 1,368 acres in area and is located generally north of State Road 248, west of US 40, and east of Old Ranch Road within, as described in the attached Legal Description and Vicinity Map (Exhibit B); and

WHEREAS, the Property will be zoned Recreation Open Space (ROS); and

WHEREAS, the Property is included within the Park City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

WHEREAS, the Park City Council accepted the Round Valley Park City Annexation petition on March 21, 2013; and

WHEREAS, the City reviewed the petition against the criteria stated in Sections 10-2-403 (2), (3), and (4) of the Utah Code, annotated 1953 as amended, and found the petition complied with all applicable criteria of the Utah Code; and

WHEREAS, On April 22, 2013, the City Recorder certified the annexation petition and delivered notice letters to the "affected entities" required by Utah Code, Section 10-2-405, and published notice in the Park Record for three consecutive weeks, giving notice, that the petition had been certified and the required 30-day protest period had begun; and

WHEREAS, no protests were filed by any "affected entities" or other jurisdictions within the 30-day protest period and the petition was considered accepted on June 2, 2013; and

WHEREAS, on February 11th and August 12, 2014, written notice was sent to surrounding property owners, the property was posted, and legal notice was published in the Park Record providing legal notice of Planning Commission and City Council hearing dates; and

WHEREAS, the Planning Commission held public hearings on February 26, 2014 and August 27, 2014, to receive public input on the proposed annexation and zoning; and

WHEREAS, on June 26, 2014, the Planning Commission and Staff circumnavigated the annexation area by van and conducted a site visit to the Gordo parcel area; and

WHEREAS, on August 27, 2014, the Planning Commission forwarded to City Council a recommendation on the proposed annexation and zoning of the Round Valley Park City Annexation; and

WHEREAS, on October 9, 2014, the City Council held a public hearing to receive input on the proposed annexation and zoning; and

WHEREAS, the City Council finds that the requested zoning map amendment is consistent with the Park City General Plan; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Annexation and Park City Zoning Map amendment, as this annexation will bring the City Owned open space property known as Round Valley Open Space, as well as the deed restricted Osguthorpe fields and the City and UDOT owned parcels, known as the Gordo parcels, into the City Limits.

WHEREAS, an Annexation Agreement, between the City and Petitioners pursuant to the Land Management Code, Section 15-8-5 (C), setting forth further terms and conditions of the Annexation, is herein included as Exhibit C.

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

SECTION 1. ANNEXATION APPROVAL. The Property is hereby annexed into the corporate limits of Park City, Utah according to the Annexation Plat executed in substantially the same form as is attached hereto as Exhibit A and according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated below.

The Property so annexed shall enjoy the privileges of Park City as described in the Annexation Agreement attached as Exhibit C and shall be subject to all City levies and assessments, conditions, and restrictions as described in the terms of said Annexation Agreement.

The Property shall be subject to all City laws, rules and regulations upon the effective date of this Ordinance.

SECTION 2. ANNEXATION AGREEMENT. Council hereby authorizes the Mayor to execute the Annexation Agreement in substantially the same form as is attached hereto as Exhibit C and as approved by the City Attorney.

SECTION 3. COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN. This annexation and the proposed zoning meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code, the Park City General Plan, and The Annexation Policy Plan - Land Management Code Chapter 8, Annexation.

SECTION 4. OFFICIAL PARK CITY ZONING MAP AMENDMENT. The Official Park City Zoning Map is hereby amended to include said Round Valley Park City Annexation area in the Recreation Open Space (ROS) zoning district, as shown in Exhibit B.

SECTION 5. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL.

Findings of Fact:

1. The annexation petition is a request to annex approximately 1,368 acres into the Park City municipal boundary and to amend the official zoning map to include the property in the Recreation Open Space (ROS) zoning district. Approximately five (5) acres are petitioned to be zoned Limited Industrial (LI).
2. The Round Valley Park City annexation area is currently located in unincorporated Summit County.
3. The non-deed restricted "Gordo" parcels, both UDOT and City owned, are within the Quinn's Junction neighborhood and along the main 248 entry corridor to Park City.
4. The proposed land uses are consistent with the purpose statements of the ROS zoning district and the Planning Staff recommends that the entire annexation area be zoned ROS.
5. The proposed annexation meets the purposes stated in the Annexation Policy Plan, in that this annexation contributes to the achievement of the goals and policies of the Park City General Plan and further protects the general interests and character of Park City.
6. The annexation will bring City owned open space land into the Park City Municipal boundary and enable services to be provided to the Property, such as police and community development services, which are more easily accessible from the City than the County.
7. The annexation does not change or remove any existing deed restrictions or conservation easements from the Property and only the

four lower “Gordo” parcels are not restricted from development due to deed restrictions and conservation easements.

8. Annexation of this parcel will not create an island, peninsula, or irregular city boundary. The annexation is a logical extension of the City Boundary.
9. This property is located within the Park City Annexation Expansion Area, adopted by the City Council in 2003.
10. Provision of municipal services, such as police, water, and community development, for this property is more efficiently provided by Park City than by Summit County, in particular for non-deed restricted “Gordo” parcels.
11. The annexation petition has been reviewed pursuant to Utah Code Annotated (UCA) Sections 10-2-401, 402, and 403. The annexation petition requirements set forth in these sections of the UCA have been met; including issues of 1) contiguity and municipal annexation expansion area, 2) boundaries drawn along existing local districts, special districts and other taxing entities, and 3) for the content of the petition.
12. The proposed annexation is consistent with the purpose statements of the Annexation Policy Plan and will protect the general interests and character of the community, assure orderly growth and development of the Park City community in terms of utilities and public services; will preserve open space and ensure environmental quality, will protect a prominent entry corridor, view sheds, and environmentally Sensitive Lands; enhance pedestrian connectivity, create buffer areas; and protect the general public health, safety, and welfare.
13. The City Staff and Review Team have reviewed the proposed annexation against the general requirements established for annexation to Park City as presented in LMC Section 15-8-2 and as further described in the Analysis section of this report.
14. No development or subdivision of the land is proposed at this time.

Conclusions of Law:

1. The Annexation and Zoning Map amendment are consistent with Annexation Policy Plan and the Park City General Plan.
2. Approval of the Annexation and Zoning Map amendment does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The Official Zoning Map shall be amended to include the Round Valley Park City Annexation parcels with the Recreation Open Space (ROS) Zone with the Entry Corridor Overlay Zone along the property frontage with State Road 248.
2. The annexation agreement shall be fully executed and recorded with the Annexation Plat.

3. All current ROWs will remain under their respective jurisdiction

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat and Annexation Agreement, and compliance with state annexation filing requirements, pursuant to the Utah Code Annotated Section 10-2-425.

PASSED AND ADOPTED this ____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

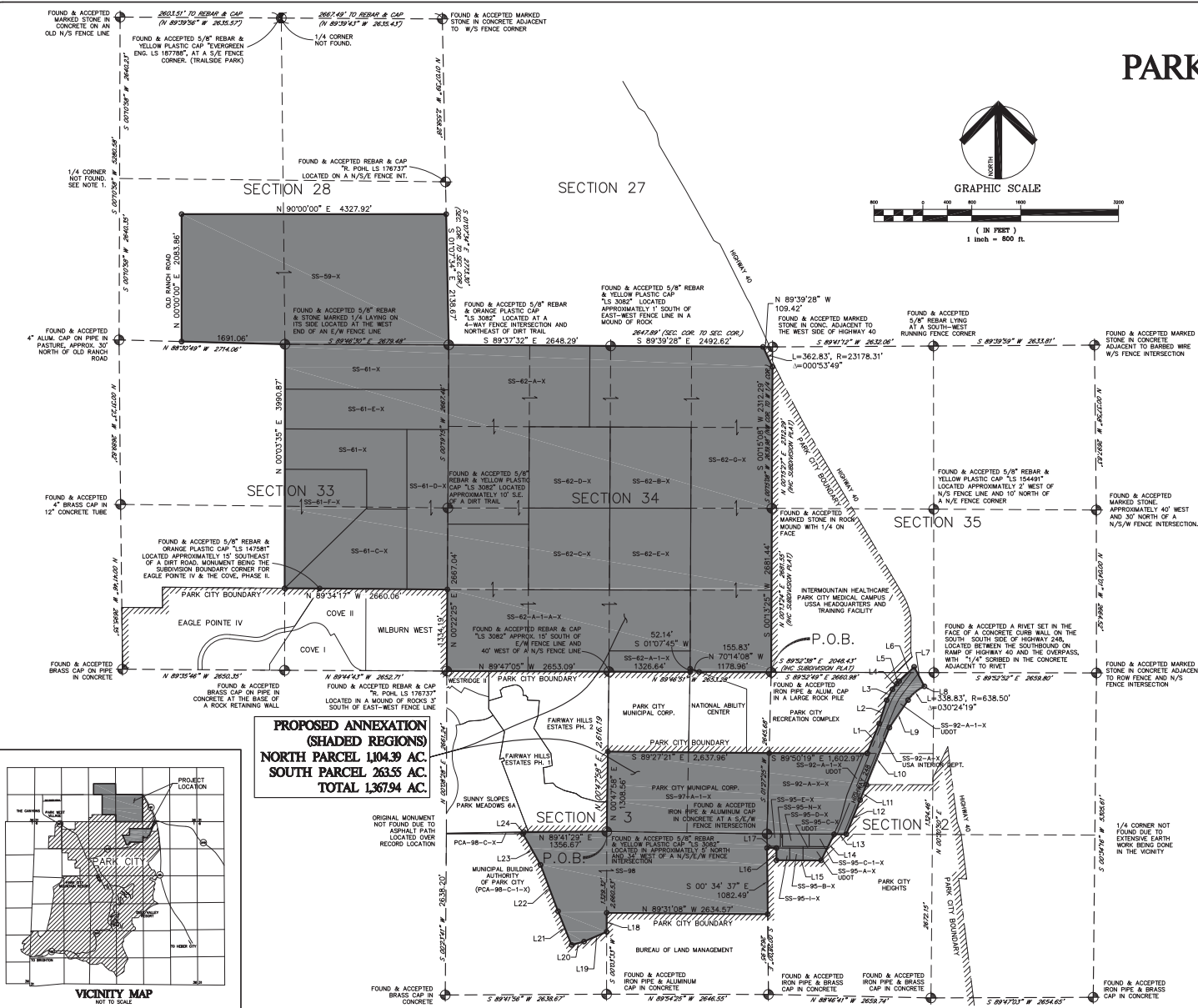
Mark D. Harrington, City Attorney

ROUND VALLEY PARK CITY ANNEXATION PLAT

LOCATED IN SECTIONS 28, 33, 34 & 35,
TOWNSHIP 1 SOUTH, RANGE 4 EAST,
AND IN SECTIONS 2 & 3,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN,
SUMMIT COUNTY, UTAH



GRAPHIC SCALE
(IN FEET)
1 inch = 800 ft.



Line No.	Bearing	Distance
L1	N 22° 01' 00" E	527.41'
L2	N 17° 42' 46" E	399.75'
L3	N 28° 04' 06" E	200.00'
L4	N 37° 37' 06" E	115.81'
L5	N 42° 52' 13" E	57.93'
L6	S 46° 13' 24" W	339.56'
L7	N 27° 45' 07" W	360.10'
L8	N 63° 51' 50" E	13.75'
L9	N 38° 07' 11" E	544.70'
L10	S 22° 00' 39" W	1005.18'
L11	S 21° 58' 40" W	273.27'
L12	N 22° 02' 06" E	602.76'

Line No.	Bearing	Distance
L13	S 89° 47' 17" W	199.82'
L14	S 26° 17' 01" W	477.04'
L15	N 89° 47' 52" W	732.08'
L16	N 00° 03' 08" E	200.00'
L17	N 89° 47' 52" W	153.20'
L18	S 00° 03' 33" W	310.33'
L19	S 66° 33' 26" W	402.55'
L20	S 75° 13' 12" W	211.20'
L21	N 21° 57' 05" W	593.43'
L22	N 20° 37' 22" W	811.06'
L23	N 29° 33' 29" W	581.91'
L24	N 23° 04' 37" E	33.39'

PARCEL IDENTIFICATION
SEE SHEET 2 OF 2

BOUNDARY DESCRIPTION (COMBINED PARCELS)
SEE SHEET 2 OF 2

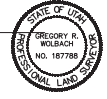
OWNER'S CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNERS OF THE HEREOF DESCRIBED TRACT OF LAND, AND, BEING MAYOR OF THE PARK CITY MUNICIPAL CORPORATION, HAVE CAUSED THIS ANNEXATION PLAT TO BE PREPARED. I/WE DO HEREBY CONSENT TO THE RECORDATION OF THIS ANNEXATION PLAT.

JACK THOMAS, MAYOR

CORPORATE ACKNOWLEDGMENT
STATE OF UTAH) JACK THOMAS, MAYOR
COUNTY OF SUMMIT)
ON THE _____ DAY OF _____, 2012, PERSONALLY APPEARED BEFORE ME JACK THOMAS, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS MAYOR OF PARK CITY MUNICIPAL CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF SAID CORPORATION AND FURTHER ACKNOWLEDGED TO ME THAT SAID CORPORATION HAS PETITIONED TO ANNEX TO ITS CORPORATE LIMITS THE AREA OF WHICH PARK CITY MUNICIPAL CORPORATION HAS PETITIONED TO ANNEX TO ITS CORPORATE LIMITS. THIS PLAT AND THE DESCRIPTION HEREON HAVE BEEN PREPARED FOR ANNEXATION PURPOSES ONLY AND DO NOT PURPORT TO REPRESENT OR ESTABLISH ACTUAL PROPERTY BOUNDARY LINES. I FURTHER CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES: _____
RESIDING IN _____ COUNTY, STATE _____

SURVEYOR'S CERTIFICATE
I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT I HAVE PREPARED THIS PLAT BASED UPON OWNERSHIP INFORMATION ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE AREA OF WHICH PARK CITY MUNICIPAL CORPORATION HAS PETITIONED TO ANNEX TO ITS CORPORATE LIMITS. THIS PLAT AND THE DESCRIPTION HEREON HAVE BEEN PREPARED FOR ANNEXATION PURPOSES ONLY AND DO NOT PURPORT TO REPRESENT OR ESTABLISH ACTUAL PROPERTY BOUNDARY LINES. I FURTHER CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW.



CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 20____

CHAIRMAN _____

CITY COUNCIL APPROVAL
PRESENTED TO THE BOARD OF _____ DAY OF _____ A.D. 20____ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

CITY RECORDER _____

CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 20____

CITY ENGINEER _____

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____

CITY ATTORNEY _____

COUNCIL APPROVAL AND ACCEPTANCE
APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 20____

MAYOR _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ A.D. 20____

BY: _____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

Evergreen Engineering, Inc.
Civil Engineering * Land Surveying * Land Planning
1670 Bonanza Drive * Suite 104
P.O. Box 2881 * Park City * Utah * 84060
Phone: (435) 648-4667 * Fax: (435) 648-9219
E-mail: office@evergreen-eng.com

ROUND VALLEY PARK CITY ANNEXATION PLAT

LOCATED IN SECTIONS 28, 33, 34 & 35,
TOWNSHIP 1 SOUTH, RANGE 4 EAST,
AND IN SECTIONS 2 & 3,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN,
SUMMIT COUNTY, UTAH

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH, (BASIS OF BEARING NORTH 89°46'51" WEST A DISTANCE OF 2,653.28 FEET BETWEEN THE SOUTHEAST CORNER OF SAID SECTION 34 (A FOUND ALUMINUM CAP IN A ROOK FILE) AND THE SOUTH QUARTER CORNER OF SAID SECTION 34 (A FOUND REBAR WITH YELLOW CAP MARKED "LS #3082"); SAID POINT OF BEGINNING ALSO BEING ON THE NORTHERLY BOUNDARY LINE OF THE "PARK CITY RECREATION COMPLEX" SUBDIVISION AND THE SOUTHWEST CORNER OF THE "INTERMOUNTAIN HEALTHCARE PARK CITY MEDICAL CAMPUS / USSA HEADQUARTERS AND TRAINING FACILITY" SUBDIVISION; THENCE ALONG SAID NORTHERLY SUBDIVISION BOUNDARY LINE AND SAID SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, NORTH 89°46'51" WEST A DISTANCE OF 1,178.96 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF THE NATIONAL ABILITY CENTER; THENCE LEAVING SAID SECTION LINE AND CONTINUING ALONG SAID NATIONAL ABILITY CENTER BOUNDARY THE FOLLOWING TWO CALLS: (1) NORTH 70°14'08" WEST A DISTANCE OF 155.83 FEET; (2) SOUTH 01°07'45" WEST A DISTANCE OF 52.14 FEET TO A POINT ON THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE ALONG SAID SOUTHERLY QUARTER SECTION LINE, NORTH 89°46'51" WEST A DISTANCE OF 1,326.64 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 34, SAID POINT ALSO BEING THE NORTHEAST BOUNDARY CORNER OF THE "FAIRWAY HILLS ESTATES PHASE 2" SUBDIVISION; THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 (ALSO BEING THE NORTHERLY BOUNDARY LINES OF THE SAID FAIRWAY HILLS ESTATES PHASE 2 AND WESTRIDGE II SUBDIVISION) NORTH 89°47'05" WEST A DISTANCE OF 2,653.09 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 34 (A FOUND REBAR WITH YELLOW CAP MARKED "R, FOHL, LS 176737"); THENCE ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, NORTH 00°22'25" EAST A DISTANCE OF 1,334.19 FEET; THENCE LEAVING SAID WESTERLY QUARTER SECTION LINE, NORTH 89°34'17" WEST A DISTANCE OF 2,660.06 FEET TO A POINT ON THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH, SAID POINT ALSO BEING ON THE NORTHERLY BOUNDARY LINE OF "EAGLE PONTE I" SUBDIVISION; THENCE LEAVING SAID NORTHERLY BOUNDARY LINE AND CONTINUING ALONG SAID NORTH-SOUTH CENTER SECTION LINE NORTH 00°03'35" EAST A DISTANCE OF 3,990.87 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 33 (A FOUND REBAR & STONE MARKED 1/4) SAID POINT ALSO BEING THE SOUTH QUARTER CORNER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, NORTH 89°30'49" WEST A DISTANCE OF 1,691.06 FEET; THENCE LEAVING SAID SOUTHERLY QUARTER SECTION LINE, NORTH 00°00'00" EAST A DISTANCE OF 2,083.86 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 4,327.92 FEET TO A POINT ON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28; THENCE ALONG SAID EASTERLY QUARTER SECTION LINE, SOUTH 01°07'34" EAST A DISTANCE OF 2,188.67 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 28 (A FOUND REBAR WITH ORANGE PLASTIC CAP MARKED "LS #3082"); THENCE ALONG THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 34 SOUTH 89°37'32" EAST A DISTANCE OF 2,648.29 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 34 (A FOUND REBAR WITH YELLOW PLASTIC CAP MARKED "LS #3082"); THENCE ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34 SOUTH 89°30'28" EAST A DISTANCE OF 2,492.62 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF THE "INTERMOUNTAIN HEALTHCARE PARK CITY MEDICAL CAMPUS / USSA HEADQUARTERS AND TRAINING FACILITY" SUBDIVISION, SAID POINT BEING ON A 23,178.31 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID WESTERLY BOUNDARY LINE THE FOLLOWING THREE (3) CALLS: (1) THENCE 362.82 FEET ALONG THE ARC OF SAID 23,178.31 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0°05'49" TO A POINT ON THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34; (2) THENCE ALONG SAID EASTERLY QUARTER SECTION LINE, SOUTH 00°15'08" WEST A DISTANCE OF 2,312.29 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 34 (A FOUND STONE MARKED 1/4 IN A ROOK MOUND); (3) THENCE ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, SOUTH 00°15'25" WEST A DISTANCE OF 2,681.44 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 34, ALSO BEING THE POINT OF BEGINNING.

BOUNDARY DESCRIPTION (CONTINUED)

ALSO INCLUDING THE FOLLOWING:

BEGINNING AT THE CENTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH, (BASIS OF BEARING NORTH 00°47'58" EAST A DISTANCE OF 2,616.19 FEET BETWEEN THE CENTER OF SAID SECTION 3 (A FOUND REBAR WITH YELLOW CAP MARKED "LS #3082") AND THE NORTH QUARTER CORNER OF SAID SECTION 3 (A FOUND REBAR WITH YELLOW CAP MARKED "LS #3082")); THENCE ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION 3, NORTH 00°47'58" EAST A DISTANCE OF 1,308.56 FEET; THENCE LEAVING SAID NORTH-SOUTH CENTER SECTION LINE SOUTH 89°27'21" EAST A DISTANCE OF 2,637.96 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3, SAID POINT ALSO BEING ON THE SOUTHERLY BOUNDARY OF PARK CITY RECREATION COMPLEX SUBDIVISION; THENCE ALONG SAID SOUTHERLY BOUNDARY LINE SOUTH 89°05'19" EAST A DISTANCE OF 1,602.87 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY OF STATE ROUTE 248; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY AND EASTERLY BOUNDARY OF SAID PARK CITY RECREATION COMPLEX SUBDIVISION THE FOLLOWING SIX (6) CALLS: (1) THENCE NORTH 22°01'07" EAST A DISTANCE OF 927.41 FEET; (2) THENCE NORTH 17°42'46" EAST A DISTANCE OF 399.75 FEET; (3) NORTH 28°04'06" EAST A DISTANCE OF 200.00 FEET; (4) THENCE NORTH 37°37'06" EAST A DISTANCE OF 115.81 FEET; (5) THENCE NORTH 42°52'13" EAST A DISTANCE OF 97.93 FEET; (6) THENCE NORTH 46°13'24" EAST A DISTANCE OF 339.56 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 40; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY SOUTH 27°45'07" EAST A DISTANCE OF 360.10 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF STATE ROUTE 248; THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) CALLS: (1) THENCE SOUTH 63°51'50" WEST A DISTANCE OF 13.75 FEET TO A POINT ON A 638.50 FOOT RADIUS CURVE TO THE LEFT; (2) THENCE ALONG THE ARC OF SAID CURVE 338.83 FEET THROUGH A CENTRAL ANGLE OF 30°24'19"; (3) THENCE SOUTH 34°07'11" WEST A DISTANCE OF 544.70 FEET; (4) THENCE SOUTH 22°00'39" WEST 1,005.18 FEET; (5) THENCE SOUTH 21°58'40" WEST A DISTANCE OF 273.27 FEET; (6) THENCE SOUTH 22°02'04" WEST 602.76 FEET TO A POINT ON THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 2; THENCE LEAVING SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND CONTINUING ALONG SAID EAST-WEST CENTER SECTION LINE SOUTH 89°47'17" WEST A DISTANCE OF 199.82 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 248; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 26°17'01" WEST A DISTANCE OF 477.04 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE NORTH 89°47'52" WEST A DISTANCE OF 732.08 FEET; THENCE NORTH 00°03'08" EAST A DISTANCE OF 200.00 FEET; THENCE NORTH 89°47'52" WEST A DISTANCE OF 153.20 FEET TO THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID EASTERLY QUARTER SECTION LINE SOUTH 00°34'37" EAST A DISTANCE OF 1,082.49 FEET TO THE EAST-WEST 1/16TH LINE OF SAID SECTION 3; THENCE ALONG SAID EAST-WEST 1/16TH LINE NORTH 89°31'08" WEST A DISTANCE OF 2,634.57 FEET TO THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION 3, THENCE ALONG SAID NORTH-SOUTH CENTER SECTION LINE SOUTH 00°03'33" WEST A DISTANCE OF 310.33 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TAX PARCEL PCA-98-C-1-X; THENCE ALONG SAID NORTHERLY BOUNDARY LINE THE FOLLOWING FIVE (5) CALLS: (1) THENCE SOUTH 66°33'26" WEST A DISTANCE OF 402.55 FEET; (2) THENCE SOUTH 75°13'12" WEST A DISTANCE OF 211.20 FEET; (3) THENCE NORTH 21°57'05" WEST A DISTANCE OF 593.43 FEET; (4) THENCE NORTH 20°37'22" WEST A DISTANCE OF 611.06 FEET; (5) THENCE NORTH 29°33'29" WEST A DISTANCE OF 581.91 FEET TO A POINT ON THE EASTERLY LINE OF TAX PARCEL PCA-98-C-X; THENCE ALONG SAID EASTERLY LINE NORTH 23°04'37" EAST A DISTANCE OF 33.39 FEET TO THE SOUTHERLY LINE OF "SUNNY SLOPES PARK MEADOWS SUBDIVISION NO. 6A"; THENCE ALONG SAID SOUTHERLY LINE OF "SUNNY SLOPES PARK MEADOWS SUBDIVISION NO. 6A" AND ALONG THE SOUTHERLY LINE OF "FAIRWAY HILLS ESTATES PHASE 1" SUBDIVISION NORTH 89°41'29" EAST A DISTANCE OF 1,356.67 FEET TO THE CENTER OF SAID SECTION 3, ALSO BEING THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 1,367.16 ACRES.

PARCEL IDENTIFICATION

PARK CITY MUNICIPAL CORPORATION LAND, AS FOLLOWS:

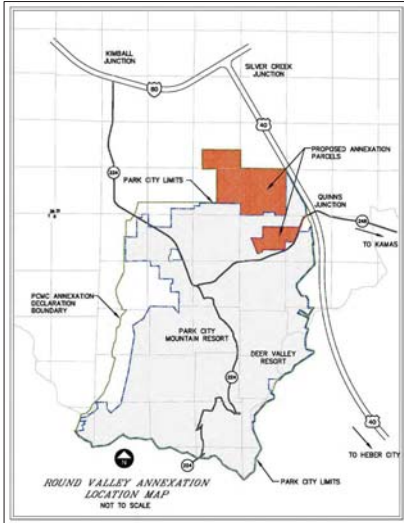
- SECTION 28, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-99-X (PCMC)
- SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-C-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-D-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-E-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-F-X (PCMC)
- SECTION 34, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-A-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-B-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-C-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-D-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-E-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-G-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-A-1-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-A-1A-X (PCMC)
- SECTION 2, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-92-A-X (U.S.A., INTERIOR DEPT.)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-92-A-X-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-92-A-X (UDOT)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-A-X (UDOT)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-B-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-C-X (UDOT)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-D-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-E-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-H-X (PCMC)
- SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-97-A-1-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-98 (STEPHEN A. OSGUTHORPE, TRUSTEE)

Evergreen Engineering, Inc.

Civil Engineering • Land Surveying • Land Planning
1670 Bonanza Drive • Suite 1104
P.O. Box 2861 • Park City • Utah • 84060
Phone: (435) 648-4667 • Fax: (435) 648-9219
E-mail: office@evergreen-eng.com

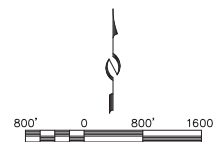
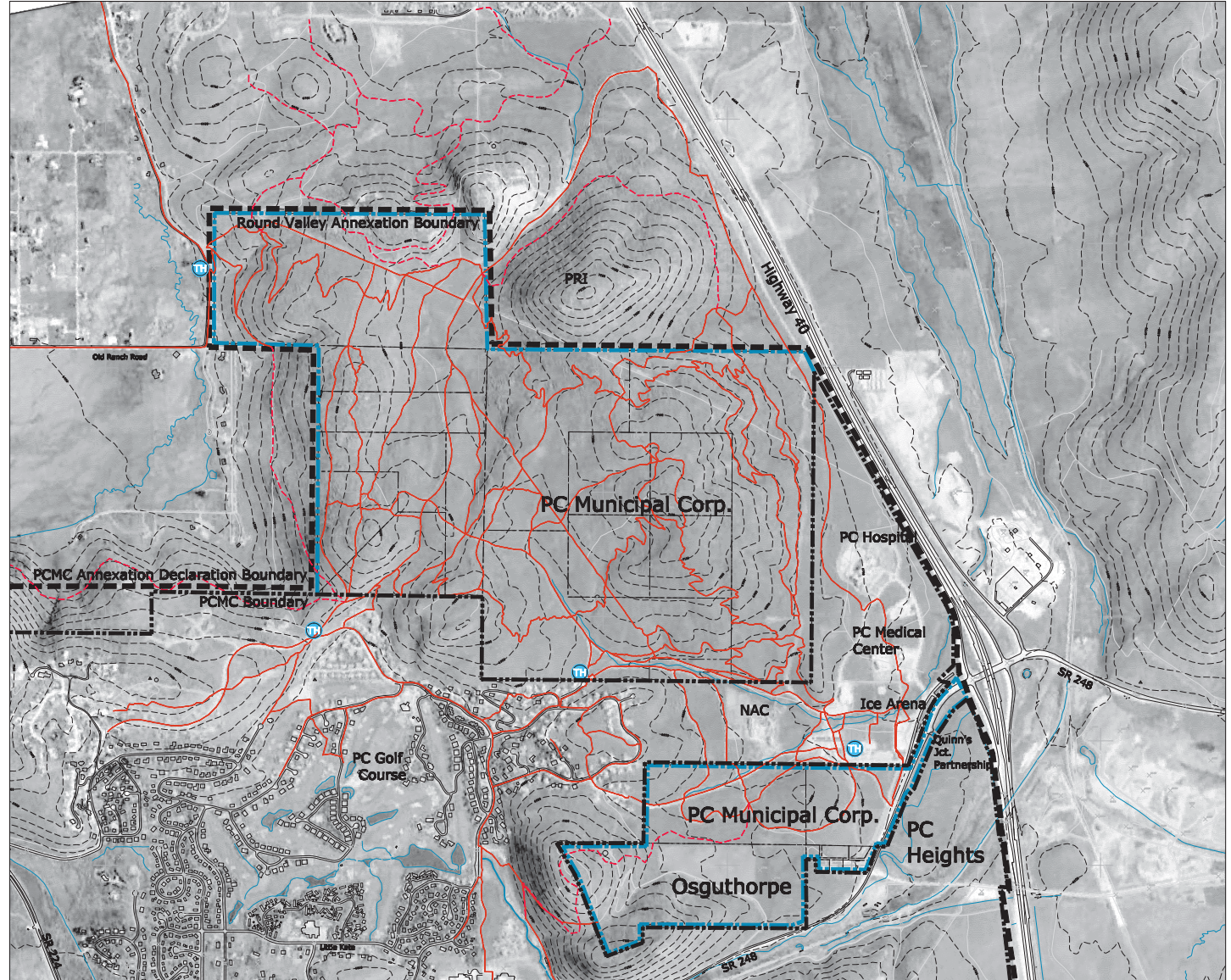


SHEET 2 OF 2
PLOTTED: MARCH 26, 2014
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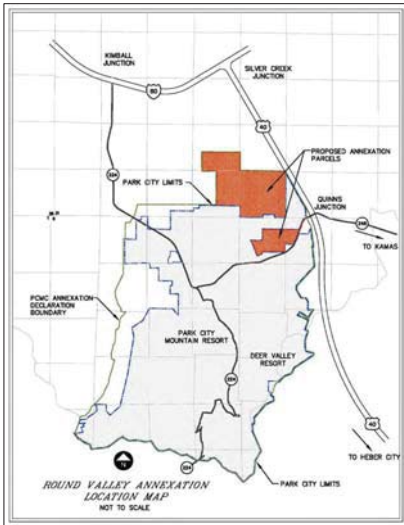
LEGEND

- Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary
- Existing Round Valley trails and jeep roads
- Proposed Round Valley trails
- Existing trailheads



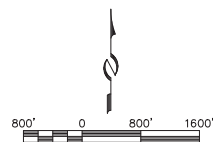
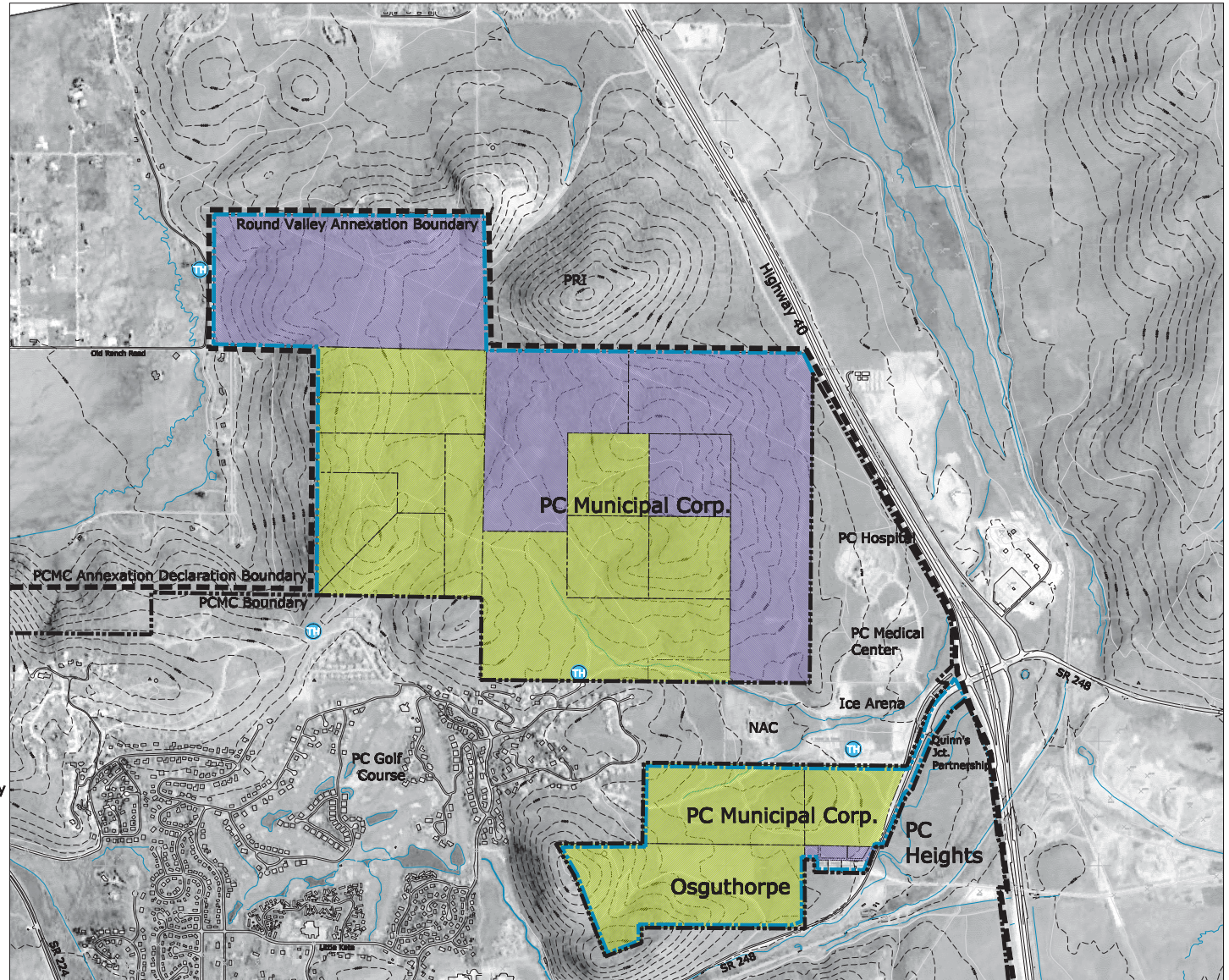
<p>(435) 648-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2654 Park City, Utah 84060-2654</p>	<p>STAFF: STEVE SCHUELER</p>	<p>ROUND VALLEY ANNEXATION PETITION Existing Conditions + Ortho-Photo PARK CITY MUNICIPAL CORPORATION</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 6/16/13</p>	<p>FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Existing Conditions map no ortho.dwg</p>	


EXHIBIT C

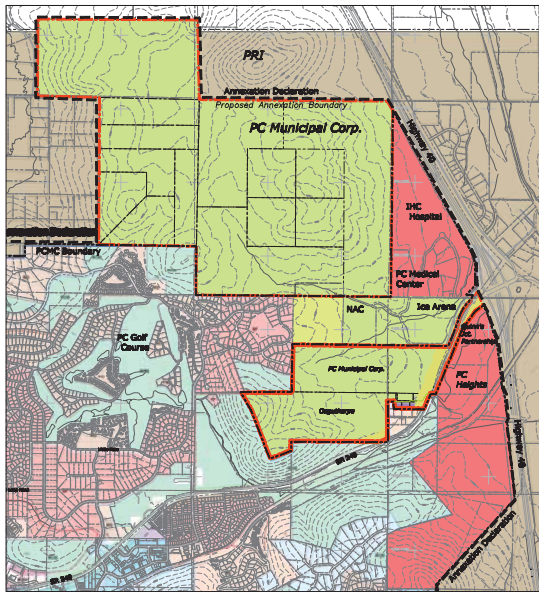


LEGEND

- Annexation lands with existing Conservation Easements
- Annexation lands with existing Deed Restrictions
- Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary



 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street P.O. Box 2654 Park City, Utah 84060-2654</small>	(435) 648-9467	STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXATION PETITION Conservation Easements+Deed Restrictions PARK CITY MUNICIPAL CORPORATION	SHEET 1 OF 1
	DATE: 6/16/13	FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Existing Conditions map no ortho.dwg		



Overall Annexation Area
Not to scale

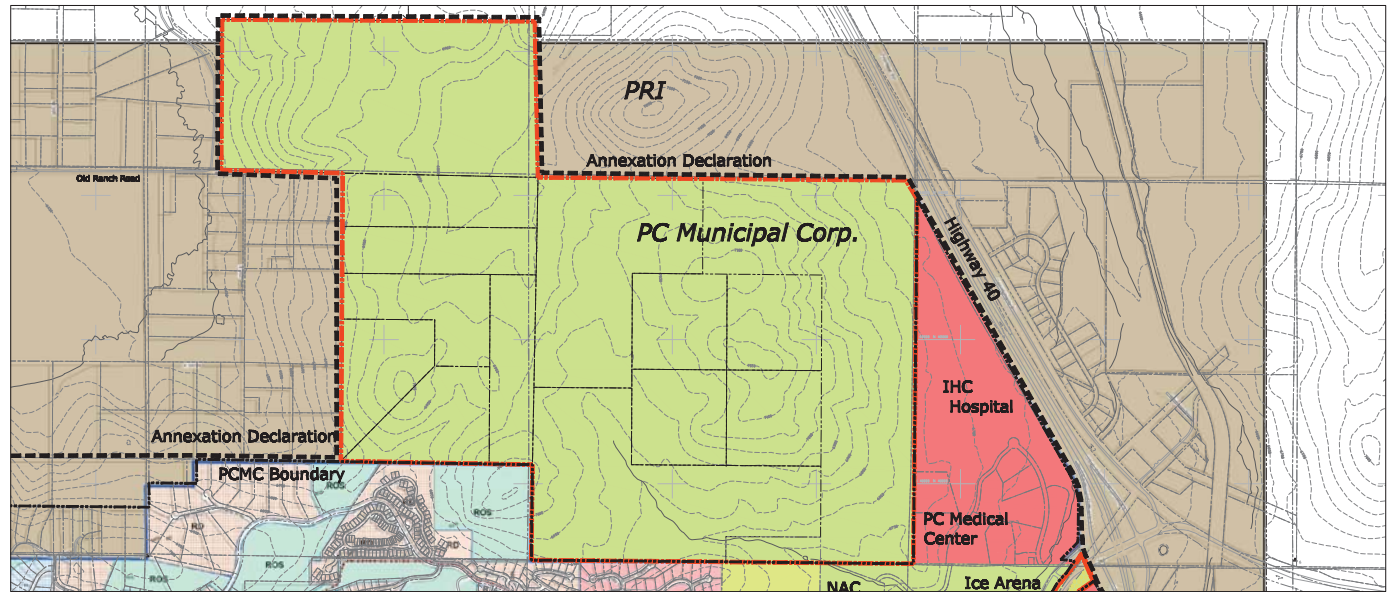
Proposed Zoning

- Recreation Open Space (ROS)
- Light Industrial (LI)
- Frontage Protection Zone (FPZ)

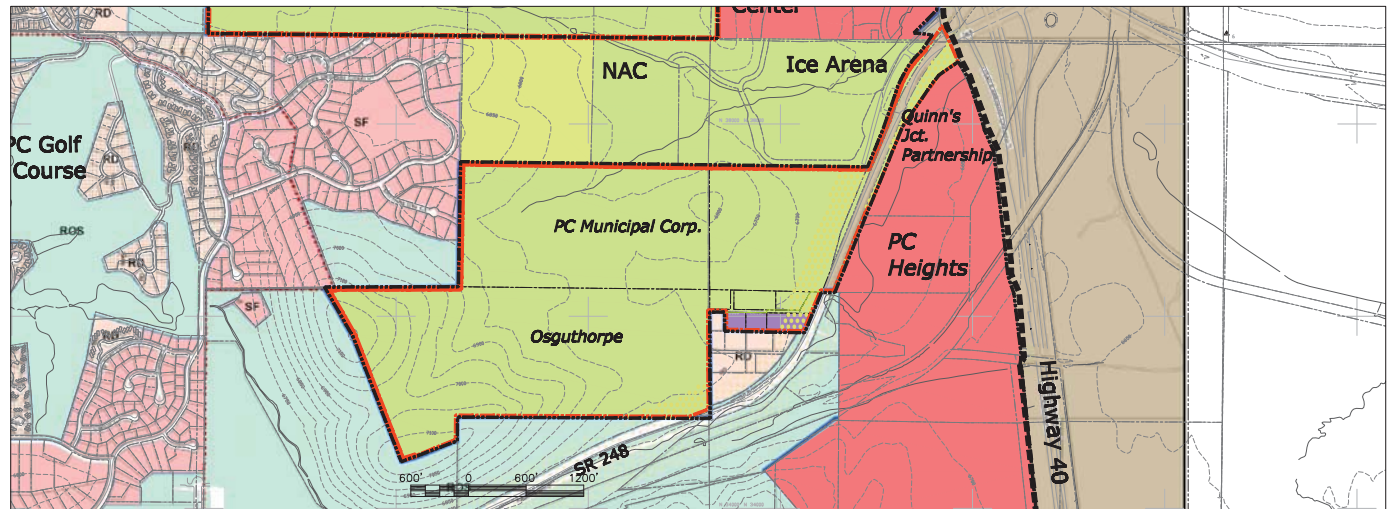
Existing Zoning-Surrounding Areas

- Community Transition (CT)
- Recreation Open Space (ROS)
- Preservation Open Space (POS)
- Estate (E)
- Single Family (SF)
- Residential Development (RD)
- Light Industrial (LI)

- Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary



North Parcel



South Parcel


 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small> <small>322 Main Street P.O. Box 2654 Park City, Utah 84050-2654</small>	<small>(435) 640-8487</small> STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXATION PETITION PROPOSED ZONING PARK CITY MUNICIPAL CORPORATION FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Zoning Map.dwg	SHEET 1 OF 1
	<small>DATE: 5/30/14</small>		

EXHIBIT E



A View of South RV from Park Meadows



B View from West RV/ Matt's Flat Trail



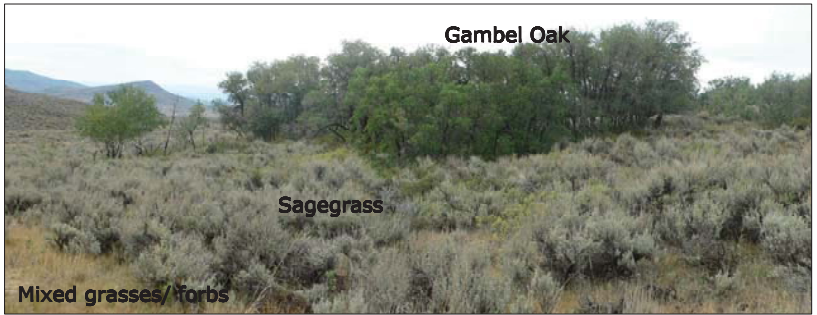
C View from SR 248 looking West



D View from Hwy. 40 looking West

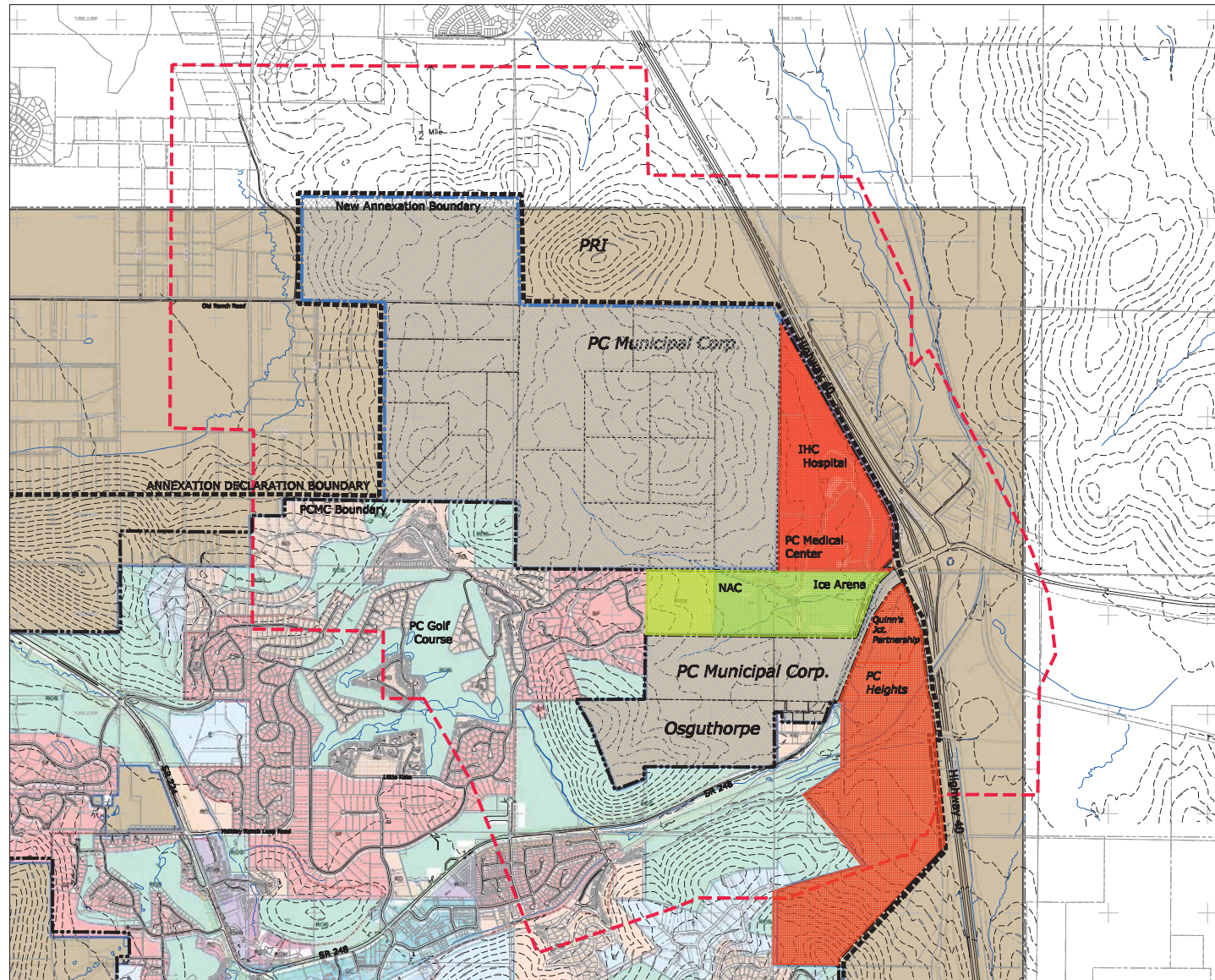
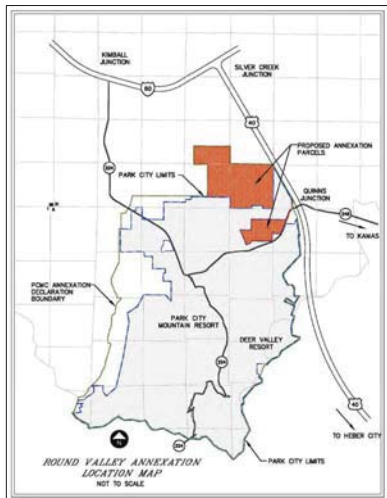


Viewpoint Legend (NTS)



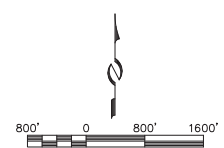
Prototypical vegetation patterns

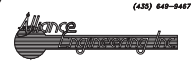
<p>(435) 649-9457 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2654 Park City, Utah 84050-2654</p>	<p>STAFF: STEVE SCHUELER</p>	<p>VIEWSHED CORRIDORS + SITE IMAGES ROUNDVALLEY ANNEXATION</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 2/19/13</p>	<p>FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\Annex 2012\view_corridors.dwg</p>	

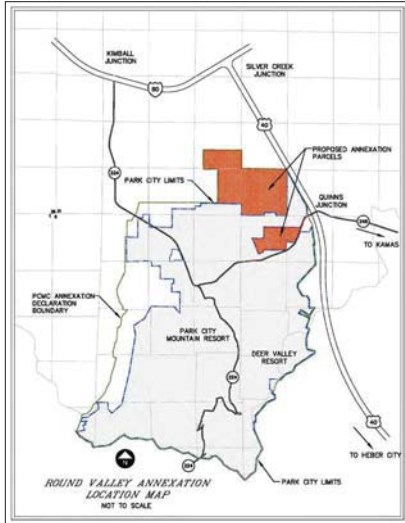


LEGEND

- - - - - Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary
- - - - - 1/2 Mile Boundary



 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2654 Park City, Utah 84060-2654</small>	<small>(435) 648-9487</small> STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXTION PETITION 1/2 MILE PROPERTY LAND USE PARK CITY MUNICIPAL CORPORATION	SHEET 1 OF 1
	DATE: 6/16/13	FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Exhibits.dwg	



Slope Analysis

Color	Layer	Percent	Acres
Light Yellow	0-15%	55.0	752
Yellow	15-40%	44.0	602
Orange	40+%	2.0	27
		Total	1,368

Ridgelines

Prominent Ridges

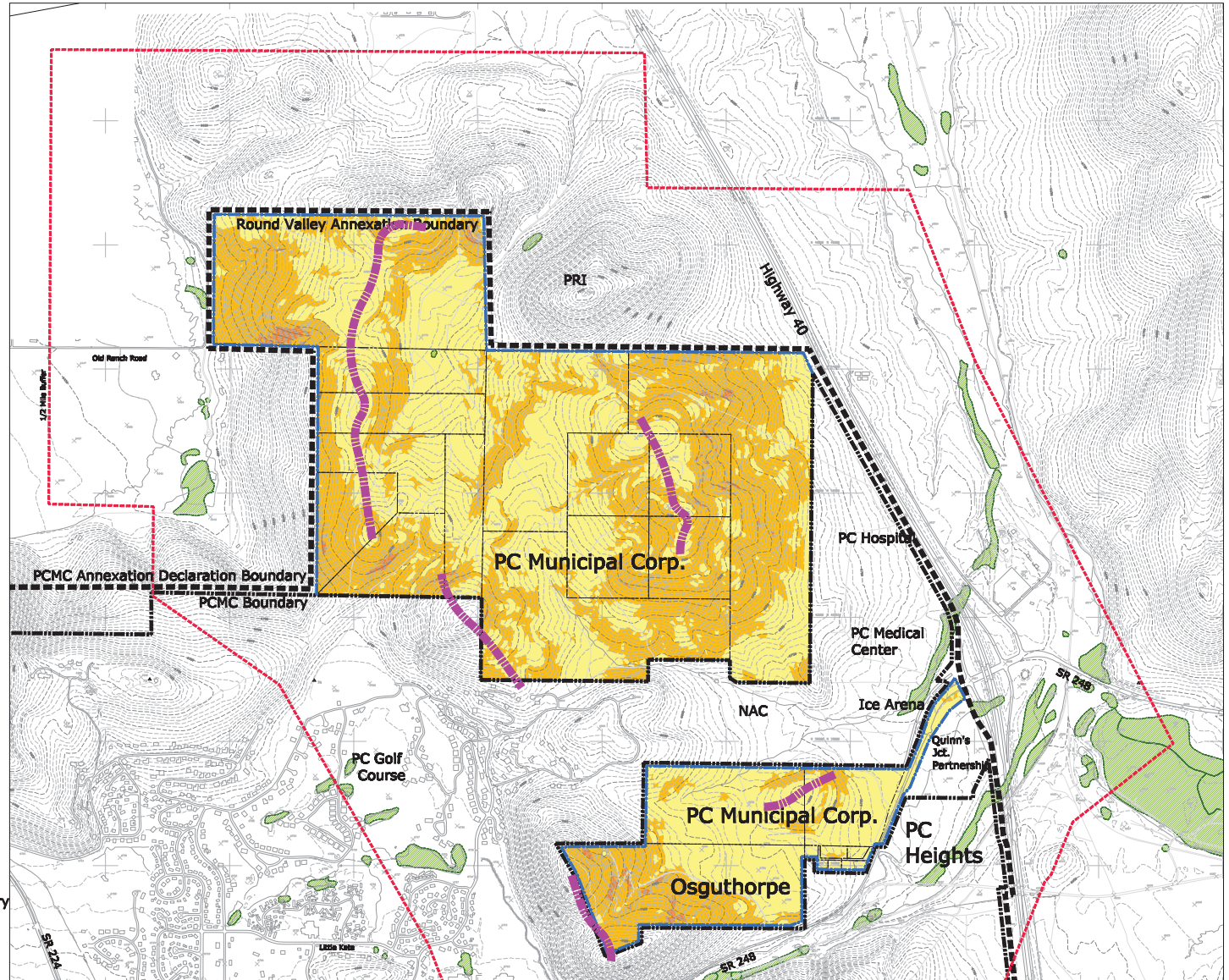
Wetlands*

Mapped Wetlands

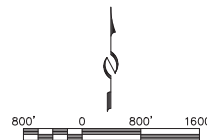
Round Valley Annexation Boundary

PCMC Annexation Declaration Boundary

Existing PCMC Boundary








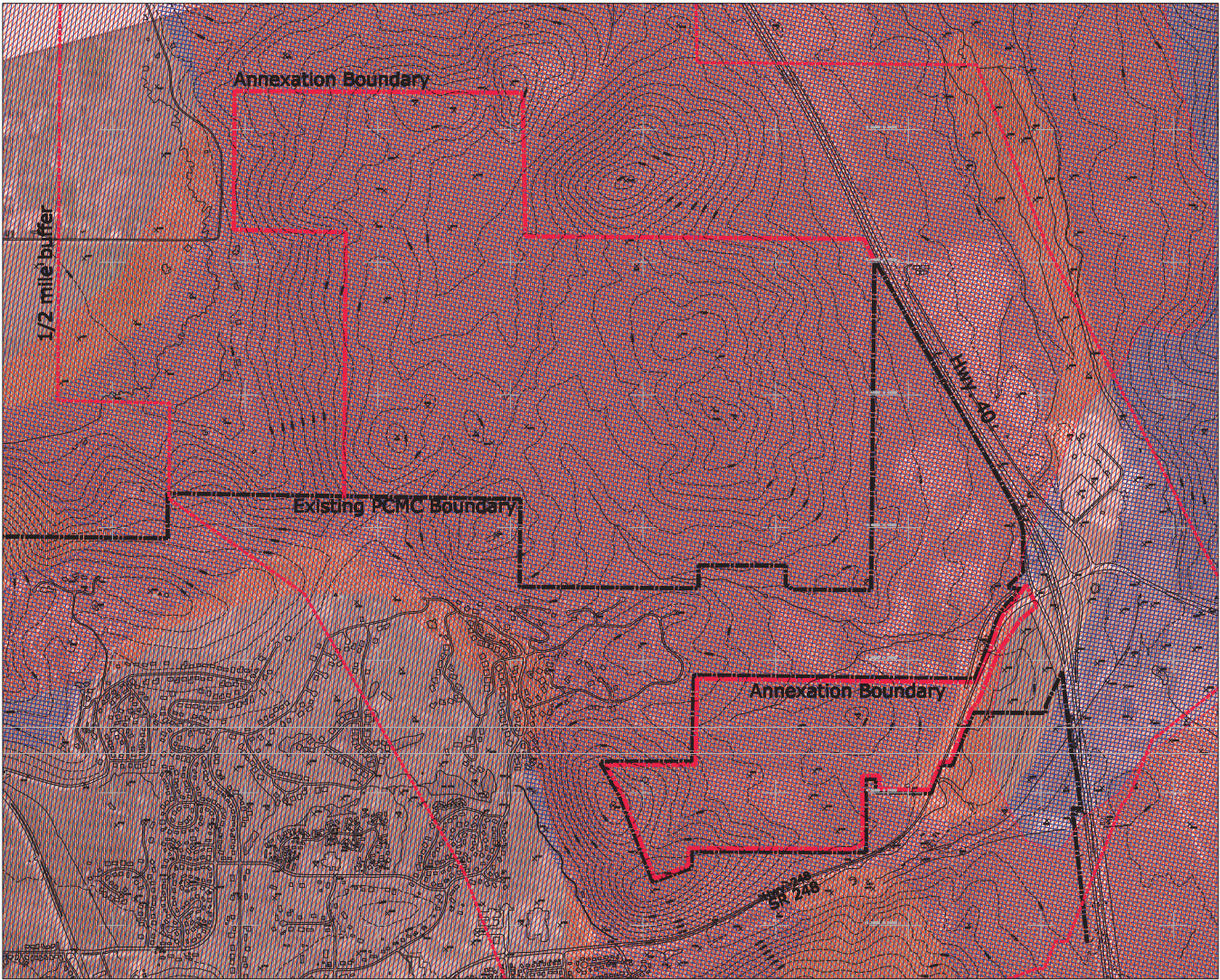
* Wetlands data provided by the State of Utah GIS website



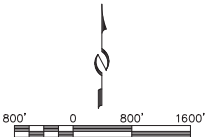
<p>(435) 648-9467</p> <p>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</p> <p>322 Main Street P.O. Box 2654 Park City, Utah 84060-2654</p>	<p>STAFF:</p> <p>STEVE SCHUELER</p>	<p>ROUND VALLEY ANNEXATION PETITION</p> <p>SENSITIVE LANDS ANALYSIS</p> <p>PARK CITY MUNICIPAL CORPORATION</p>	<p>SHEET</p> <p>1</p> <p>OF</p> <p>1</p>
	<p>DATE: 6/16/13</p>	<p>FOR: PCMC</p> <p>JOB NO.: 7-1-12</p> <p>FILE: X:\Quinn's Junction\dwg\Existing Conditions.dwg</p>	


Wildlife Habitat Legend*

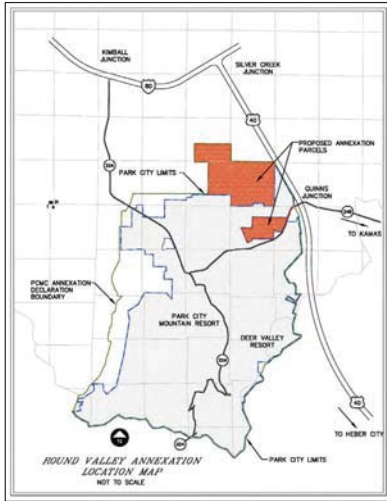
-  Mule Deer Habitat
-  Black Bear Habitat
-  Sage grouse-100% of project area
-  Ruffed grouse
-  Blue grouse



* Mapping data downloaded from the State of Utah GIS Portal website

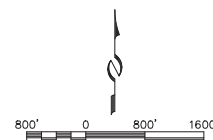
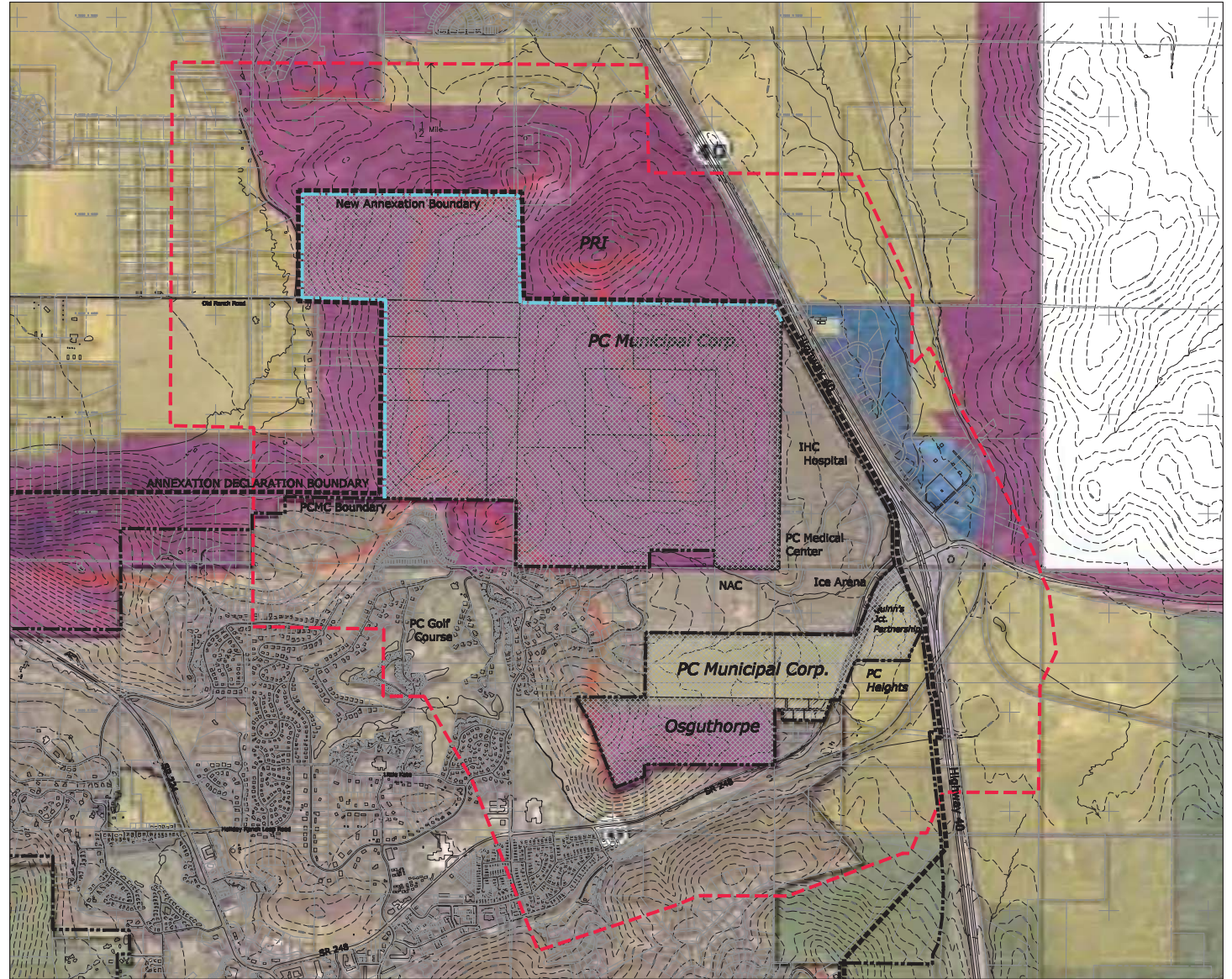


 (435) 649-8467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2664 Park City, Utah 84060-2664	STAFF: STEVE SCHUELER	WILDLIFE HABITAT ROUND VALLEY ANNEXATION PARCEL	SHEET 1 OF 1
	DATE: 6/16/13	FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinna Junction\Annexation 2012\wildlife sheet.dwg	



LEGEND

- — — — — Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary
- 1/2 Mile Boundary



 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small> <small>323 Main Street P.O. Box 2664 Park City, Utah 84099-2664</small>	<small>(435) 649-9447</small> STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXATION PETITION EXISTING SUMMIT COUNTY ZONING PARK CITY MUNICIPAL CORPORATION FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Existing Conditions.dwg	SHEET 1 OF 1
	<small>DATE: 2/18/13</small>		



Round Valley Annexation Petition

Introduction

Park City Municipal Corporation (PCMC) is petitioning to have the area generally known as Round Valley (RV), annexed into Park City. The bulk of the parcels contained within the proposed annexation area are either owned outright by PCMC or PCMC retains conservation easements or deed restrictions. The project is located in the Quinn's Junction area. See attached Existing Conditions map. The purpose of this report is to provide a review and analysis of the existing and proposed land uses associated with the annexation of the Round Valley property. The property exists within Park City's annexation declaration boundary, as shown on the attached Annexation Boundary Declaration exhibit. The annexation petition is consistent with the Purpose and General Requirements of Chapter 8-Annexation of the Park City Land Management Code. An Annexation Plat is attached.

Existing Conditions

The annexation area consists of properties within two larger parcels (North Parcel and South Parcel) which are separated from each other by properties within the boundaries of PCMC. Both of these parcels consist of lands purchased over 20 of years by PCMC specifically for open space protection and for use as a recreation amenity by residents and visitors (see Existing Conditions map) through taxpayer-funded Open Space bonds. The total area of the proposed annexation area is 1,367.16 acres. Existing natural conditions have been identified, in some cases mapped, and then subsequently analyzed to address the requirements of the Annexation Petition and are noted below.

The North parcel lands present as undeveloped open space with topography consisting of rolling hills surrounding a central valley (Round Valley). The lowest point of the valley area appears to contain a small jurisdictional wetlands habitat. Numerous trails used by hikers, bikers, and winter user's crisscross the Round Valley area.

The South parcel is similar in character to the North parcel. Topography consists of gently rolling terrain and flat fields. Most of this parcel exists as undeveloped open space with multi-use trails. A portion is farmed for hay, and several small parcels have been utilized for vehicle storage, road salt storage and related uses. Individual ownership parcels of the entire annexation area are found at the end of this document.

a. Slopes:

A slope analysis has been conducted with the following results:

Slopes 0 – 15%	55%
Slopes 15-40%	44%
Slopes 40%+	1%

See the attached slope analysis. Ridgelines have also been identified as part of this analysis.

Round Valley Annexation Petition

b. Wetlands and Hydrology:

Wetlands in the annexation area, and surrounding lands, have been mapped by the Environmental Protection Agency as part of a nationwide wetlands inventory and the mapping, available in a digital format, was downloaded from the State of Utah GIS portal website for use in mapping wetlands. This mapping would not be considered to be detailed enough for a site-specific wetlands identification, but is useful in generally determining where wetlands are likely located. The digital mapping shows a very small wetland area in Round Valley itself. An on-site delineation will be required in the event that activities are proposed in this wetlands area. These mapped wetlands are shown on the Sensitive Lands Map.

c. Vegetative Cover:

Vegetation consists of mountain mahogany, shrub oak, sagebrush, mixed native grasses and various perennials. Invasive weed species are found throughout the parcel (See attached character image of the vegetation patterns).

d. View Corridors:

Important view corridors exist along Route 248 and 40 and comprise portions of the RV Annexation area. The parcels within the annexation area were purchased or controlled by PCMC, in part, to protect the visual character of the entry in Park City. Visually, the Round Valley Annexation area presents as undeveloped foothills between the State Route 40 corridor and the Snyderville Basin. See the attached Viewshed Analysis.

e. Wildlife:

Wildlife habitat information for important species has been downloaded and mapped from the State of Utah GIS Portal website. As shown on the wildlife mapping, black bear, blue grouse, sage grouse, ruffed grouse and mule deer habitat are found within the annexation area and on nearby open space lands.

Threatened and Endangered Species-As shown on the following table, Summit County animal and plant species has been listed as one or more of the following: Federally-listed or candidate species under the Endangered Species Act (S-ESA), Wildlife species of concern (SPC), and Species receiving special management under a Conservation Agreement in order to preclude the need for Federal listing (CS). The animals and plants listed below are found in Summit County or Wasatch Counties but are not be specific to the annexation parcels.

Round Valley Annexation Petition

Table 1-Animal Species in Summit County of S-ESA, SPC, or CS Status

<i>Common Name</i>	<i>Scientific Name</i>	<i>State Status</i>
Bald Eagle	Haliaeetus Leucocephalus	S-ESA
Blue-Headed Sucker	Catostomus Discobolus	CS
Bobolink	Dolichonyx Oryzivorus	SPC
Bonneville Cutthroat Trout	Oncorhynchus Clarkii Utah	CS
Brown (Grizzly) Bear	Ursus Arctos	S-ESA
Canada Lynx	Lynx Canadensis	S-ESA
Colorado River Cutthroat Trout	Onchorhynchus Clark II pleuriticus	CS
Columbia Spotted Frog	Rana Luteiventris	CS
Deseret Mountain Snail	Oreohelix Peripherica	SPC
Greater Sage Grouse	Centrocercus Urophasianus	SPC
Leatherside Chub	Gila Copei	SPC
Lewis Woodpecker	Melanerpes Lewis	SPC
Long-billed Curlew	Numenius Americanus	SPC
Northern Goshawk	Accipiter Gentilis	CS
Smooth Greensnake	Opheodrys Vernalis	SPC
Three-Toed Woodpecker	Picoides Tridactylis	SPC
Western Pearlshell	Margaritifera Falcata	SPC
Western Toad	Bufo Boreas	SPC

An inquiry to the State of Utah, Division of Wildlife Resources, Department of Natural Resources (DWR) regarding any species of concern has been made. No species of concern have been identified by DWR as noted on the attached response.

f. Cultural Resources:

Historically, the annexation area has been, for the most part, undeveloped. There are no historic structures found on the annexation parcels in question. Historic land uses include agriculture, which has been an on-going activity on the Osguthorpe parcel for many years.

g. Geological Features

The RV annexation area contains no significant geological features identified in the State of Utah GIS databases including debris flows, fault lines, landslide areas, liquefaction areas and related phenomena. Several mapped small earthquake epicenters are found on the annexation area as are found throughout the greater Park City area. A review of the databases indicated no known geologic hazards. No known mine hazards were discovered in the area, per PCMC compliance with the mine hazard ordinance.



Round Valley Annexation Petition

The annexation area is outside of the Park City's soils ordinance boundaries.

Existing and Proposed Streets and Roads

No new roads or streets are currently proposed as part of this annexation.

Existing Public and Proposed Utilities

Utility services exist along road R-O-W's which surrounds the annexation parcels. A (Chevron) natural gas main line passes through the North Parcel and the Lost Canyon Water Line passes through the South Parcel. Numerous easements for additional utility corridors, ROW's, access and other uses exist throughout the annexation area and are set forth in the title report. No new utilities are proposed as part of this annexation application.

Location of Proposed Open Space

See discussion of Existing and Proposed Land Uses.

Existing and Proposed Land Uses

Existing land uses in the annexation area, for the most part, are protected open space and passive recreational uses. Agriculture, as noted in the Cultural Resources section, exists and would likely continue in the event of an annexation. Several small parcels, adjacent to Hwy 248, have, historically been utilized for vehicle storage, and related light industrial uses. County zoning in the annexation area consists of "Hillside Stewardship," and "Rural Residential."

The RV annexation area provides a significant recreational amenity to the Park City community. In addition to approximately 30 miles of mixed-use trails in the annexation area, support facilities, outside of the annexation area, including parking lots and trailheads are located at Round Valley Way and Gillmor Way in Quinn's Junction, on Meadows Drive in Park Meadows, and on Old Ranch Road. Deed-restricted open space easements exist on approximately 600 acres of the North Parcel. See Conservation Easement exhibit.

As shown on the attached 1/2-Mile Analysis exhibit, for a ½ mile radius surrounding the RV annexation area, land uses consist of open space, residential uses, resort residential, commercial and light industrial uses. About 1/3 of all lands within ½ mile of the annexation parcels are PCMC incorporated lands and consist of various residential uses (Park Meadows and Prospector), the Park City Golf Course, National Ability Center, Park City Ice Arena, the IHC Hospital and related medical offices, along with undeveloped open space. Zoning consists of SF, POS, ROS, RD, and CT. See attached Zoning Map.

The remaining 2/3 of the lands within ½ mile are located in un-incorporated Summit County. Land uses include the Highway 40 ROW, a small industrial park (Zoned as "Neighborhood Commercial") on the

Round Valley Annexation Petition

east side of Highway 40, low density residential in the Old Ranch Road area, portions of Richardson Flats, and other undeveloped parcels.

Proposed land uses would be consistent with historic and current uses including protected open space with associated recreational uses, agriculture, and light industrial uses. Proposed zoning is ROS and LI, with the FPZ (Frontage Protection Zone) overlay as shown on the attached proposed zone map.

Existing and Proposed Locations of Community Facilities

Existing community facilities in the annexation area consist of the aforementioned trail system and related recreation infrastructure. No community facilities, beyond what currently exists in Round Valley are anticipated as part of this annexation. The Weber Water Conservation District, with input from Park City Water Department and other entities, has analyzed future water demand. As a result of that analysis, a small reservoir or lake may be proposed on a portion of the annexation area with suitable topography. This use is consistent with the proposed ROS zone in which this water body would be proposed to be located. As noted on the Zoning Map, the LI zone within the annexation area could allow for uses, consistent with current community services, including road maintenance and storage facilities or new uses such as relocation of the recycling center.

Consistency with General Plan

The Round Valley Annexation area falls within Park City's Annexation Declaration Boundary and is consistent with objectives set forth in the current General Plan.

Anticipated Timetable for Development

No development is proposed as part of this annexation. Improvements and limited expansion of the trail system and trail system support infrastructure is anticipated on an as-needed basis.

Affordable Housing

No development is proposed as part of this annexation and so no affordable housing component is anticipated.

Public Utilities and Essential Services Analysis

- a. This annexation does not propose any development which would increase the number of school-aged children to the Park City School District.
- b. Capacity of sanitary sewer services-No increase in sanitary sewer services are proposed as part of this annexation.
- c. Other Services-The annexation area abuts existing boundaries of Park City Municipal Corporation. It is surrounded by mixed land use development. Service routes exist for solid waste pick up (private contractor) which is currently afforded to adjacent property owners. All existing municipal and county services are afforded to the proposed annexation property by virtue of its location adjacent

Round Valley Annexation Petition

to Park City Municipal Corporation boundaries and would require no change in the provision of these services as a result of this annexation.

- d. Water disclosure statement: Known water rights associated with the proposed annexation area are limited to the Osguthorpe Parcel (SS-98-X) with 102 acre feet with an 1878 priority. The parcel was placed in a conservation easement in 2010, removing development rights and ensuring agricultural use of the property. Park City Municipal has a first right of refusal for purchase or lease of the property to ensure water associated with the parcel remains.

Fiscal Impact Analysis

The annexation is not anticipated to alter any existing or projected demographic or economic conditions in the Park City area (or in the annexation area itself) as there is no population or economic base within the annexation area. The area surrounding the annexation area consists of commercial development, undeveloped open space, UDOT rights of way and limited industrial/ commercial uses, as shown on the Existing Conditions map. Prior annexation agreements in the surrounding areas include the Park City Heights project (an unconstructed mixed residential project directly to the south of this annexation petition) and Quinn's Junction Partnership project (a proposed movie studio complex, to the southeast) as noted on the Existing Conditions map. To the east is State Route 40 and beyond that is an existing commercial/ industrial complex.

Projected revenue as a result of this annexation would be negligible as no revenue generating activities are proposed.

The projected impact to taxpayers as a result of this annexation would be unchanged from the current conditions. The bulk of the lands are already owned outright or development rights are retained subsequent to this annexation petition by PCMC. Park City municipal services are already afforded to the annexation area resulting from the existing recreational uses of the property.

Tax revenues generated from parcel ownership within the annexation area are minimal. All publicly held lands, including PCMC, The United States of America, and UDOT are tax-exempt. The Osguthorpe parcel pays property taxes, but at a very low rate, as a result of a prior agreement with PCMC to transfer the development rights and its status as a greenbelt property. Property tax revenues are not anticipated to increase as a result of this annexation as the proposed land uses would, largely, remain unchanged from current conditions.

Cost of government services, via open space management funds, to the annexation area consist of trail maintenance and expansion and associated infrastructure improvements, noxious weed control, and wildfire control and related management activities. Estimated costs are approximately \$100,000 per annum. These costs are expected to remain, relatively, unchanged as a result of this annexation.

Round Valley Annexation Petition

Parcel ownership and acreage are noted on the following table.

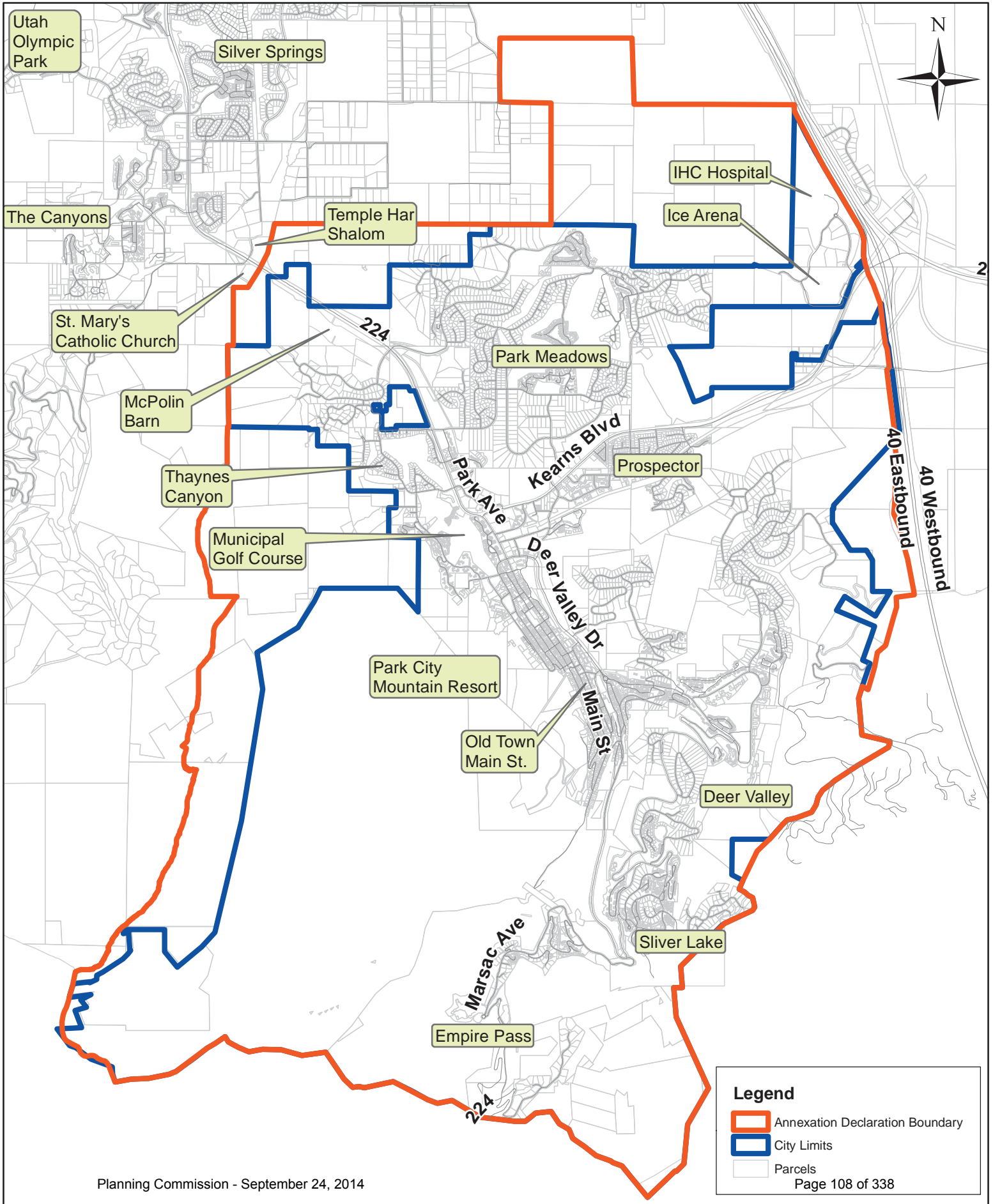
Property Ownership NORTH PARCEL	Acres	Owner
Section 27, T1S, R4E, SLB&M:		
Tax No. SS-57-A-X	368.01	PCMC
Tax No. SS-57-2-A-X	29.00	PCMC
Section 28, T1S, R4E, SLB&M:		
Tax No. SS-59-X	203.65	PCMC
Section 33, T1S, R4E, SLB&M:		
Tax No. SS-61-X	40.00	PCMC
Tax No. SS-61-C-X	40.00	PCMC
Tax No. SS-61-D-X	40.00	PCMC
Tax No. SS-61-E-X	40.00	PCMC
Tax No. SS-61-F-X	40.00	PCMC
Section 34, T1S, R4E, SLB&M:		
Tax No. SS-62-A-X	117.73	PCMC
Tax No. SS-62-B-X	40.00	PCMC
Tax No. SS-62-C-X	40.00	PCMC
Tax No. SS-62-D-X	40.00	PCMC
Tax No. SS-62-E-X	40.00	PCMC
Tax No. SS-62-G-X	209.62	PCMC
Tax No. SS-62-A-1-X	10.33	PCMC
Tax No. SS-62-A-1-A-X	143.66	PCMC
SOUTH PARCEL		
Section 2, T2S, R4E, SLB&M:		
Tax No. SS-92-A-X		USA
Tax No. SS-92-A-X-X	39.92	PCMC
Tax No 92-A-1-X	3.38	UDOT
Tax No. SS-95-A-X	2.00	UDOT
Tax No. SS-95-B-X	1.00	PCMC
Tax No. SS-95-C-X	0.06	UDOT
Tax No. SS-95-D-X	2.00	PCMC
Tax No. SS-95-E-X	1.00	PCMC
Tax No. SS-95-I-X	1.00	PCMC
Tax No. SS-95-N-X		
Tax No. SS-95-C-1-X	1.36	PCMC
Section 3, T2S, R4E, SLB&M:		
Tax No. SS-97-A-1-X	80.00	PCMC
Tax No. SS-98-X	121.05	Osguthorpe



Round Valley Annexation Petition

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Annexation Plat
Existing Conditions Map
Zoning Map
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Half Mile Land Uses
Existing County Zoning





GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Wildlife Resources

JAMES F. KARPOWITZ
Division Director

September 12, 2012

Steve Schueler
Alliance Engineering
323 Main Street
Park City, UT 84060

Subject: Species of Concern Near the Park City Annexation Area, Summit County, Utah

Dear Steve Schueler:

I am writing in response to your email dated August 29, 2012 regarding information on species of special concern proximal to the proposed Park City Annexation Area located in Sections 27, 28, 33 and 34 of Township 1 South, Range 4 East, and Sections 2 and 3 of Township 2 South, Range 4 East, SLB&M, in Summit County, Utah.

The Utah Division of Wildlife Resources (UDWR) does not have records of occurrence for any threatened, endangered, or sensitive species within the project area noted above. However, within a two-mile radius there are recent records of occurrence for bobolink, Columbia spotted frog, greater sage-grouse, northern goshawk and short-eared owl, and historical records of occurrence for ferruginous hawk, long-billed curlew and western toad. All of the aforementioned species are included on the *Utah Sensitive Species List*.

The information provided in this letter is based on data existing in the Utah Division of Wildlife Resources' central database at the time of the request. It should not be regarded as a final statement on the occurrence of any species on or near the designated site, nor should it be considered a substitute for on-the-ground biological surveys. Moreover, because the Utah Division of Wildlife Resources' central database is continually updated, and because data requests are evaluated for the specific type of proposed action, any given response is only appropriate for its respective request.

In addition to the information you requested, other significant wildlife values might also be present on the designated site. Please contact UDWR's habitat manager for the central region, Mark Farmer, at (801) 491-5653 if you have any questions.

Please contact our office at (801) 538-4759 if you require further assistance.

Sincerely,

Sarah Lindsey
Information Manager
Utah Natural Heritage Program

cc: Mark Farmer





TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.7 - RECREATION AND OPEN SPACE (ROS) DISTRICT

Chapter adopted by Ordinance No. 00-15

15-2.7-1. PURPOSE.

The purpose of the Recreation and Open Space (ROS) District is to:

- (A) establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
- (B) permit recreational Uses and preserve recreational Open Space land,
- (C) encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
- (D) preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
- (E) encourage sustainability, conservation, and renewable energy.

(Amended by Ord. No. 09-10)

15-2.7-2. USES.

Uses in the ROS District are limited to the following:

(A) **ALLOWED USES.**

- (1) Conservation Activity

(B) **ADMINISTRATIVE
CONDITIONAL USES.**¹

- (1) Trail and Trailhead Improvement
- (2) Outdoor Recreation Equipment
- (3) Essential Municipal Public Utility Use, Service, or Structure, less than 600 sq. ft.
- (4) Accessory Building, less than 600 sq. ft.
- (5) Ski-related Accessory Building, less than 600 sq. ft.
- (6) Parking Area or Structure with four (4) or fewer spaces

¹Subject to an Administrative Conditional Use permit and/or Master Festival license review process. Master Festivals are temporary in nature. All related temporary Structures are restricted to specific time frames and shall be removed at the expiration of the Master Festival permit.

- (7) Outdoor Event, Outdoor
- (8) Temporary Construction Improvement
- (9) Raising, grazing of horses
- (10) Raising, grazing of livestock
- (11) Anemometer and Anemometer Towers

(C) **CONDITIONAL USES.**

- (1) Agriculture
- (2) Recreational Outdoor and Trail Lighting
- (3) Recreation Facility, Private
- (4) Recreation Facility, Public
- (5) Recreation Facility, Commercial
- (6) Golf Course
- (7) Passenger Tramway Station and Ski Base Facility
- (8) Ski Tow Rope, Ski Lift, Ski Run and Ski Bridge
- (9) Recreational Sports Field
- (10) Skating Rink
- (11) Skateboard Park
- (12) Public and Quasi-Public Institution, Church, and School, Park, Plaza, Structure for Public Assembly, greater than 600 sq. ft.
- (13) Essential Municipal Public Utility Use, Facility, Service, and Structure, greater than 600 sq. ft.
- (14) Accessory Building, greater than 600 sq. ft.
- (15) Ski-Related Accessory Building, greater than 600 sq. ft.
- (16) Child Care Center
- (17) Commercial Stable, Riding Academy

- Music
- (18) Vehicle Control Gates²
- (19) Resort Support, Commercial
- (20) Cemetery
- (21) Parking Area or Structure with five (5) or more spaces
- (22) Telecommunications Antenna³
- (23) Mines and Mine Exploration
- (24) Plant and Nursery stock products and sales
- (25) Fences greater than six feet (6') in height from Final Grade.
- (26) Small Wind Energy Systems

(D) **PROHIBITED USES.** Any use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. Nos. 04-08; 09-10)

15-2.7-3. LOT AND SITE REQUIREMENTS.

All Structures must be no less than twenty-five feet (25') from the boundary line of the Lot, district or public Right-of-Way.

(A) **FRONT, SIDE, AND REAR YARD EXCEPTIONS.** Fences, walls, stairs, paths, trails, sidewalks, patios, driveways, Ancillary Structures, approved Parking Areas, and Screened mechanical and utility equipment are allowed as

²See Section 15-4-19 for specific review criteria for gates

³Subject to LMC Chapter 15-4-14, Telecommunications



TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.8 - PROTECTED OPEN SPACE (POS) DISTRICT

Chapter adopted by Ordinance No. 00-15

15-2.8-1. PURPOSE.

The purpose of the Protected Open Space (POS) District is to:

- (A) promote useable, public, non-improved, non-commercial, connected and contiguous Open Space for community benefit,
- (B) promote open lands that remain fundamentally undisturbed,
- (C) prohibit construction on ridge lines and Steep Slopes, or in wetlands, watersheds, and view sheds,
- (D) promote the preservation of Historic Sites,
- (E) preserve the vegetation and habitat of natural Areas,
- (F) provide incentives to protect Open Space and conservation resources through voluntary conservation easements and/or deed restrictions, and
- (G) provide for careful review of low-intensity recreational Uses and

environmentally-sensitive, non-motorized trails.

15-2.8-2. USES.

Uses in the POS District are limited to the following:

(A) **ALLOWED USES.**

- (1) Conservation Activity

(B) **ADMINISTRATIVE
CONDITIONAL USE PERMIT (CUP).**

- (1) Parking Area or Structure for four (4) or fewer spaces.
- (2) Fences greater than six feet (6') in height from existing Grade.

(C) **CONDITIONAL USES.**

- (1) Trail and Trailhead Improvement
- (2) Essential Municipal Public Utility Use, Service, or Structure
- (3) Accessory Building, less than 600 sq. ft.
- (4) Ski-related Accessory Building, less than 600 sq. ft.

- (5) Parking Area or Structure, for five (5) or more spaces
- (6) Recreation Facility, Public
- (7) Mines and Mine Exploration
- (8) Ski Tow Rope, Ski Lift, Ski Run, Ski Bridge¹

(D) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. No. 06-69)

15-2.8-3. LOT AND SITE REQUIREMENTS.

All Structures must be no less than twenty-five feet (25') from the boundary line of the Lot, district or public Right-of-Way.

(A) **FRONT, SIDE, AND REAR YARD EXCEPTIONS.** Fences, walls, stairs, paths, trails, sidewalks, at Grade patios, driveways, Ancillary Structures, approved Parking Areas and Screened mechanical and utility equipment are allowed in the Front, Side, and Rear Yards.

(Amended by Ord. No. 09-10)

15-2.8-4. BUILDING HEIGHT.

No Structure may be erected to a height greater than twenty-eight feet (28') from existing Grade. This is the Zone Height.

¹Subject to a City approved Ski Area Master Planned Development and LMC Section 15-4-18.

(A) **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

(1) Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

(2) Antennas, chimneys, flues, vents and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC) requirements.

(3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened may extend up to five feet (5') above the height of the Building.

(Amended by Ord. Nos. 06-69; 07-25)

15-2.8-5. ARCHITECTURAL REVIEW.

Prior to the issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5.

Appeals of departmental actions on architectural compliance are heard by the Planning Commission.

(Amended by Ord. No. 06-69)

15-2.8-6. VEGETATION PROTECTION.



TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.19 - LIGHT INDUSTRIAL (LI) DISTRICT

Chapter adopted by Ordinance No. 00-51

15-2.19-1. PURPOSE.

The purpose of the Light Industrial (LI) District is to:

- (A) allow light industrial and manufacturing Uses that will not create traffic hazard, noise, dust, fumes, odors, smoke, vapor, vibration, glare, or industrial waste disposal problems,
- (B) allow Conditional Uses to mitigate potential impacts,
- (C) accommodate complementary and supporting Uses such as parking, child care, retail, offices, group care, and recreation facilities, and
- (D) allow new light industrial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural design and details, color range, massing, lighting, landscaping, and the relationship to Streets and pedestrian ways.

15-2.19-2. USES.

Uses in the LI District are limited to the following:

(A) **ALLOWED USES.**

- (1) Secondary Living Quarters
- (2) Accessory Apartment¹
- (3) Nightly Rental
- (4) Home Occupation
- (5) Child Care, In-Home Babysitting²
- (6) Child Care, Family²
- (7) Child Care, Family Group²
- (8) Child Care Center²
- (9) Agriculture
- (10) Plant and Nursery Stock
- (11) Office, General
- (12) Office, Moderate Intensive
- (13) Office, Intensive
- (14) Financial Institution without drive-up window
- (15) Retail and Service Commercial, Minor

¹See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

²See LMC Chapter 15-4-9 Child Care Regulations

- (16) Retail and Service Commercial, Personal Improvement
- (17) Retail and Service Commercial, Major
- (18) Commercial, Resort Support
- (19) Hospital, Limited Care
- (20) Parking Area or Structure with four (4) or fewer spaces
- (21) Recreation Facility, Private

(B) CONDITIONAL USES.

- (1) Multi-Unit Dwelling
- (2) Group Care Facility
- (3) Child Care Center²
- (4) Public and Quasi-Public Institution, Church, and School
- (5) Essential Municipal Public Utility Use, Facility, Service, and Structure
- (6) Telecommunication Antenna³
- (7) Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁴
- (8) Accessory Building and Use
- (9) Raising, grazing of horses
- (10) Bed and Breakfast Inn
- (11) Boarding House, Hostel
- (12) Hotel, Minor
- (13) Private Residence Club Project and Conversion⁶
- (14) Office and Clinic, Medical

³See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

⁴See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

- (15) Financial Institutions with Drive-Up Window⁵
- (16) Retail and Service Commercial with Outdoor Storage
- (17) Retail and Service Commercial, Auto-Related
- (18) Transportation Services
- (19) Retail Drive-Up Window⁵
- (20) Gasoline Service Station
- (21) Café or Deli
- (22) Restaurant, General
- (23) Restaurant, Outdoor Dining
- (24) Restaurant, Drive-Up Window⁵
- (25) Outdoor Event⁶
- (26) Bar
- (27) Hospital, General
- (28) Light Industrial Manufacturing and Assembly Facility
- (29) Parking Area or Structure with five (5) or more spaces
- (30) Temporary Improvement⁶
- (31) Passenger Tramway Station and Ski Base Facility
- (32) Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
- (33) Recreation Facility, Public
- (34) Recreation Facility, Commercial
- (35) Entertainment Facility, Indoor
- (36) Commercial Stables, Riding Academy

⁵See Section 2.19-8 for Drive-Up Window review criteria

⁶Subject to an administrative Conditional Use permit.

- (37) Master Planned Developments⁷
- (38) Heliports
- (39) Commercial Parking Lot or Structure
- (40) Temporary Sales Office, in conjunction with an active Building permit.
- (41) Fences and Walls greater than six feet (6') in height from Final Grade⁶

(C) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. Nos. 04-39; 06-76)

15-2.19-3. COMMUNITY REQUIREMENTS.

Applicants must demonstrate the following:

- (A) The Industrial Use will not create glare, heat, odor, dust, smoke, noise, or physical vibrations perceptible outside of the Building.
- (B) Open yards used for storage or parking may not adjoin any public Right-of-Way and must be fully Screened from public Rights-of-Way and adjoining Properties.
- (C) Underground Utilities are provided.

15-2.19-4. REVIEW CRITERIA FOR RESIDENTIAL USES.

⁷Subject to provisions of LMC Chapter 15-6, Master Planned Development.

A landscaped buffer Area is required to separate Residential Uses from existing or potential industrial Uses. This buffer Area must be a minimum of fifty feet (50') wide to provide adequate Screening, buffering, and separation of these Uses. The fifty foot (50') requirement may be divided between two adjoining Properties. In the case where one Property is already Developed, the adjoining Property must provide a buffer Area sufficient to meet the fifty foot (50') requirement. A detailed landscape plan must be submitted by the Applicant and approved by the Planning Commission and Staff prior to Conditional Use approval. The landscape plan must demonstrate that the fifty foot (50') buffer Area effectively Screens and buffers the existing and future Residential Uses from existing or future industrial Uses. In some cases additional Off-Site landscaping may be necessary to adequately mitigate impacts of these incompatible Uses.

15-2.19-5. LOT AND SITE REQUIREMENTS.

Except as may otherwise be provided in this Code, no Building permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

Minimum Lot and Site requirements are as follows:

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