

## **Ordinance No. 16-32**

AN ORDINANCE APPROVING THE LILAC HILL SUBDIVISION LOCATED AT 632 DEER VALLEY LOOP, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 632 Deer Valley Loop have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on June 8, 2016, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on June 4, 2016, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 22, 2016, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on June 22, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 14, 2016; September 22, 2016; and October 20, 2016, the City Council held public hearings to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Lilac Hill Subdivision located at 632 Deer Valley Loop.

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

**SECTION 1. APPROVAL.** The Lilac Hill Subdivision located at 632 Deer Valley Loop, 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 632 Deer Valley Loop.
2. The property is in the Residential Medium (RM) zoning district.
3. The subject property consists of all of Government Lot 26 in Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 11<sup>th</sup> House on the south side of Deer Valley, Park City. The proposed plat amendment creates one (1) lot of record.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.
5. This site, along with the three historic cottages 555, 560, and 577 Deer Valley contribute to Park City's history and provide a density of historic structures that largely retain their relationship with one another and the hillside.

6. The purpose statements of the RD zoning district include (B) encouraging new Development along an important corridor, that is Compatible with Historic Structures in the surrounding Area, and (C) encouraging the rehabilitation of existing Historic Structures.
7. The Plat Amendment creates a legal lot of record from the government lot.
8. The proposed Plat Amendment combines the property into one (1) lot measuring 14,319 square feet.
9. A single-family dwelling is an allowed use in the District.
10. The minimum lot area for a single-family dwelling is 2,812 square feet. The proposed lot meets the minimum lot area for single-family dwellings.
11. The proposed lot width is 116.38 feet along the north property line (facing Deer Valley Drive) and 129.41 feet along the south property line (Rossie Hill).
12. The minimum lot width required is 37.50 feet. The proposed lot meets the minimum lot width requirement.
13. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
14. The minimum front yard setbacks are fifteen feet (15') and rear yard setbacks are 10 feet. The historic house has a front yard setback of 35 feet and rear yard setback of 52 feet.
15. The minimum side yard setbacks are five feet (5'). The historic house has a side yard setback of 17 feet on the west and 65 feet on the east.
16. Deer Valley Loop consumes 64.27 square feet of the northwest corner of the lot and Rossie Hill Drive consumes 62.72 square feet of the southeast corner of the lot.
17. Existing access to the site is limited to a driveway from Deer Valley Loop.
18. The City Engineer finds that only the eastern half of the lot directly abuts the City's right-of-way along Rossie Hill Drive and there are poor sight lines along Rossie Hill Drive.
19. The utilities were disconnected from this property on May 26, 1999.
20. There is an existing City waterline that is located within the Deer Valley Loop right-of-way.
21. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance).
22. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.
23. The applicant has stipulated to some of the conditions of approval, with the exception of one requiring that new construction shall comply with Land Management Code Section 15-2.15-3 regarding setbacks, building height, building envelope, building footprint, etc.

**Conclusions of Law:**

1. There is good cause for this Subdivision.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

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

**Conditions of Approval:**

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant 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) years' 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. The applicant shall dedicate a portion of the property that consists of Deer Valley Loop and Rossie Hill Drive to the City as part of this plat amendment.
4. Any development on this lot or future subdivided lots within this lot shall provide a transition in scale between the historic structures in this neighborhood, the Historic District, and Deer Valley Resort. Any new development on this lot or future subdivided lots within this lot shall comply with Park City's Design Guidelines for Historic Districts and Historic Sites to ensure that the new development is compatible with the Historic Structure on this lot and the Historic Structures in the surrounding area.
5. Any new development on this lot or future subdivided lots within this lot shall not block the view of the historic house from the 632 Deer Valley Loop and Deer Valley Drive rights-of-way.
6. So long as the zone remains RM, new construction on this lot or future subdivided lots within this lot shall provide a minimum of 40% of the site to be Open Space, Landscaped and/or Open Space, Natural as defined by the Park City Land Management Code. If it is rezoned, open space requirements may be reestablished at that time.
7. A ten foot (10') wide public snow storage easement will be required along the Rossie Hill frontage of the property.
8. Driveway access to any development to this one-lot subdivision shall be limited from Deer Valley Loop Road. Should the future subdivision of this lot result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of-way.
9. Any future access off of Rossie Hill shall have a slope of no more than 5% for the first 20 feet of the driveway off of the right-of-way to maintain sight lines.
10. A public utilities easement is required along Deer Valley Loop for the existing water line and shall be indicated on the final plat.
11. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.

12. 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.

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

PASSED AND ADOPTED this 20<sup>th</sup> day of October, 2016.

PARK CITY MUNICIPAL CORPORATION



  
\_\_\_\_\_  
Jack Thomas, MAYOR

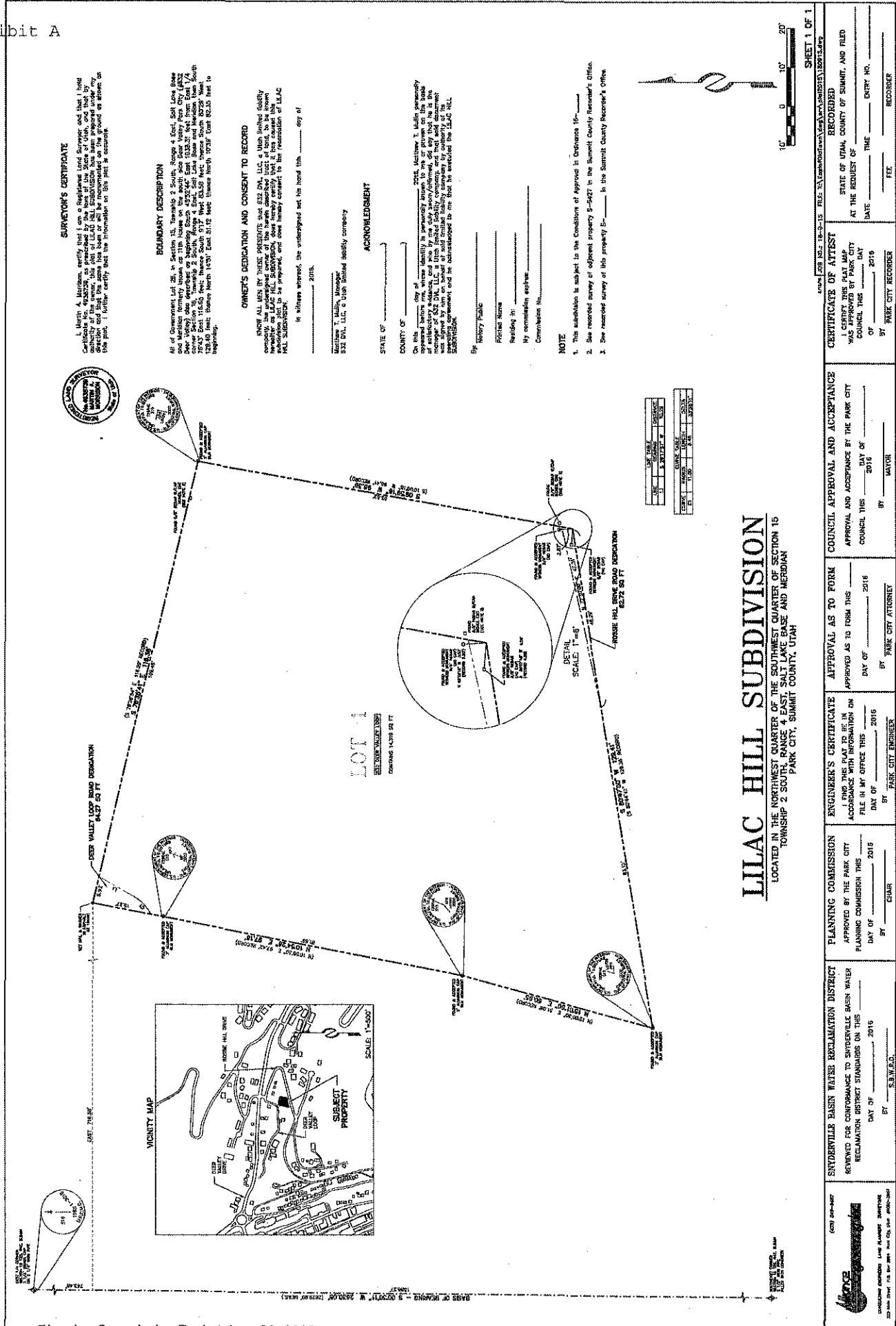
ATTEST:

  
\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mark Harrington, City Attorney

**Attachment 1 – Proposed Plat**



**SURVEYOR'S CERTIFICATE**

I, Martin A. Williams, certify that I am a Registered Land Surveyor and that I hold authority of this State. This plan of LILAC HILL SUBDIVISION has been prepared under my supervision and I believe the same to be correct. I further certify that the information on this plan is correct.

**BOUNDARY DESCRIPTION**

All of Government Lot 26, in Township 2 South, Range 4 East, Salt Lake Base and Meridian formerly known as 11th home on the south side of Deep Valley Loop Road, in the SW 1/4 of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian West 75.54 East 156.65 feet; thence South 91.7 West 63.55 feet; thence South 80.25 West 75.54 feet; thence North 14.71 East 211.2 feet; thence North 70.41 East 82.53 feet to beginning.

**OWNER'S DEDICATION AND CONSENT TO RECORD**

KNOW ALL MEN BY THESE PRESENTS that 632 DVA, LLC, a Utah limited liability company, and LILAC HOLDINGS, LLC, a Utah limited liability company, do hereby dedicate and consent to the recording of this plan to the public use of the State of Utah. This dedication and consent shall be in full force and effect from the date of recording of this plan.

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, Matthew T. Mullin personally appeared before me, whose identity is personally known to me or proved to the satisfaction of me, a Notary Public in and for the State of Utah, and he acknowledged to me that he is the manager of 632 DVA, LLC, a Utah limited liability company, and that said company is the owner of the above described land and that he is authorized by the board of directors of said company to execute this plan of subdivision.

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Position: \_\_\_\_\_  
 My commission expires: \_\_\_\_\_  
 Commission No.: \_\_\_\_\_

**NOTE**

- This subdivision is subject to the Condition of Approval in Ordinance 16-\_\_\_\_\_.
- See recorded survey of adjacent property 5-5427 in the Summit County Recorder's Office.
- See recorded survey of lot property 5-\_\_\_\_\_ in the Summit County Recorder's Office.

**LILAC HILL SUBDIVISION**  
 LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
 PARK CITY, SUMMIT COUNTY, UTAH

FILED FOR RECORDING IN THE SUMMIT COUNTY RECORDER'S OFFICE  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ ENTRY NO.: \_\_\_\_\_  
 RECORDER: \_\_\_\_\_

**CERTIFICATE OF ATTEST**  
 I CERTIFY THIS PLAN WAS APPROVED BY PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.  
 BY: \_\_\_\_\_ PARK CITY RECORDER

**COUNCIL APPROVAL AND ACCEPTANCE**  
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.  
 BY: \_\_\_\_\_ MAYOR

**ENGINEER'S CERTIFICATE**  
 I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.  
 BY: \_\_\_\_\_ PARK CITY ENGINEER

**PLANNING COMMISSION**  
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.  
 BY: \_\_\_\_\_ CHAIR

**SYDNEYVILLE BASIN WATER RECLAMATION DISTRICT**  
 REVIEWED FOR CONFORMANCE TO SYDNEYVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.  
 BY: \_\_\_\_\_ S.W.E.D.