



Ordinance No. 00-60

AN ORDINANCE AMENDING TITLE 4 OF THE MUNICIPAL CODE OF PARK CITY RELATING TO BUSINESS LICENSING TO AUTHORIZE AN INCREASED ADMINISTRATIVE FEE FOR CONVENTION SALES IN CONJUNCTION WITH THE SUNDANCE FILM FESTIVAL (SECTION 4-3-9); AMENDING THE TAXICAB AND SHUTTLE LICENSING DEFINITION OF FARE TO INCLUDE OTHER CONSIDERATION OR BUSINESS (SECTION 4-15-1); AMENDING TITLE 9 PARKING REGULATIONS TO PROHIBIT ENGAGING IN BUSINESS, ADVERTISING AND MEDIA OR FILM EXPOSITION IN PUBLIC PARKING FACILITIES (SECTION 9-2-4); AND AMENDING TITLE 12 SIGN REGULATIONS REGARDING SPECIAL EVENT FLIERS TO CLARIFY LIMITATIONS ON POSTING (SECTION 12-8-1(L)).

WHEREAS, the state legislature amended Utah Code Ann. §10-1-201 to revise municipal authority with regard to business license fees; and

WHEREAS, the state legislature identified the costs of administrative services as municipal services eligible for revenue generation by business license fees; and

WHEREAS, the City wishes to comply with said legislation by amending its business license ordinances to recover administrative costs incurred by the City in issuing convention sales licenses during the Sundance Film Festival; and

WHEREAS, the City has a legitimate health, safety and welfare interest in ensuring that like entities providing transportation services to the public are treated equally and the public is protected to the most reasonable extent possible; and

WHEREAS, the City's transportation and parking plans are dependent on timely turnover of parking spaces and commercial activity in Parking Facilities is contrary to such turnover, except where expressly permitted with proper mitigation and planning; and

WHEREAS, the Historic District of Park City constitutes a unique and rare example of the historic mining past of this state; and

WHEREAS, the City has received numerous visitor and citizen complaints regarding handbills being posted on buildings, statues and other public property and handbills being strewn along the sidewalks, streets and other public rights of way, which has caused blocked sidewalks, restricted parking, and increased litter; and

WHEREAS, the beauty and appearance of the Historic District is of great importance; and

WHEREAS, handbills have been a major source of litter, clutter and a visual blight, particularly in the Historic District; and

WHEREAS, a public hearing was held on December 14, 2000; and

WHEREAS, the following ordinance is deemed by the City Council to be in the best interest of the residents of Park City;

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

SECTION I. PURPOSE. The purpose of the new administrative fee enacted hereby for convention sales issued during the Sundance Film Festival is explained in the City Council Staff Report dated December 14, 2000, and incorporated herein by reference.

SECTION II. AMENDMENT. Chapter 3, Title 4 of the Municipal Code of Park City is hereby amended as follows:

4- 3- 9. CONVENTION SALES.

The Finance Department may issue licenses for a period not to exceed two (2) weeks for temporary use of convention and meeting rooms within any licensed convention or meeting facility for the purpose of temporary retail sales of goods or services, whether in conjunction with a convention or not. Solicitation of orders for future sales or deliveries of goods or services is permissible without licensure. The licenses may be issued on the following terms:

(A) **LICENSE FEE.** The license fee shall be as set forth in the Park City License Fee Schedule. An additional Administrative Fee as set forth in the Park City License Fee Schedule is hereby authorized for all such temporary licenses effective during any portion of the Sundance Film Festival.

(B) **STATE TAX NUMBER.** The applicant must provide his sales tax identification number as a part of the license application to assist in verifying the collection and reporting of sales tax.

(C) **APPLICATIONS.** Applications must be filed at least ten (10) days prior to the proposed date of commencement of business to permit adequate time for the Police Department review and investigation. The police may request reasonable evidence of title to goods proposed to be offered for sale as a part of the review.

(D) **RESPONSIBILITY OF HOST BUSINESS TO ENSURE LICENSING.** Businesses which

make a portion or portions of their licensed business locations available to other persons for the purpose of engaging in business shall be responsible to ensure that such persons obtain business licenses and possess Utah state sales tax numbers listed in Park City. In the event a licensed hotel, motel, inn or bed-and-breakfast business fails to require such a showing, that business shall be liable for payment of all license fees and penalties payable by the person engaging in business at their licensed location.

SECTION II. AMENDMENT. Chapter 15, Title 4 of the Municipal Code of Park City is hereby amended as follows:

The following definitions are hereby amended in MCPC § 4-15-1:

(C) **FARE.** The consideration or charge for hire of a taxicab to deliver a passenger with zones determined by each taxi company. Consideration may include non-cash value such as participating in a commercial promotional activity such as viewing real estate or timeshare information, merchandise or art display, or display of movies, videos, or DVDs within or on a Vehicle in exchange for the passenger delivery.

(G) **TAXICAB.** A vehicle used to transport passengers for a ~~fee~~Fare. These vehicles must meet the requirements of this Chapter.

SECTION III. AMENDMENT. Chapter 2, Title 9 of the Municipal Code of Park City is hereby amended as follows:

9- 2- 4. PARKING FOR CERTAIN PURPOSES PROHIBITED.

It shall be unlawful to Park a Vehicle on any Street or within any Public Parking Facility for the following purposes.

- (A) Displaying the Vehicle for sale;
- (B) Greasing, servicing, or repairing the Vehicle, except to the extent necessary under emergency conditions to move a disabled Vehicle;
- (C) Displaying of advertising, or any commercial promotional activity, whether free or for charge, such as real estate or timeshare information, merchandise or art display, or display of movies, videos, or DVDs within or on a Vehicle;
- (D) Selling food or other merchandise, or soliciting orders for food or merchandise, except when properly licensed by Park City to do so;
- (E) Camping or other habitation.

SECTION IV. AMENDMENT. Chapter 8, Title 12 of the Municipal Code of Park City is hereby amended as follows:

12- 8- 1. SIGNS EXEMPT FROM PERMIT REQUIREMENT.

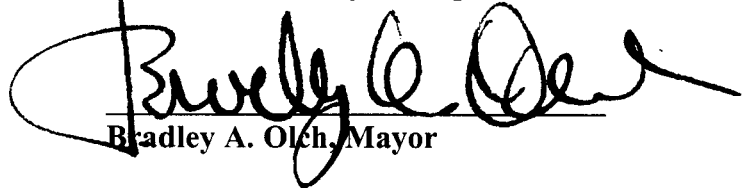
The following signs are not subject to a permit requirement. They shall be regulated by the following size and placement standards and shall not be included when calculating permitted sign area for any parcel, use or development. Building permits may be required for the installation of these signs even though they are exempt from design review and regulation.

(L) **SPECIAL EVENTS FLIERS.** Fliers or posters advertising special events may be displayed on the inside of windows of businesses, provided all window signs do not exceed thirty percent (30%) of window area and the owner of the business approves of the placement. Such posters may be displayed for up to one week prior to an event, and must be removed within forty-eight (48) hours after the event. Posters or fliers may not be tacked up to the exterior of any building nor upon any sidewalk, crosswalk, curb, curbstone, street light post, hydrant, tree, shrub, parking meter, garbage can or dumpster, automobile, electric light, power or telephone wire pole, or wire appurtenance thereof, fire alarm or hydrant, street furniture, park benches or landscaping, any lighting system, public bridge, drinking fountain, statue, life saving equipment, street sign or traffic sign to telephone/utility poles or distributed by placement on parked automobiles or on door steps, etc.

SECTION V. EFFECTIVE DATE. This ordinance shall become effective upon publication.

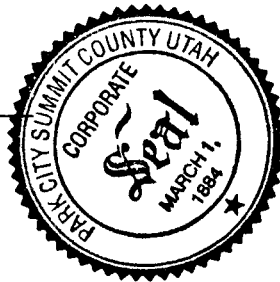
PASSED AND ADOPTED this 14th day of December, 2000.

Park City Municipal Corporation

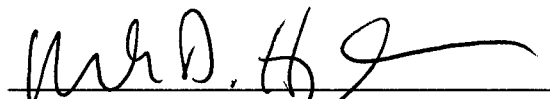

Bradley A. Olch, Mayor

Attestation by:


Janet M. Scott, City Recorder



Approved as to Form:


Mark D. Harrington, City Attorney



Ordinance No. 00-59

**AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY,
A PLAT AMENDMENT TO COMBINE LOTS 2&3 AND LOTS 32&33 OF BLOCK 65
INTO ONE LOT OF RECORD LOCATED AT 505 DEER VALLEY DRIVE, PARK
CITY, UTAH**

WHEREAS, the owners of the property known as Allison and Preston Willingham, owners of Lots 2&3 and Lots 32&33, Block 65 of the Park City Survey, have petitioned the City Council for approval of a revision to the final 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 November 22, 2000 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on November 22, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is in the R-1 Zone.
2. Deer Valley Drive is characterized by single-family dwellings, and multi-family structures.
3. The plat amendment results in combining four lots into one lot of record.

4. The proposed lot combination will create one 7,150 square foot lot. Minimum lot size for a single family dwelling is 2,812 square feet.
5. The subject property consists of slopes greater than 30%. Construction on such slope involves extensive grading, site disturbance, and construction impacts.
6. The applicant stipulates to all conditions of approval.

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

1. Neither the public nor any person will be materially injured by the proposed plat revision.
2. There is good cause for the amendment.
3. The amended plat is consistent with the Park City Land management Code and applicable State law regarding Subdivision plats.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, a plat amendment to Block 65, is approved as shown on Exhibit "A", with the following conditions:

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.
2. All standard Project Conditions shall apply and Land Management Codes shall apply (Exhibit "B").
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year time, the approval and the plat shall be considered void.
4. A Construction Management Plan (CMP) shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction related details to the satisfaction of the Community Development Department.
5. All structures including decks in excess of 30 inches above grade, shall maintain a 75-foot rear yard setbacks.
6. Any remnant lot hereby created is not separately developable.

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

PASSED AND ADOPTED this 30th day of November, 2000.

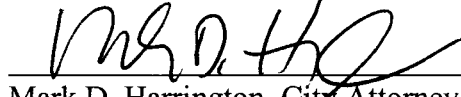
PARK CITY MUNICIPAL CORPORATION

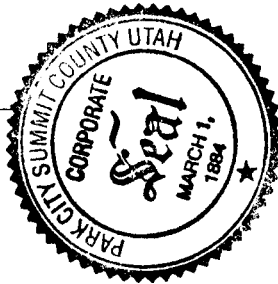

Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, John D. Swartz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 18247, as provided by the laws of the State of Utah, and that the requirements of the Park City Municipal Corporation, which apply to the plat accuracy requirements the surveyed property.

LEGAL DESCRIPTION

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

OWNER'S RENOVATION AND CONSENT TO RECORD

I, the undersigned, do hereby certify that the above described property is the property of the undersigned and that I have read and understand the contents of the above described plat and that I consent to the recording of the same and to the use of the same for the purposes and in accordance with the provisions of the laws of the State of Utah and the laws of the Park City Municipal Corporation.

ACKNOWLEDGMENT

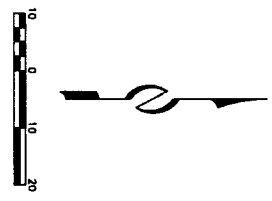
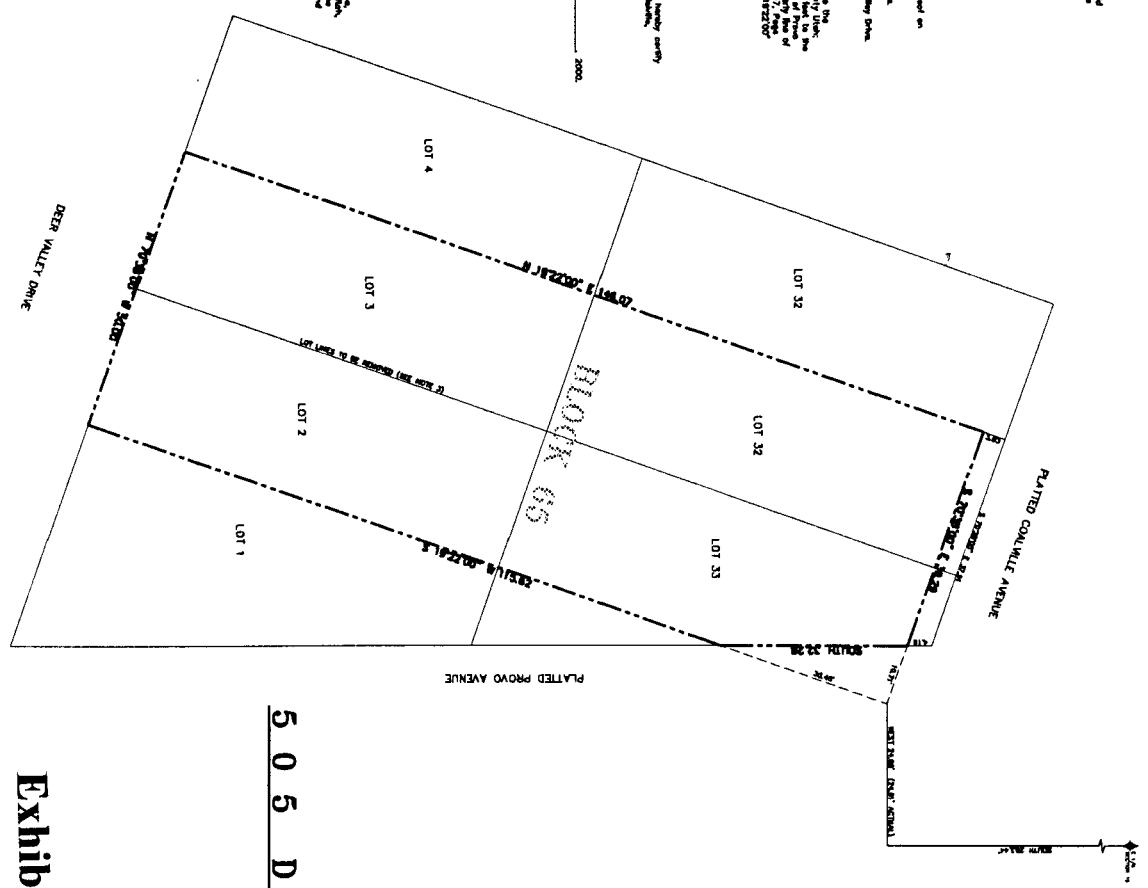
State of Utah, County of Summit, City of Park City.

On this 1st day of March, 2000, personally appeared before me, John D. Swartz, a Notary Public, the undersigned, who acknowledged to me that he is the owner of the above described tract of land and that he signed the above Owner's Renovation and Consent to Record.

- NOTES**
- The owner of the property is the same as above.
 - Copy of this plat is on file at the office of the Park City Engineer.
 - See attached map.

LEGEND

→ Section corner



LOT ONE AMENDMENT PLAT

505 DEER VALLEY DRIVE

REPLAT

LOCATED IN SECTION 16, T11N, R10E, PARK COUNTY, UTAH

Exhibit A - Proposed Plat Map

<p>SPRINGVILLE BASIN SEWER IMPROVEMENT DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SPRINGVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS DAY OF 2000 A.D.</p> <p>BY S.S.S.I.O.</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF 2000 A.D.</p> <p>BY CHAIRMAN</p>	<p>ENGINEERS CERTIFICATE</p> <p>I AND THIS PLAT TO BE IN ACCORDANCE WITH REGULATION ON DAY OF IN OFFICE THIS 2000 A.D.</p> <p>BY PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS DAY OF 2000 A.D.</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 2000 A.D.</p> <p>BY PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 2000 A.D.</p> <p>BY MAYOR</p>	<p>RECORDED</p> <p>STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ROOM FACT</p> <p>DATE FILE</p> <p>BY RECORDER</p>
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PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.

9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.



Ordinance No. 00-58

**AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT
FOR 1760 PARK AVENUE, KNOWN AS ALBERTSON'S PARK CITY SUBDIVISION
PARK CITY, UTAH**

WHEREAS, the owner of the property at 1760 Park Avenue, known as Albertson's Park City Subdivision, petitioned the City Council for approval of a final subdivision 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 October 25, 2000 to receive input on the proposed subdivision; and

WHEREAS, on November 9, 2000 the City Council reviewed the proposed subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final subdivision plat for Albertson's Park City Subdivision,

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the GC, General Commercial zoning district. A market is an allowed use in the GC zone. All construction on the market is outside of the Frontage Protection Zone.
2. The proposed subdivision plat creates one platted lot for the purpose of creating a legal lot of record for the existing market and proposed improvements.
3. The property is approximately 4.32 acres in area.
4. The property has access off of Park Avenue and Homestake Drive. There are existing recorded cross access and cross parking agreements between Albertson's and the adjacent properties. Access and agreements remain unchanged with the plat.

5. The applicant and Park City executed an agreement dated May 18, 2000, whereby the applicant granted to the City a license for maintenance and public use of a bus shelter on the applicant's property fronting SR 224 and an encroachment of curb and gutter.
6. A financial guarantee for all landscaping is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if the required landscaping is not completed by the developer or owner. This guarantee was provided to the City at the time of building permit issuance.
7. The applicant stipulates to the conditions of approval.
8. On October 25, 2000 the Planning Commission held a public hearing and voted to forward to the City Council a positive recommendation to approve the proposed plat.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat, that neither the public nor any person will be materially injured by the proposed amendment. The final plat is consistent with both the Park City Land Management Code and State subdivision requirements.

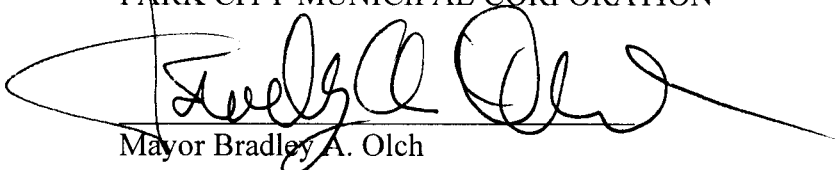
SECTION 3. PLAT APPROVAL. The final subdivision plat for 1760 Park Avenue, known as Albertson's Park City, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the subdivision plat for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. All Standard Project Conditions shall apply.
3. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.

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

PASSED AND ADOPTED this 9th day of November, 2000.

PARK CITY MUNICIPAL CORPORATION

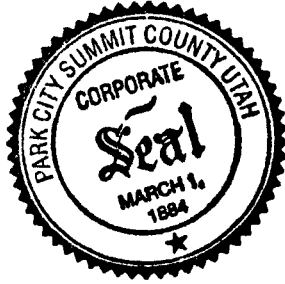

Mayor Bradley A. Olch

Attest:

Janet M. Scott
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington
Mark D. Harrington, City Attorney





Ordinance No. 00-57

AN ORDINANCE APPROVING THE FINAL SUBDIVISION PLAT FOR TOWN POINTE SUBDIVISION LOCATED AT 1000 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owners, Town Pointe, LLC, a Utah limited liability company, of the property at 1000 Park Avenue, Park City, Utah and to be known as Town Pointe Condominiums, have petitioned the City Council for approval of a final Subdivision; and

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

WHEREAS, on October 11, 2000 the Planning Commission held a public hearing to receive public input on the proposed final Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, the proposed final Subdivision allows the owner to sell ownership interests to other parties;

WHEREAS, it is in the best interest of Park City, Utah to approve the final Subdivision;

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact.

1. The property is zoned HCB, Historic Commercial Business District. The property is within the Frontage Protection zone and is subject to a Conditional Use Permit.

2. The proposed Subdivision is for a metes and bounds parcel to create a single lot of record to accommodate the construction of three buildings comprising of 41 multi-family units, a driveway and parking lot.
3. The Planning Commission forwarded a positive recommendation for a subdivision to the City Council at their October 11, 2000 meeting.
4. A Building Permit for construction of the final building will not be issued after September 30, 2001.
5. The proposed plat changes the type of ownership of this property to condominium ownership.
6. The Historic District Commission at their August 7, 2000 meeting forwarded at their a positive recommendation to the Planning Commission finding the proposal in compliance with the Historic District Design Guidelines.
7. The location of this project is visible from Highway 224, the Aerie Subdivision and Old Town.
8. The proposed density is 41 units on a 2.3 acres.
9. The applicant agrees to realign and widen the bike trail to adhere to the City's Master Trail Plan prior to a building permit for residential construction.
10. Utilities are available to sustain the anticipated property uses. Detailed utility and construction plans for the project will be submitted to the Community Development Department and utility/service providers for review and approval or denial.
11. Based on plans submitted on October 2, 2000, the project has preliminary approval from the Building Official in regards to fire and emergency access requirements, by virtue of a fire protection plan which addresses alternative methods of code compliance, such as provision of type 13D fire sprinkler systems, alternative access, fire separation of structures, and non-combustible roof materials.
12. All vehicular circulation occurs on-site and through the underground parking structures for each building. Significant vegetation exists on the property which buffers the bike path and parking lot from Deer Valley Drive.
13. A financial guarantee for all landscaping and public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
14. The applicant has agreed to provide a final landscape and revegetation plan for approval or denial by the city Landscape Architect/Arborist.

15. The subject property is located adjacent to City Park. City Park will be a primary public gathering site during the 2002 winter Olympic Games. Construction of the project poses potential impacts to the public safety and use of City Park.

16. The applicant stipulates to providing a Construction Management/Olympic Mitigation Plan is required in order to protect and minimize the on and off-site vegetation, and provide a timeline for trail realignment and an outline for how Town Pointe will mitigate its construction activities prior and during the 2002 Olympic Games.

17. The Planning Commission has taken this action based upon revised plans that were submitted to the Community Development Department on October 2, 2000.

18. The facts discussed in the Analysis section are hereby incorporated herein.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat and that neither the public nor any person will be materially injured by the proposed subdivision plat.

1. The proposed project complies with all requirements outlined in the Land Management Code, Sections 1.13, 7.2, 8.8 and Chapter 15.

2. Off-street parking and the internal circulation system are adequate for the project and meet the requirements of the Land Management Code.

3. The proposed project is consistent with all CUP/FPZ and Subdivision requirements found in the Land Management Code.

4. The use as conditioned is consistent with Park City General Plan.

5. There is good cause for the amendment.

6. Neither the public nor any person will be materially injured by the approval of the plat, subject to the conditions of approval. The plat does not adversely affect the health, safety and welfare of the citizens of Park City.

7. Any effects in difference in use or scale have been mitigated through careful planning and / or conditions.

SECTION 3. PLAT APPROVAL. The subdivision plat, known as Town Pointe, is hereby approved as shown on Exhibit A, with the following conditions:

1. All Standard Project Conditions shall apply (Exhibit "B").

2. A final plat or record of survey shall be submitted to the City for review and approval or denial and shall be recorded at the County prior to issuance of certificate of occupancy for any unit. Conditions, Covenants, and Restrictions for this project shall be submitted to the City Attorney for review and shall be recorded at the time of plat recordation.

3. The Developer shall provide a detailed Construction Management Plan (CMP), prior to issuance of any building permits, that addresses at a minimum the following:

a.) A construction staging, storage, circulation and parking plan.

b.) The developer shall instruct respective contractors that there is to be no wash out of concrete trucks on-site landscape areas. Further, the developer shall identify acceptable off-site dirt storage and disposal sites, obtain written permission by the owner and post a financial surety, to the satisfaction of the City, that will provide for the rehabilitation of the said storage and disposal site.

c.) Any temporary parking signs, subject to Public Works Director and City Engineer approval, shall be addressed in the CMP.

d.) The applicant shall comply with applicable Utah Air Quality standards, regarding dust mitigation, and with any applicable Utah Water Quality standards and shall provide any necessary permits or evidence of compliance prior to issuance of building construction. Park City does not guarantee or monitor compliance with these standards.

e.) The applicant shall agree that construction will cease during the duration of the Olympic 2002 games from February 8 - 28, 2002.

4. The applicant will not be issued a Building Permit for the framing of the final building unless commencement begins prior to September 30, 2001. If a Building Permit is not issued prior to this date, a Building Permit will not be issued until the completion of the Olympic games.

5. A utility and grading plan satisfactory to the City Engineer shall be submitted and approved. On-site storm runoff detention is required. All water lines, fire hydrants, and appurtenances behind the master water meter shall be the private maintenance responsibility of the property owners.

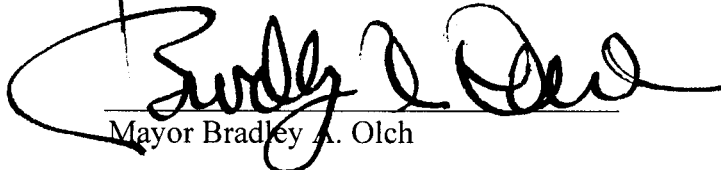
6. A financial guarantee, for the value of all public improvements, landscaping, and trails to be completed, shall be provided to the City prior to condominium plat recordation. All public improvements shall be completed according to City Standards and accepted by the City Engineer prior to release of this guarantee

7. This approval shall expire within (12) twelve months from the date of Council approval, unless this plat amendment is recorded prior to the date.

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

PASSED AND ADOPTED this 9th day of November, 2000

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

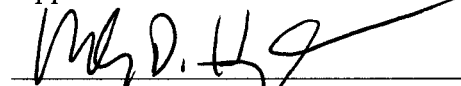
Attest:



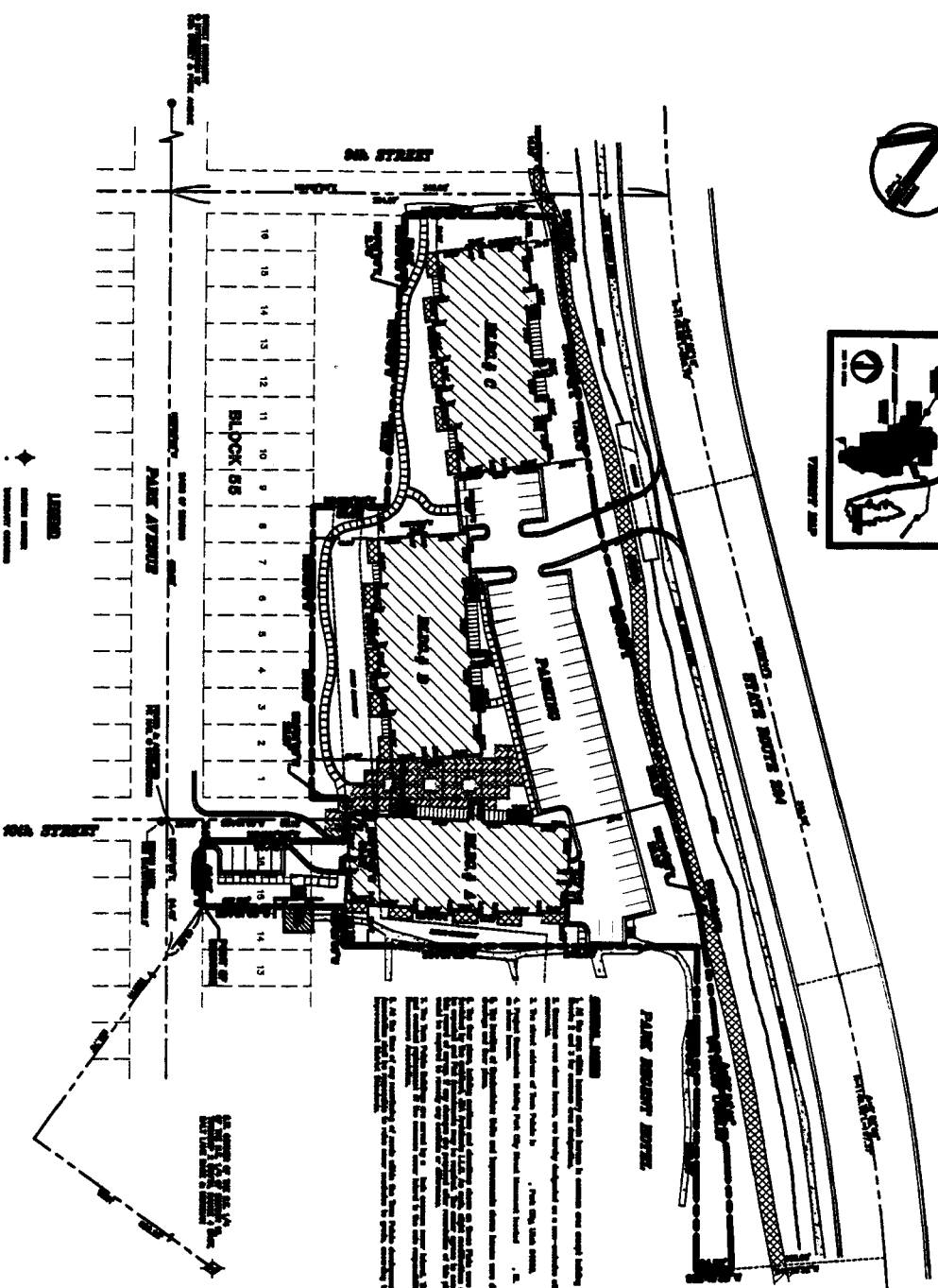
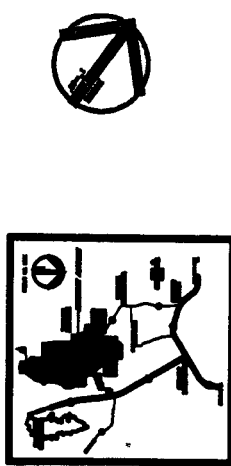
Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



GENERAL NOTES

1. All lot areas are shown in square feet. A minimum area of 10,000 sq. ft. is required for all lots.
2. The owner shall provide all utilities and easements shown on this plan.
3. The owner shall provide all necessary permits and approvals from the appropriate agencies.
4. The owner shall provide all necessary easements and encroachments shown on this plan.
5. The owner shall provide all necessary easements and encroachments shown on this plan.
6. The owner shall provide all necessary easements and encroachments shown on this plan.
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15. The owner shall provide all necessary easements and encroachments shown on this plan.
16. The owner shall provide all necessary easements and encroachments shown on this plan.
17. The owner shall provide all necessary easements and encroachments shown on this plan.
18. The owner shall provide all necessary easements and encroachments shown on this plan.
19. The owner shall provide all necessary easements and encroachments shown on this plan.

LEGEND

- ◆ LOT AREA
- LOT AREA
- LOT AREA

TOWN POINTE
A TOWN CONDOMINIUM PROJECT

LOCATED IN
 THE UNINCORPORATED QUARTERS OF DISTRICT 14,
 TOWNSHIP 3 NORTH, RANGE 4 EAST,
 5TH TIER LAND GRANT & BROWN
 PARK CO., SHERIDAN COUNTY, WYOMING

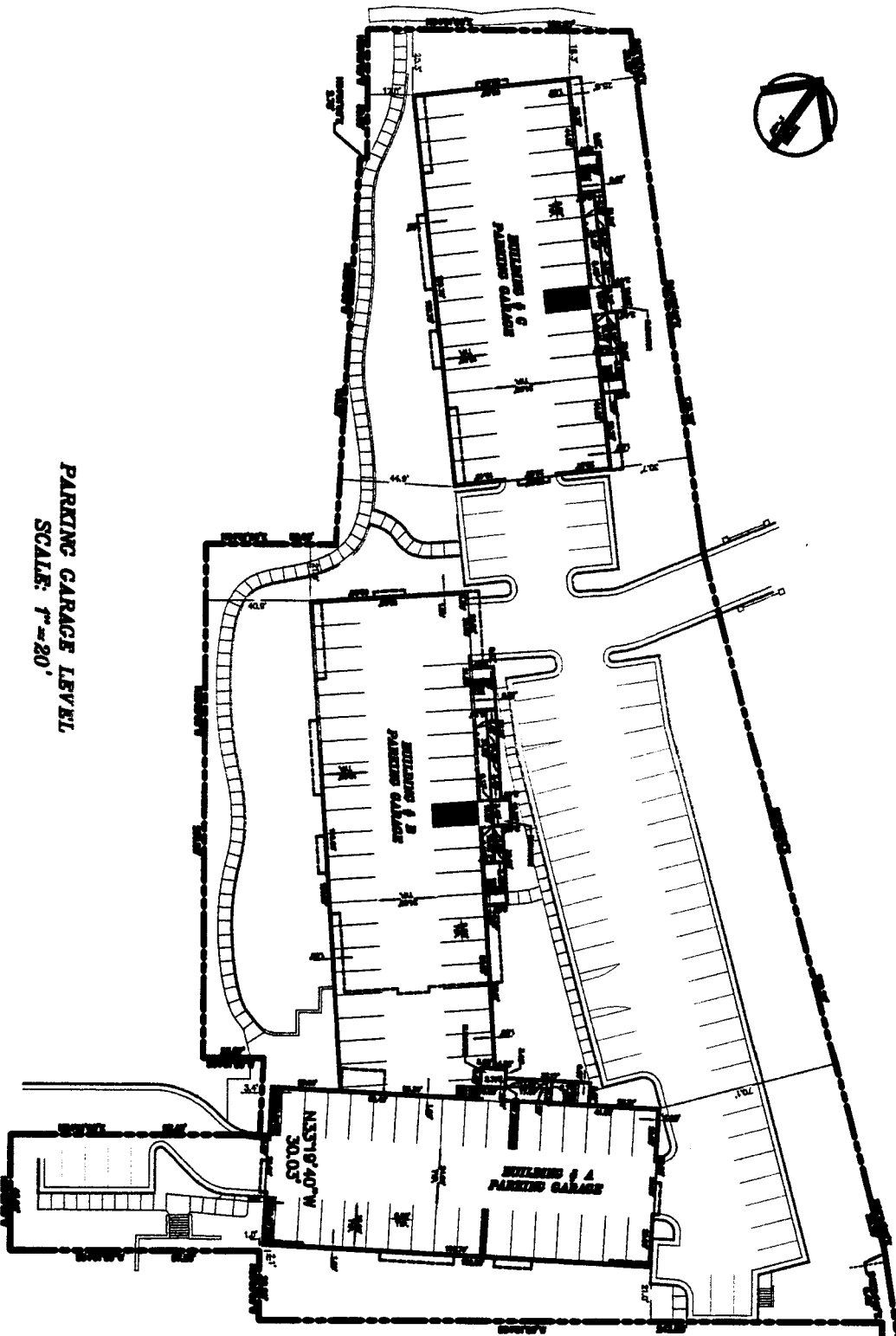
NUMBER 1 OF 4

<p>CITY COUNCIL</p> <p>PRESENTED TO THE PARK CITY COUNCIL THIS _____ DAY OF _____ 20____ AT WHICH TIME THIS PLAN WAS APPROVED.</p> <p>BY: _____</p>	<p>CITY ENGINEER</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ 20____</p> <p>CITY ENGINEER: _____</p>	<p>CITY PLANNING COMMISSION</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ 20____</p> <p>COMMISSIONER: _____</p>	<p>SUBDIVISION DISTRICT</p> <p>APPROVED AND ACCEPTED BY THE SUBDIVISION DISTRICT ENGINEER ON THIS _____ DAY OF _____ 20____</p> <p>DISTRICT ENGINEER: _____</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM ON THIS _____ DAY OF _____ 20____</p> <p>CITY ATTORNEY: _____</p>	<p>RECORDED</p> <p>ENTRY NO. _____ BOOK _____ PAGE _____</p> <p>DATE OF ENTRY _____ COUNTY OF SHERIDAN</p> <p>RECORDED AND FILED AT THE OFFICE OF THE COUNTY CLERK _____</p>	<p>THE JACK JOHNSON COMPANY</p> <p>1775 Park Blvd. Ste. 300 Park City, Utah 84302</p>
--	--	---	--	---	--	--

RECEIVED

NOV 2 2000

PARK CITY
 PLANNING DEPT.



PARKING GARAGE LEVEL
 SCALE: 1" = 20'

TOWN POINTE
 A UTILE CONDOMINIUM PROJECT

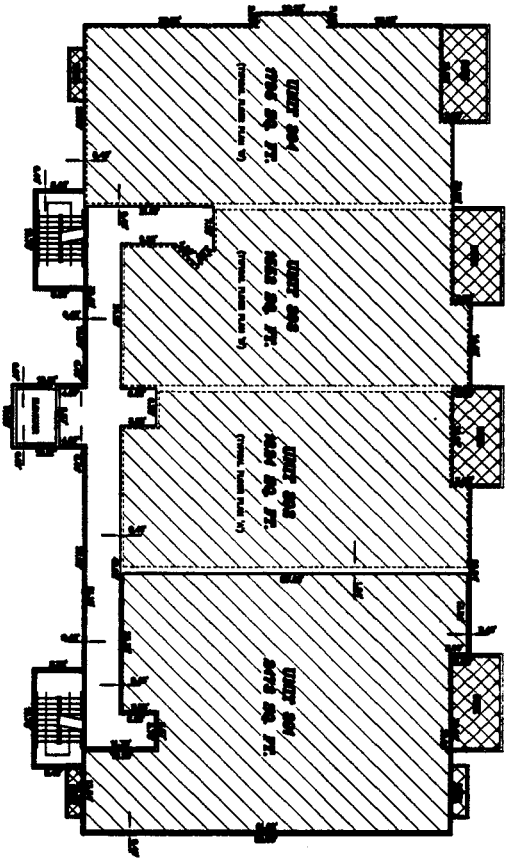
DESIGNED BY
 THE ARCHITECTURAL COLLEGE OF SOUTHERN CALIFORNIA
 100 UNIVERSITY AVENUE, SUITE 1000, SAN DIEGO, CALIF. 92161
 PHONE: (619) 594-0000 FAX: (619) 594-0001

NUMBER 1 OF 4

DATE OF ISSUE: _____
 NAME OF CLIENT: _____
 NAME OF ARCHITECT: _____
 NAME OF ENGINEER: _____
 NAME OF PLANNER: _____
 NAME OF DESIGNER: _____

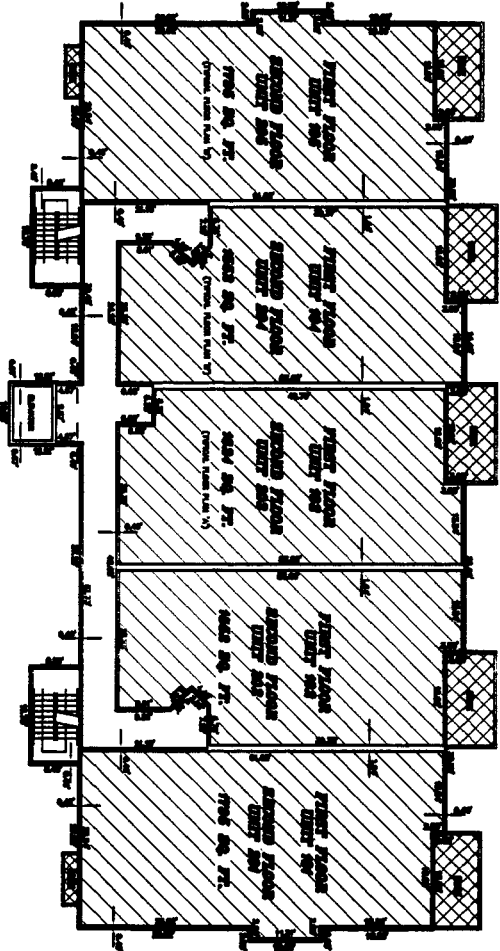
THE JACK JOHNSON COMPANY
 ARCHITECTS

NOV 03 2000
 PARK CITY PLANNING DEPT.



THIRD FLOOR (TYPICAL ALL BUILDINGS)
SCALE: 1/8"=10'

SEE THE EXHIBITS AND SPECS FOR THE DETAILS FOR ALL BUILDINGS.



FIRST AND SECOND FLOOR (TYPICAL ALL BUILDINGS)

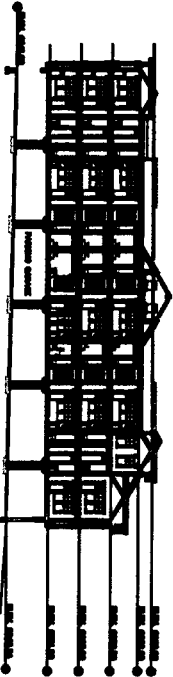
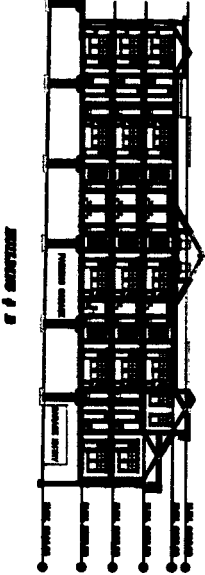
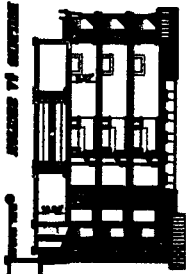
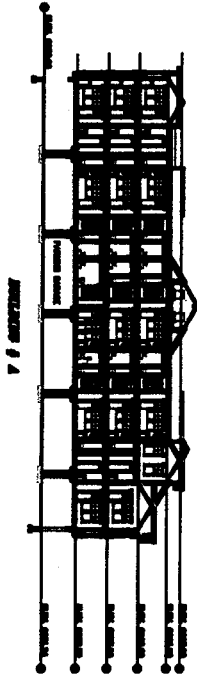
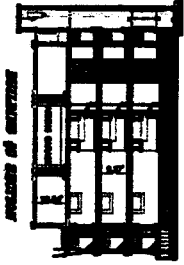
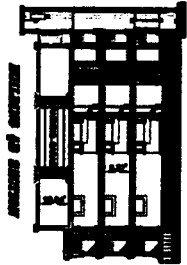
TOWN POINTE
A UTAR CONDOMINIUM PROJECT

ISSUED BY
THE ARCHITECTS OF RECORD
FOR THE PROJECT
DATE: 11/13/2000
PROJECT NO. 00-000000-0000
SHEET NO. 3 OF 4

DATE OF ISSUE: _____
 NAME OF ARCHITECT: _____
 NAME OF ENGINEER: _____
 NAME AND TITLE OF THE EXHIBITOR: _____
 SHEET NUMBER: _____

THE JACK JOHNSON COMPANY

NOV 3 2000
PARK CITY PLANNING DEPT.



BUILDING SECTION AND ELEVATIONS
SCALE: 1/4" = 20'

TOWN POINTE
A UTAH CONDOMINIUM PROJECT

DESIGNED BY
 THE ARCHITECTURAL FIRM OF STEVEN W.
 HALL, 1000 EAST 1000 S. SUITE 100, SALT
 LAKE CITY, UTAH 84143
 DRAWN BY: JAMES JOHNSON, JAMES
 JOHNSON COMPANY, 1000 EAST 1000 S.

NOV 1 1990

RECEIVED

NOV 1 1990

THE CITY OF SALT LAKE CITY

PLANNING DEPARTMENT



THE JACK JOHNSON COMPANY

NOV 0 1990

PARK CITY PLANNING DEPT.

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

D. Standard Project Conditions



Ordinance No. 00-56

AN ORDINANCE APPROVING ZONING PROPERTY LOCATED AT 1615 PARK AVENUE, PARK CITY, UTAH FROM RECREATION OPEN SPACE (ROS) TO GENERAL COMMERCIAL (GC). AND AMENDING THE ZONING MAP OF PARK CITY, UTAH.

WHEREAS, the owner of Cole Sport, a metes and bounds parcel (Schedule A-5), located at 1615 Park Avenue has petitioned the City Council for approval of a zone change of the parcel from Recreation Open Space (ROS), to General Commercial (GC).

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

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

WHEREAS, the Planning Commission held a public hearing on October 11, 2000, to receive input on the proposed zone changes;

WHEREAS, the Planning Commission, on October 11, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 19, 2000, the City Council held a public hearing to receive input on the proposed zone changes; and

WHEREAS, it is in the best interest of Park City, Utah to approve the zone changes.

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

SECTION 1. APPROVAL. The Cole Sport zone changes are hereby approved as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The discussion in the Analysis section is incorporated herein.
2. The metes and bounds parcel where Cole Sport is located is zoned ROS (Recreation Open Space).
3. Cole Sport is a Non-Complying Structure and Non-Conforming Use.
4. The owner has stipulated that the existing building setbacks will not change from the

current configuration.

5. The existing front setback at Park Avenue is 47'. The minimum setback allowed by the GC Zone is 20'.
6. The existing front setback at Empire Avenue is 40'. The minimum setback allowed by the GC Zone is 20'.
7. The existing rear (west) setback is 78'. The minimum setback allowed by the GC Zone is 10'.
8. The existing side (north) setback is 84'. The minimum setback allowed by the GC Zone is 10'.
9. The existing GC Zone is separated only by Park Avenue and two of four properties of this properties intersection are zoned GC.

Conclusions of Law:

1. There is good cause for this zone change.
2. The zone change is consistent with the Park City Land Management Code and General Plan.
3. The existing building and use, and proposed use meet the Purpose statement of the GC (General Commercial) zone.
4. Approval of the zone change, subject to the conditions stated below, promotes the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The setbacks of the property shall remain as follows: Park Avenue 47'; Empire Avenue 40'; Rear (west) 78'; side (north) 84'. No further expansion is allowed beyond the existing building edges.
2. Any future expansion in height shall meet the height requirements of the underlying zone.
3. In the event of damage or destruction of the existing building, any new structure would be required to meet the setbacks of the existing building as depicted on the site plan dated October 11, 2000.

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

PASSED AND ADOPTED this 19th day of October, 2000 .

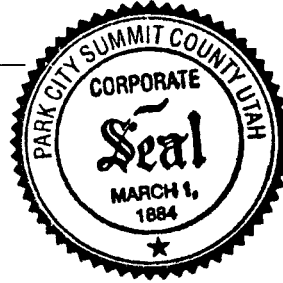
PARK CITY MUNICIPAL CORPORATION

Bradley A. Old, MAYOR

ATTEST:

Janet M. Scott

Janet M. Scott, City Recorder



APPROVED AS TO FORM:

M. D. G.

Mark Harrington, City Attorney



Ordinance No. 00-55

AN ORDINANCE APPROVING ZONE CHANGES FROM RD-MPD TO RC-MPD AND ROS FOR 1541 THAYNES CANYON DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of Shadow Creek subdivision, a one lot subdivision, and the City, as owners of two parcels exchanged as part of the subdivision, located at 1541 Thaynes Canyon Drive have petitioned the City Council for approval of a zone change of the development parcel from Residential Development - Master Planned Development (RD-MPD) and Recreation Open Space (ROS), to RC-MPD, and a zone change of the golf course parcel from RD-MPD to ROS; 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 August 23, 2000, to receive input on the proposed zone changes;

WHEREAS, the Planning Commission, on August 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 12, 2000, the City Council held a public hearing to receive input on the proposed zone changes; and

WHEREAS, it is in the best interest of Park City, Utah to approve the zone changes.

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

SECTION 1. APPROVAL. The Shadow Creek zone changes are hereby approved as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Park City Municipal Golf Course is zoned ROS (Recreation Open Space) and the hotel site is zoned RD-MPD (Residential Development-Master Planned Development).
2. The land exchange, if approved by the previous action, will create development areas within the ROS zoning district that would prohibit the anticipated construction.

3. The Planning Commission held a public hearing at their regular meeting of August 23, 2000 and forwarded a positive recommendation to the City Council.
4. The location and development of the Inn on Shadow Creek meets the Purpose statement of the RC (Recreation Commercial) zone.
5. The RC zone allows for interval ownership.
6. The developer has stipulated that the development parameters (e.g. height, setbacks) will not change from the current RD zoning requirements.

Conclusions of Law:

1. There is good cause for this zone change.
2. The zone change is consistent with the Park City Land Management Code and General Plan.
3. Neither the public nor any person will be materially injured by the proposed zone change.
4. Approval of the zone change, 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. A separate Conditional Use Permit application for interval ownership will be required, if interval ownership is desired.
2. The Development Agreement as amended and building parameters as previously approved remain in full force and effect.
3. This zone change is contingent upon the recordation of the plat approved concurrently herein..

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

PASSED AND ADOPTED this 12th day of October, 2000 .

PARK CITY MUNICIPAL CORPORATION



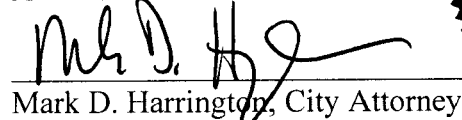
 Bradley A. Olch, MAYOR

ATTEST:



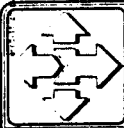
 Janet M. Scott, City Recorder

APPROVED AS TO FORM:



 Mark D. Harrington, City Attorney





McNEIL ENGINEERING AND LAND SURVEYING, L.C.
 PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES
 5825 SOUTH 200 EAST, MORGAN, UTAH 84050
 TEL: 801-225-1700 FAX: 801-225-1701
 WWW.MCNILENGR.COM

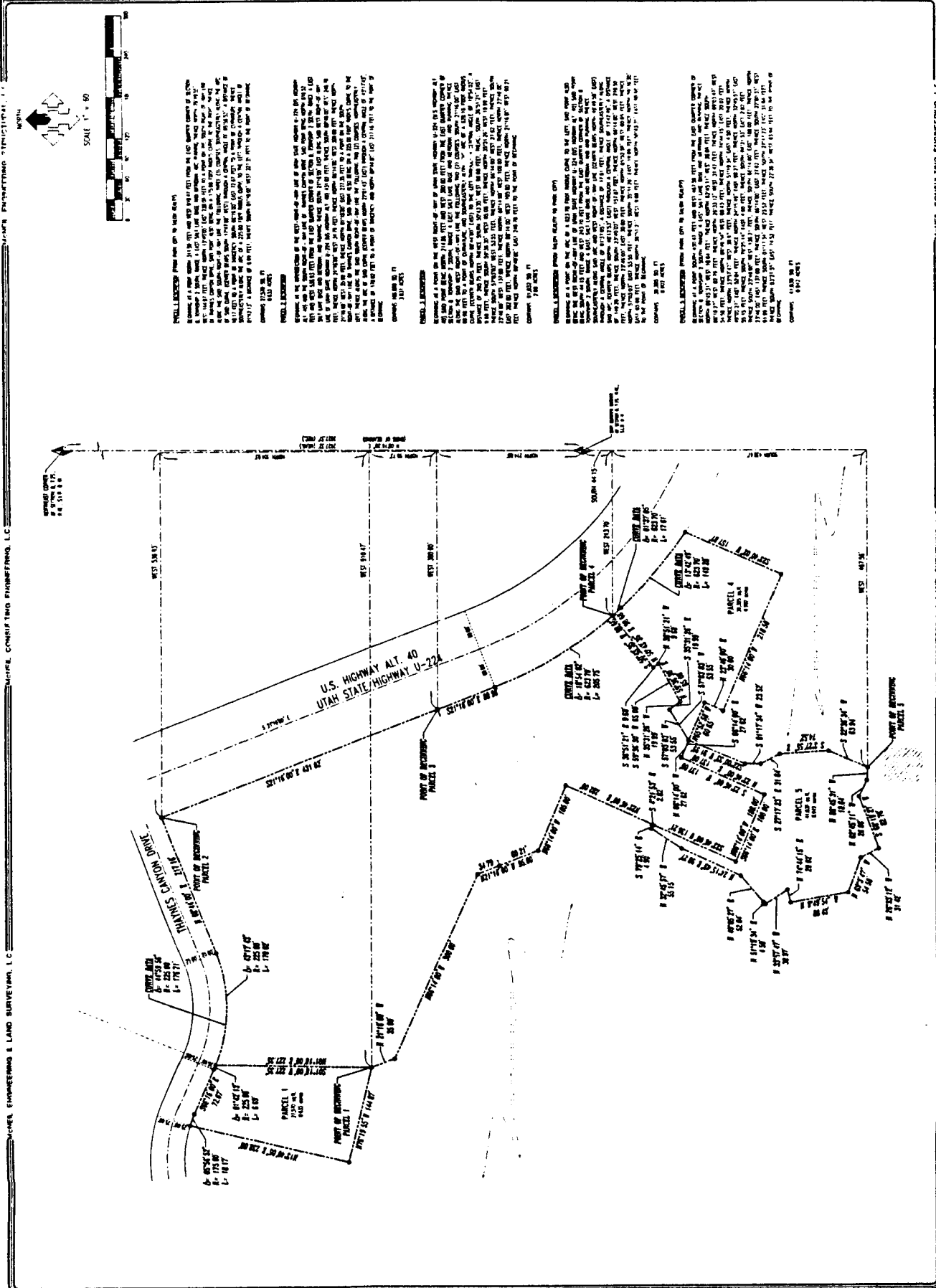
SHADOWCREEK PROJECT
 PLANNING CITY UTAH

PROPERTY EXCHANGE

NO.	DESCRIPTION	DATE	BY

DATE	BY	SCALE	PROJECT

JOB NO. 00480
 SHEET NO. 1



COMMISSIONER OF LAND SURVEYING
 STATE OF UTAH
 I, _____, County Clerk, do hereby certify that the above and foregoing is a true and correct copy of the original as filed in my office on this _____ day of _____, 20____.

REGISTERED PROFESSIONAL CIVIL ENGINEER
 STATE OF UTAH
 I, _____, do hereby certify that the above and foregoing is a true and correct copy of the original as filed in my office on this _____ day of _____, 20____.

REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF UTAH
 I, _____, do hereby certify that the above and foregoing is a true and correct copy of the original as filed in my office on this _____ day of _____, 20____.

EXHIBIT A



Ordinance No. 00-54

AN ORDINANCE APPROVING A ONE LOT SUBDIVISION PLAT FOR 1541 THAYNES CANYON DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the metes and bounds parcel and the City, as owners of two parcels exchanged, located at 1541 Thaynes Canyon Drive have petitioned the City Council for approval of a final 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 August 23, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on August 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 12, 2000, the City Council held a public hearing to receive input on the proposed subdivision plat; and

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

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

SECTION 1. APPROVAL. The Shadow Creek subdivision plat is hereby approved as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The discussion in the **Analysis** section is incorporated herein.
2. The development parcels are located at 1541 Thaynes Canyon Drive and are currently zoned RD-MPD and ROS (current golf course).
3. One lot of record will be created incorporating the exchanged parcels.
4. The Planning Commission held a public hearing at their regular meeting of August 23, 2000 and forwarded a positive recommendation to the City Council.
5. The developer has agreed to pay the approximate \$160,000 cost of the relocation of

the 18th green.

Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. Approval of the subdivision, 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 subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The recordation of the subdivision plat is required prior to the issuance of building permits for the Cottages on the affected parcels.
3. A Construction Phasing and Management Plan, for both winter and summer activities, with a time line and financial penalties for failure to perform must be submitted in a form approved by the City prior to recordation of the plat. The Plan shall include:

Golf Course Driving Range

The driving range will be made available to the golf course operations by April 1, 2001. If it is not available for use by April 1, 2001, then the developer will pay a penalty of \$600 per day until April 30, 2001. The penalty will escalate to \$700 per day if not available starting May 1, 2001, and \$800 per day after June 1, 2001 ongoing.

Golf Course Operations

The City will not release building permits for the individual cottage units until such time as the new permanent golf course operation facilities and associated parking are complete or the mutually agreed upon relocation of the temporary facilities with adequate available parking. This would exclude the building permit for the cottage designated as the sales office (the nearest cottage to the main hotel building), as this structure presents no impact to the operations or parking of the temporary golf course facility.


4. A Financial Guarantee in the amount of \$160,000 for the reconstruction of the 18th green and in a form acceptable to the City must be posted prior to plat recordation.
5. 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 year's time, this approval and the plat will be void.
6. All other conditions of approval of the Golf Course Hotel MPD are in full force and

- effect.
7. Prior to plat recordation, the City Council must approve the deeds for the land exchange.
 8. Development parameters will not change from the current MPD.


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

PASSED AND ADOPTED this 12th day of October, 2000 .

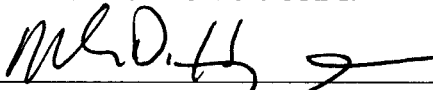
PARK CITY MUNICIPAL CORPORATION


Bradley A. Ochs MAYOR

ATTEST:


Janet M. Scott, City Recorder

APPROVED AS TO FORM:


Mark D. Harrington, City Attorney





Ordinance No. 00-53

AN ORDINANCE APPROVING A FINAL RECORD OF SURVEY FOR 12 DETACHED UNITS AND 9 ATTACHED UNITS AT BELLEARBOR, LOCATED AT NORTH SILVER LAKE AT DEER VALLEY, PARK CITY, UTAH

WHEREAS, the owners, Bellarbor, L.P. a Utah Corporation, of the property at North Silver Lake Subdivision, Park City, Utah and to be known as Bellearbor Subdivision at North Silver Lake, have petitioned the City Council for approval of final Record of Survey; and

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

WHEREAS, on September 27, 2000 the Planning Commission held a public hearing to receive public input on the proposed final Record of Survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, the proposed final Record of Survey allows the owner to sell ownership interests to other parties;

WHEREAS, it is in the best interest of Park City, Utah to approve the final Record of Survey;

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact.

1. The property is within the Residential Development District Zone.
2. The plat configuration is consistent with the Planning Commission approval of the North Silver Lake MPD and the Deer Valley 7th Amended MPD, April 1993.
3. A financial guarantee for all public improvements is necessary to ensure completion of these

improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

4. The proposed plat changes the type of ownership of this property to condominium ownership.
5. The applicant stipulates to all conditions of approval

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat and that neither the public nor any person will be materially injured by the proposed subdivision plat.

1. The plat is in substantial compliance with the Park City Land Management Code and applicable State law regarding condominium plats.
2. Neither the public nor any person will be materially injured by approval of the plat, subject to the conditions of approval. The plat does not adversely affect the health, safety and welfare of the citizens of Park City.
3. There is good cause for the plat.

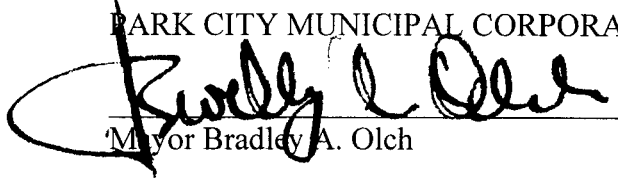
SECTION 3. PLAT APPROVAL. The subdivision plat, known as the Bellarbor Subdivision at North Silver Lake, is hereby approved as shown on Exhibit A, with the following conditions:

1. The City Attorney and City Engineer's review and approval of the final form and content of the plat and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recording the plat.
2. All conditions of approval, including conditions of approval for BelleArbor at North Silver Lake Deer Valley MPD, continue to apply.
3. All standard project conditions shall apply (Exhibit B).
4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
5. The final record of survey shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time, this approval and the plat shall be considered void.

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

PASSED AND ADOPTED this 12th day of October, 2000

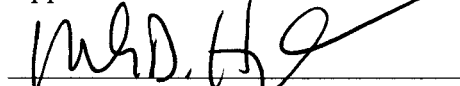
PARK CITY MUNICIPAL CORPORATION

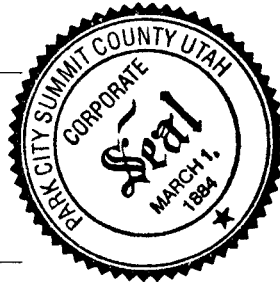

Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

Exhibit B - Standard Conditions



Ordinance 00-52

**AN ORDINANCE AMENDING TITLE 9, "PARKING CODE," OF
THE MUNICIPAL CODE OF PARK CITY TO ADDRESS
COMMERCIAL DELIVERIES ON MAIN STREET**

WHEREAS, in December of 1997, Park City attempted to address commercial delivery issues on Main Street by designating curb loading zones and establishing a delivery vehicle permit system; and

WHEREAS, despite signage designating curb loading zones, motorists have consistently had difficulty differentiating such zones from public parking; and

WHEREAS, the curb loading zones are consistently occupied by automobiles, thereby rendering such zones unuseable by delivery vehicles as intended; and

WHEREAS, the only effective measure for enforcing the curb loading zones is immediate removal of vehicles in violation of the Code (towing), which entails the continuous presence of tow trucks on Main Street as well as the administrative impact and potential liabilities of towing, storing, and releasing a high volume of vehicles on a regular basis; and

WHEREAS, due to the narrow and steep character of Main Street, delivery vehicles need to unload heavy & bulky items within a reasonable and safe distance from the business they are delivering to, without obstructing or otherwise impeding traffic flow; and

WHEREAS, Park City Council held public hearings on the proposed amendments on September 14, 2000, and September 28, 2000; and

WHEREAS, clear and current code provisions are a priority of the City Council;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

SECTION I. AMENDMENT. Title 9, Chapter 5, Section 3 of the Municipal Code of Park City is hereby amended as follows:

9- 5- 3. TYPES OF PERMITS.

The following permit types are established and shall be issued by the City upon payment of the appropriate fee, if any, as designated in the Fee Resolution:

(A) RESIDENT PERMIT. One resident permit shall be issued for each Vehicle owned by a person residing within a Residential Permit Zone (RPZ). If more than two permits are requested for one residence, the owner(s) of the Vehicles of the residence must make a formal application to the City for additional permits. In no case shall the number of resident permits issued to one residence exceed five. Permits will only be issued to the extent that the number of Vehicles registered at the dwelling exceeds the off-Street Parking available at that dwelling to encourage the use of all available off-Street Parking. An applicant for a permit shall present: (a) current Utah Motor Vehicle registration, (b) a current operator's license with the application, and (c) proof of residence; and shall certify the application with his or her signature.

No permit shall be issued in the event that either the registration or license shows an address not within the RPZ unless the applicant demonstrates to the satisfaction of the City Manager or designee that the applicant is, in fact, a resident of the RPZ and that the Vehicle is used primarily by the applicant.

The resident permits shall be valid: (a) until the expiration date shown on the permit, or (b) until the resident, business, or qualified non-profit organization relocates outside of the RPZ, or (c) until the permitted Vehicle is sold, whichever occurs first.

Resident permits shall be valid only in the same residential permit Parking zone in which the residence, business, or qualified institution is located.

(B) RESIDENT GUEST PERMIT. One resident guest permit shall be provided to each residential, business or qualified non-profit institution address receiving at least one resident permit within an RPZ, subject to the following conditions:

(1) Resident guest permits shall be issued for the exclusive use of the resident permit holder's guests only during periods when the guests are actually visiting a resident permit holder's address. Resident guest permits shall display the host resident's resident permit number. Residents shall instruct their guests in the proper display and use of the guest permit.

(2) Resident guest permits issued to business or non-profit institution guests within an RPZ shall be valid only while the guest is actually engaged in business at a resident permit holder's business or institution address. Resident guest permits issued to businesses or institutions within an RPZ shall display the host business's or institution's resident permit number. Businesses or institutions shall instruct their guests in the proper display and use of the guest permit.

(3) Resident guest permits may also be issued directly to guests by the Transportation & Parking Department subject to reasonable conditions imposed by the City Manager or designee.

The resident guest permits shall be valid: (a) until the expiration date shown on the permit, or (b) until the holder of the host permit relocates outside of the RPZ, whichever occurs first.

The resident guest permit shall be valid only in the same residential permit Parking zone in which the host residence, business, or qualified institution is located.

(C) LODGING GUEST PERMIT. Lodge guests permits shall be issued to, or approved for, lodges within a non-metered RPZ for the exclusive use of lodge guests during their period of stay at the lodge. Lodge owners shall fill out the lodge guest permit completely, using permanent ink, and instruct their employees and guests in the proper display and use of the lodge guest permit. Passes shall not be available for transient lodging units with available off-Street Parking for their guests and/or employees, or for lodging units located within a metered Parking zone. Lodge guest permits may also be issued to individuals with unusual or special needs at the discretion of the City Manager or designee.

The lodge guest permit shall be valid either: (a) only during the guest's stay at the lodge, or (b) for seven (7) days from the date of issue to the guest, whichever is less. The lodge guest permit shall be valid only in the same residential permit Parking zone in which the host lodge is located.

(D) EMPLOYEE PERMIT. If the City Manager or designee deems necessary, employee permits may be made available upon payment of the prescribed fee, if any, to Main Street area businesses that have inadequate off-Street Parking for Parking in designated Public Parking Facilities.

~~(E) DELIVERY VEHICLE PERMIT. Business Vehicle permits shall be made available to allow Delivery Vehicles to Park in designated loading zones in the Main Street core. Businesses shall be required to justify a Delivery Vehicle permit for business delivery use and adhere to strict regulations of this Title. Delivery Vehicles shall also be required to use the designated loading zones in the Main Street core before the hour of 12:00 a.m., or otherwise pay the hourly fee for Parking.~~

~~(F)~~ (E) SERVICE VEHICLE PERMIT. Service Vehicle permits shall be made available to allow building maintenance and cleaning functions for buildings in the resident permit zones. Applicants shall possess a valid Park City business license. Service Vehicles shall be required to use short-term zones, or Park in metered spaces and pay the hourly fee while conducting service calls in the metered parking areas (Main Street core).

SECTION II. AMENDMENT. Title 9, Chapter 8 of the Municipal Code of Park City is hereby amended as follows:

CHAPTER 8 - DELIVERIES AND SHORT-TERM USE

9-8-1. DELIVERY AND SHORT-TERM SPACE DESIGNATIONS.

The City Manager or designee shall designate, where necessary, ~~curb loading zones and/or~~ short-term zones.

~~9-8-2. CURB LOADING ZONES.~~

~~No person shall stop, stand, or Park a Vehicle for any purpose or length of time, other than for expeditious unloading and delivery, or pick-up and loading of materials, in any place marked as a curb loading zone, during the hours posted on curb loading zone signs. In no case shall the stop for loading and unloading of materials exceed the posted time limits. It shall be unlawful for any person to use the curb loading zones during the posted hours without properly displaying a delivery Vehicle permit.~~

9-8-32. SHORT-TERM ZONES.

In any area designated as a short-term zone, it shall be unlawful for any person to Park any Vehicle longer than the posted time limit during the hours posted on designated signs.

9-8-43. DELIVERY VEHICLES IN THE MAIN STREET CORE.

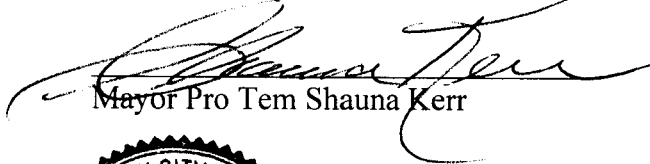
~~In addition to the curb loading zone requirements,~~ All Delivery Vehicles Parked on Main Street or Swede Alley shall observe the following restrictions;

- (A) Delivery Vehicles shall utilize the ~~thirty (30) minute zones on the~~ West side of Main Street during the hours from ~~9:00 a.m.~~ 7:00 a.m. to 12:00 noon, after which time no Delivery Vehicle shall be Parked on Main Street. Delivery Vehicles may utilize any parking space on the west side of Swede Alley from 7:00 a.m. to 4:00 p.m..
- (B) ~~No Delivery Vehicle shall double Park on Main Street.~~
Delivery Vehicles may double park on the west side of Main Street from the hours of 7:00 a.m. to 12:00 noon, provided that: the double parked vehicle is in the course of an expeditious delivery, there is no other curb parking available, the double parked vehicle does not inhibit traffic flow or block a legally parked car from leaving the curb.
- (C) Delivery Vehicles shall utilize parking on the west side of Swede Alley for deliveries to Main Street after the hour of 12:00 ~~a.m.~~noon.
- (D) No Delivery Vehicle shall Park on the east side of Swede Alley.
- (E) No Delivery Vehicle shall be Parked in such a manner to impede the flow of traffic.
- (F) No Delivery Vehicle shall be Parked with its engine left idling.
- (G) No Delivery Vehicle shall Park on Park Avenue (between Heber Avenue and King Avenue) to make deliveries to a business with a Main Street address.


SECTION III. EFFECTIVE DATE. This ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 28th day of September, 2000

PARK CITY MUNICIPAL CORPORATION

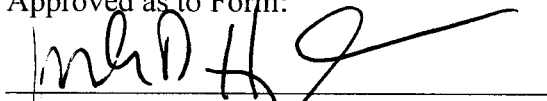

Mayor Pro Tem Shauna Kerr

Attest:


Janet M. Scott, City Recorder



Approved as to Form:


Mark D. Harrington, City Attorney



Ordinance No. 00-51

**AN ORDINANCE APPROVING A COMPREHENSIVE AND SUBSTANTIVE
RE-WRITE OF THE LAND MANAGEMENT CODE
OF PARK CITY, UTAH, SPECIFICALLY FOR THE FOLLOWING SECTIONS:
SECTION 7.2 -HISTORIC COMMERCIAL BUSINESS (HCB),
SECTION 7.3- HISTORIC RECREATION COMMERCIAL (HRC),
SECTION 7.4- HISTORIC TRANSITIONAL OVERLAY (HTO)
SECTION 7.5- RESIDENTIAL DEVELOPMENT (RD)
SECTION 7.6- RESIDENTIAL DEVELOPMENT MEDIUM DENSITY (RDM)
SECTION 7.7- RESIDENTIAL (R-1)
SECTION 7.8- RESIDENTIAL MEDIUM DENSITY (RM)
SECTION 7.9- GENERAL COMMERCIAL (GC)
SECTION 7.10- RECREATION COMMERCIAL (RC)
SECTION 7.11- LIGHT INDUSTRIAL (LI)
SECTION 7.12- RECREATION AND OPEN SPACE (ROS)
SECTION 7.13- ESTATE (E)
SECTION 7.15- SINGLE FAMILY (SF)
SECTION 7.16- SINGLE FAMILY NIGHTLY RENTAL (SF-N)
SECTION 7.17- HISTORIC RESIDENTIAL LOW INTENSITY COMMERCIAL
OVERLAY (HR-2)
SECTION 7.18- REGIONAL COMMERCIAL OVERLAY ZONE (RCO)
SECTION 8.8- FRONTAGE PROTECTION, LIMITED ACCESS TO HIGHWAYS.
THESE SECTIONS ARE RENUMBERED AND INCLUDED IN THE
BODY OF THE MUNICIPAL CODE AS DESCRIBED IN THIS ORDINANCE.
NEW ZONING DISTRICTS
HAVE BEEN ADDED, INCLUDING
POS (PROTECTED OPEN SPACE ZONE)
E-40 (ESTATE 40) AND
HRM (HISTORIC RESIDENTIAL MEDIUM DENSITY)**

WHEREAS, protecting the health and safety of the residents and visitors to Park City and preserving the historic integrity of the Historic District are values of the community and identified goals of the City Council; and

WHEREAS, the City Council enacted amendments to the Land Management Code dealing with height and floor area ratios in December 1995, but further directed staff, the Historic District Commission, and Planning Commission to explore solutions to mitigate the mass and scale

of new development in the Historic District and to develop regulations to ensure compatibility with existing historic structures; and

WHEREAS, the City is in the process of a comprehensive rewrite of the entire Land Management Code (LMC) to clarify and resolve existing inconsistencies; update regulations to be consistent with the General Plan; add graphics and illustrations; render the LMC document more user friendly; address development on steep slopes in the Historic District, review lot and site requirements for new construction and additions, review building height measurements, review permitted and conditional land uses, and add regulations related to protection of significant vegetation; and

WHEREAS, the Planning Commission duly published, noticed and conducted several public hearings at its regularly scheduled meetings, including September 22, 1999 and February 23, March 22, April 12, May 10, May 24, June 14, and June 28 of 2000; and

WHEREAS, the Planning Commission forwarded a positive recommendation to the City Council on the HR-2, HRM, HRC, HCB, ROS, POS, E-40, E, R-1, SF, RD, RDM, RM, RCO, RC, GC, LI, FPZ, and SLO Zoning District revisions; and

WHEREAS, the City Council duly published, noticed and conducted public hearings at its regularly scheduled meetings on June 8, July 6, and September 21 of 2000 and finds it in the best interest of the residents of Park City, Utah to amend the Land Management Code with regulations that maintain and preserve community values while safeguarding quality of life for its residents; and

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

SECTION 1. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.2 (HCB) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.6 attached hereto as Exhibit A. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.2 shall be resolved by the Community Development Director.

SECTION 2. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.3 (HRC) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.5 attached hereto as Exhibit B. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.3 shall be resolved by the Community Development Director.

SECTION 3. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.4 (HTO) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.3 (HR-2) attached hereto as Exhibit J. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.4 shall be resolved by the Community Development Director.

SECTION 4. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.5 (RD) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.13 attached hereto as Exhibit C. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.5 shall be resolved by the Community Development Director.

SECTION 5. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.6 (RDM) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.14 attached hereto as Exhibit D. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.6 shall be resolved by the Community Development Director.

SECTION 6. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.7 (R-1) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.12 attached hereto as Exhibit E. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.7 shall be resolved by the Community Development Director.

SECTION 7. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.8 (RM) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.15 attached hereto as Exhibit F. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.8 shall be resolved by the Community Development Director.

SECTION 8. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.12 (ROS) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.7 attached hereto as Exhibit G. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.12 shall be resolved by the Community Development Director.

SECTION 9. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.13 (E) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.10 attached hereto as Exhibit H. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.13 shall be resolved by the Community Development Director.

SECTION 10. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.15 (SF) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.11 attached hereto as Exhibit I. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.15 shall be resolved by the Community Development Director.

SECTION 11. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.16 (SF-N) is hereby deleted and incorporated into LMC Title 15, Chapter 2.11 (SF) attached hereto as Exhibit I. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.16 shall be resolved by the Community Development Director.

SECTION 12. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.17 (HR-2) is hereby deleted and replaced by proposed LMC

Title 15, Chapter 2.3 attached hereto as Exhibit J. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.17 shall be resolved by the Community Development Director.

SECTION 13. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.18 (RCO) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.17 attached hereto as Exhibit K. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.18 shall be resolved by the Community Development Director.

SECTION 14. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.10 (RC) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.16 attached hereto as Exhibit L. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.10 shall be resolved by the Community Development Director.

SECTION 15. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.9 (GC) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.18 attached hereto as Exhibit M. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.9 shall be resolved by the Community Development Director.

SECTION 16. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.11 (LI) is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.19 attached hereto as Exhibit N. Any conflicts or cross-references from other provisions of the LMC to Chapter 11 shall be resolved by the Community Development Director.

SECTION 17. ADDITION TO MUNICIPAL CODE-TITLE 15, CHAPTER 2. Park City Municipal Code Title 15, Chapter 2 is hereby modified to include Chapter 2.8 (POS) attached hereto as Exhibit O.

SECTION 18. ADDITION TO MUNICIPAL CODE- TITLE 15, CHAPTER 2. Park City Municipal Code Title 15, Chapter 2 is hereby modified to include Chapter 2.9 (E-40) attached hereto as Exhibit P.

SECTION 19. ADDITION TO MUNICIPAL CODE- TITLE 15, CHAPTER 2 Park City Municipal Code Title 15, Chapter 2 is hereby modified to include Chapter 2.4 (HRM) attached hereto as Exhibit Q.

SECTION 20. ADDITION TO MUNICIPAL CODE- TITLE 15, CHAPTER 2 Park City Municipal Code Title 15, Chapter 2 is hereby modified to include LMC Section 8.8, Frontage Protection, Limited Access to Highways, as revised, as Chapter 2.20 (FPZ) attached hereto as Exhibit R.


SECTION 21. ADDITION TO MUNICIPAL CODE- TITLE 15, CHAPTER 2 Park City Municipal Code Title 15, Chapter 2 is hereby modified to include the Park City Sensitive

Area Overlay Zone Regulations (December 1993), as revised, as Chapter 2.21 (SLO) attached hereto as Exhibit S.

SECTION 22. EFFECTIVE DATE. This Ordinance shall be effective upon adoption.

PASSED AND ADOPTED this 21st day of September, 2000

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

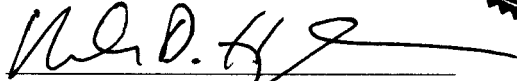
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 00-50

AN ORDINANCE CREATING THE HISTORIC MEDIUM DENSITY RESIDENTIAL ZONE (HRM), AMENDING THE HISTORIC RESIDENTIAL TWO ZONE (HR-2), APPROVING A ZONE CHANGE TO HRL FOR ALL HR-1 PLATTED LOTS LOCATED SOUTH AND EAST OF ONTARIO AND MARSAC AVENUES, APPROVING A ZONE CHANGE FOR 1499 PARK AVENUE FROM GENERAL COMMERCIAL (GC) TO RECREATION COMMERCIAL(RC), APPROVING A ZONE CHANGE FOR PROPERTIES LOCATED AT 1501, 1503 AND 1525 PARK AVENUE FROM RESIDENTIAL MEDIUM DENSITY (RM) TO RECREATION COMMERCIAL (RC), APPROVING A ZONE CHANGE FOR ESTATE (E) ZONED CITY PARK PROPERTY TO RECREATION OPEN SPACE (ROS), AND AMENDING THE OFFICIAL PARK CITY ZONING MAP.

WHEREAS, protecting the health, safety, and welfare of the Park City community and preserving the historic integrity in residential areas of the Historic District are values of the community and identified goals of the City Council; and

WHEREAS, the City Council directed staff, the Historic District Commission, and the Planning Commission to explore solutions to mitigate the mass and scale of new development in the Historic District and on lower Park Avenue and to develop regulations to ensure compatibility with existing historic structures and uses; and

WHEREAS, the City is in the process of a comprehensive rewrite of the entire Land Management Code and has identified areas along upper Park Avenue, upper Main Street, Swede Alley, Grant Avenue and lower Park Avenue where creation of new zoning districts and zone changes for certain properties have been recommended by the Planning Commission to carry out the intent of the Park City General Plan.

WHEREAS, the Planning Commission duly noticed and conducted several public hearings at its regularly scheduled meetings, including one on September 22, 1999, February 23, 2000 and July 12, 2000.

WHEREAS, the Planning Commission forwarded a recommendation to the City Council on the re-zones of lower Park Avenue, upper Park Avenue, upper Main Street, and a portion of Grant Avenue and Swede Alley as described below.

WHEREAS, the City Council duly noticed and conducted public hearings at its regularly scheduled meetings on February 25, 1999, March 2, 2000, July 6, 2000, and September 21,

2000 and finds it in the best interest of the residents of Park City, Utah to create the new zoning districts and rezone the specified properties to maintain the essence of the Historic District while safeguarding quality of life for its residents;

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

SECTION 1. DESCRIPTION OF NEW ZONING DISTRICT KNOWN AS THE HISTORIC MEDIUM DENSITY RESIDENTIAL (HRM) DISTRICT. There is hereby created a new zone designation to be called Historic Medium Density Residential (HRM) to accommodate appropriately scaled and designed development and uses along an important corridor and to accommodate development that is compatible with existing Historic Structures and provides a transition in use and scale between the Historic District and the resort developments. The property subject to this zone is described in Exhibit A, attached. The official zoning map is hereby amended to reflect this new zone.

SECTION 2. DESCRIPTION OF NEW ZONING DISTRICT KNOWN AS THE HISTORIC RESIDENTIAL TWO (HR-2) DISTRICT. There is hereby created a new zone designation to be called Historic Residential Two (HR-2) to accommodate appropriately scaled and designed development and uses in a transition area between Park City's commercial Main Street area and the historic residential area of Old Town. This district replaces the previous HR-2 and HTO overlay zones. The property subject to this zone is described in Exhibit B, attached. The official zoning map is hereby amended to reflect this new zone.

SECTION 3. ZONE CHANGE OF 1499 PARK AVENUE. The property located at 1499 Park Avenue, currently zoned General Commercial should be and is hereby re-zoned to the Recreation Commercial District. The property subject to this zone change is described in Exhibit C, attached. The official zoning map is hereby amended to reflect this zone change.

SECTION 4. ZONE CHANGE OF 1501, 1503, AND 1525 PARK AVENUE. The property located at 1501, 1503, and 1525 Park Avenue, currently zoned Residential Medium Density should be and is hereby re-zoned to the Recreation Commercial District. The property subject to this zone change is described in Exhibit D, attached. The official zoning map is hereby amended to reflect this zone change.

SECTION 5. ZONE CHANGE OF CITY PARK PROPERTY. City Park property currently zoned Estate in the area of The City Park should be and is hereby re-zoned to the Recreation Open Space District. The official zoning map is hereby amended to reflect this zone change.

SECTION 6. ZONE CHANGE OF PLATTED LOTS SOUTH AND EAST OF ONTARIO AND MARSAC AVENUES. The property located within Block 52, Section 16, Township 2 South, Range 4 East, Park City Utah, currently zoned HR-1, Historic Residential, should

be and is hereby re-zoned to the Historic Residential Low Density, HRL, District. The property subject to this zone change includes all platted lots within Block 52, Section 16, Park City. The official zoning map is hereby amended to reflect this zone change.

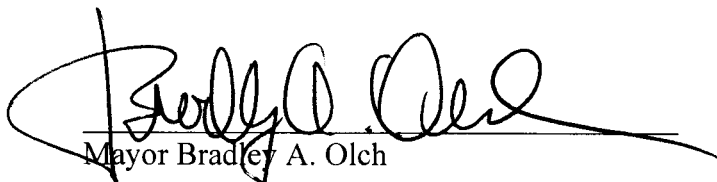
SECTION 7. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for these zone districts and zone changes, the new districts and zone changes are consistent with the Park City Land Management Code and General Plan, neither the public nor any person will be materially injured by the proposed districts and zone changes, approval of the districts and zone changes does not adversely affect the health, safety and welfare of the citizens of Park City.

SECTION 8. APPROVAL. The proposed districts and zone changes, as described above, are hereby approved.

SECTION 9. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 21st day of September, 2000.

PARK CITY MUNICIPAL CORPORATION

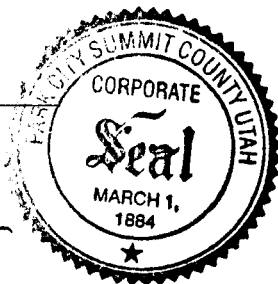


Mayor Bradley A. Olch

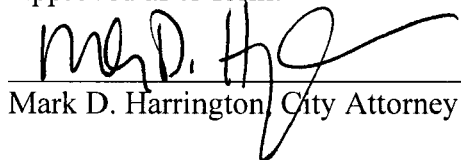
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

LEGAL DESCRIPTION

HRM ZONE

The following described parcel of land lies within the City of Park City, Utah,
a portion of Section 9 and Section 16,
Township 2 South, Range 4 East, Salt Lake Base & Meridian:

Beginning at a point South 89°53'41" West 1047.12 feet along the section line and North 628.85 feet from the south quarter corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; Thence South 23°30'00" East 100.00 feet; Thence South 61°18'30" West 1.91 feet; Thence South 31°18'00" East 65.09 feet; Thence North 60°30'00" East 14.86 feet; Thence South 28°00'00" East 65.01 feet; Thence South 60°38'00" West 11.26 feet; Thence South 31°18'00" East 52.71 feet; Thence North 59°32'30" East 8.67 feet; Thence South 31°18'00" East 60.18 feet; Thence North 58°38'30" East 14.44 feet; Thence South 32°29'01" East 100.99 feet; Thence South 56°18'00" West 0.50 feet; Thence South 36°56'00" East 78.12 feet; Thence South 58°25'30" West 24.51 feet; Thence South 36°38'00" East 105.85 feet; Thence North 53°29'00" East 39.30 feet; Thence South 22°29'00" East 131.91 feet to the south line of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; Thence along said section line North 89°54'20" East 10.21 feet; Thence South 18°00'00" East 42.26 feet; Thence South 54°01'00" West 1.06 feet; Thence South 5°00'00" West 106.64 feet; Thence South 54°01'00" West 96.00 feet to the easterly right of way line of Park Avenue; thence continuing South 54°01'00" West 25.00 feet more or less to the centerline of Park Avenue; Thence along said centerline South 35°59'00" East 209.50 feet; Thence North 54°01'00" East 25.00 feet more or less to the easterly right of way line of Park Avenue; Thence continuing North 54°01'00" East 48.74 feet; Thence South 83°28'00" East 36.99 feet; Thence South 35°59'00" East 67.95 feet; Thence North 46°47'00" East 48.29 feet; Thence South 62°00'00" East 64.77 feet; Thence South 41°44'14" East 15.00 feet; Thence South 35°59'00" East 30.00 feet to the southerly line of Block 24, Snyder's Addition; Thence along said southerly line South 54°01'00" West 3.63 feet; Thence South 35°59'00" East 49.89; Thence South 54°00'46" West 10.00 feet to the easterly line of Block 57, Snyder's Addition; Thence along said easterly line South 32°23'03" East 551.17 feet to the southerly line of said Block 57 and the northerly right of way line of 12th Street; Thence along said southerly line of Block 57 South 54°01'00" West 0.40 feet; Thence South 35°59'00" East 30.00 feet to the southerly right of way line of 12th Street; Thence South 35°59'00" East 40.00 feet; Thence South 54°01'00" West 30.00 feet to the easterly line of Block 56, Snyder's Addition; Thence along said easterly line South 35°58'59" East 35.00 feet; Thence North 54°01'00" East 20.00 feet; Thence South 35°59'00" East 50.00 feet; Thence South 54°01'00" West 20.00 feet to the easterly line of Block 56, Snyder's Addition; Thence along said easterly line South 35°59'00" East 175.11 feet; Thence North 54°01'00" East 20.00 feet; Thence South 35°59'00" East 39.50 feet; Thence North 56°52'45" East 16.02 feet; Thence South 22°04'37" East 36.92 feet; Thence South 5°21'33" East 27.73 feet to the northerly right of way line of 11th Street; Thence along said right of

EXHIBIT A.

way line South 54°01'00" West 13.00 feet; Thence South 35°59'00" East 30.00 feet to the southerly right of way line of 11th Street and the northwesterly line of Block 55, Snyder's Addition; Thence along said right of way line and northwesterly line of said Block 55 North 54°01'15" East 62.09 feet to the north corner of said Block 55; Thence southeasterly along the northeasterly line of said Block 55 200.27 feet more or less to the northwesterly line of the southeasterly half of Block 55, Snyder's Addition; Thence southwesterly along said line 50.98 feet more or less to the north corner of Lot 8, Block 55, Snyder's Addition; Thence southeasterly along the northeasterly lines of Lots 8, 7, 6, 5, 4, 3, 2, 1, Block 55, Snyder's Addition 200.00 feet more or less to the northwesterly right of way line of 10th Street and the southeasterly line of said Block 55; Thence southwesterly along the southeasterly line of said Block 55 75.00 feet more or less to the south corner of said Block 55; Thence continuing southwesterly 25.00 feet more or less to the centerline of Park Avenue; thence northwesterly along said centerline 415.00 feet more or less to the centerline intersection of 11th Street and Park Avenue; thence southwesterly along said centerline of 11th street 100.00 feet more or less; Thence northwesterly 15.00 feet more or less to south corner of Lot 1, Block 5, Snyder's Addition, said point also being on the northerly right of way line of 11th Street; Thence continuing northwesterly along the southwesterly line of said Lot 1 25.00 feet more or less to the west corner of said Lot 1; Thence northeasterly along the northwesterly line of said Lot 1 75.00 feet more or less to the north corner of Lot 1, said point also being on the southerly right of way line of Park Avenue; Thence continuing northeasterly 25.00 feet more or less to the centerline of Park Avenue; Thence northwesterly along said centerline 390.00 feet more or less to the centerline intersection of 12th Street and Park Avenue; Thence southwesterly along said centerline of 12th Street 100.00 feet more or less; Thence northwesterly 15.00 feet more or less to the northerly right of way line of 12th Street and the south corner of Lot 1, Block 6, Snyder's Addition; Thence continuing northwesterly 112.50 feet more or less along the southwesterly lines of Lots 1, 2, 3, 4, 5, Block 6, Snyder's Addition to the west corner of the southeasterly half of said Lot 5; Thence northeasterly 75.00 feet more or less to the north corner of the southeasterly half of said Lot 5, said point also being on the southwesterly right of way line of Park Avenue; Thence continuing northeasterly 25.00 feet more or less to the centerline of Park Avenue; Thence northwesterly along the centerline of Park Avenue 452.50 feet more or less to the centerline intersection of 13th Street and Park Avenue; Thence southwesterly along said centerline of 13th Street 200.00 feet more or less to the centerline intersection of Woodside Avenue and 13th Street; Thence northwesterly along said centerline of Woodside Avenue to the southerly right of way line of 14th Street; Thence northeasterly along said southerly right of way line of 14th Street to the west corner of 14th Street Townhouse Condo, Block 24, Snyder's Addition; thence northwesterly to the south corner of Lift Line Condo Phase I, Block 22, Snyder's Addition, said point also being on the northerly right of way line of 14th Street; Thence northwesterly and northeasterly along said Lift Line Condo Phase I boundary to the westerly boundary of Lift Line Condo Phase II, Block 22, Snyder's Addition; thence northwesterly along said Lift Line Condo Phase II boundary to the south line of Lot 9, Block 22, Snyder's Addition; Thence northeasterly along the southeasterly line of said Lot 9 to the east corner of said Lot 9; Thence northwesterly along the northeasterly line of Lots 9 and 8, Block 22, Snyder's Addition to the south line of

Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; Thence northwesterly along said section line to the northeasterly right of way line of Woodside Avenue; Thence northwesterly along said right of way line to the west corner of Sunflower Condo, located in the south half of the southwest quarter of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence northeasterly along the northerly boundary of said Sunflower Condo to the westerly right of way of Park Avenue; Thence continuing northeasterly to the centerline of Park Avenue; Thence northwesterly along said centerline of Park Avenue, Thence northeasterly to a point being South $61^{\circ}18'30''$ West 120.00 feet from the point of beginning; Thence North $61^{\circ}18'30''$ East 120.00 feet to the point of beginning.

LEGAL DESCRIPTION

for the westerly zone of HR-2 Zoning
within the City of Park City, Utah,

a portion of the Southeast Quarter of Section 16,
Township 2 South, Range 4 East, Salt Lake Base & Meridian:

Beginning at the centerline intersection of Park Avenue and Second Street, thence northwesterly, along the centerline of said Park Avenue, to the intersection of said centerline Park Avenue and the southwesterly extension of the northerly line of Lot 29, Block 8, Park City Survey; thence northeasterly, along said extension of the northerly line of Lot 29, Block 8, to the northwesterly corner of said Lot 29, Block 8; thence northeasterly, along the northerly line of said Lot 29, Block 8, to the northeasterly corner of said Lot 29, Block 8; thence southeasterly, along the middle block line of said Block 8 to the southeasterly corner of Lot 32, Block 8; thence southeasterly, across the Right of Way of Sixth Street, to the platted middle block line of Block 9, Park City Survey; thence southeasterly, along said middle block line of Block 9, to the southeasterly corner of Lot 36, Block 9; thence southwesterly, along the southerly line of said Lot 36, Block 9, to the northeasterly corner of Lot 37, Block 9, as amended by the description in the deed recorded in Book 1000, Page 713 in the office of the Summit County Recorder; thence southeasterly, along the easterly lines of Lots 37, 38, and 39, Block 9, as amended by said deed at Book 1000, Page 713, to the southeasterly corner of said amended Lot 39, Block 9; thence northeasterly, along the northerly line of Lot 40 of said Block 9, to the northeasterly corner of said Lot 40, Block 9; thence southeasterly, along the easterly line of Lots 40 and 41 as amended by the description in the deed recorded in Book 861, Page 220 in the office of the Summit County Recorder, to the southeasterly corner of said amended Lot 41, Block 9; thence northeasterly, along the northerly line of Lot 42, Block 9, to the northeasterly corner of said Lot 42, Block 9, as amended by the description in the deed recorded at Book 861, Page 218 in the office of the Summit County Recorder; thence southeasterly, along the easterly lines of Lots 42, 43, and 44 as amended by said deed at Book 861, Page 218, to the southeasterly corner of said amended Lot 44, Block 9; thence southeasterly, along the middle block line of said Block 9, to the southeasterly corner of Lot 46, Block 9; thence southeasterly, across the Right of Way of Fifth Street, to the middle block line of Block 10, Park City Survey; thence southeasterly, along said middle block line of Block 10, to the southeasterly corner of Lot 19, Block 10; thence southwesterly, along the southerly line of said Lot 19, Block 10, to the northeasterly corner of Lot 20, Block 10, as amended by the description in the deed recorded in Book 1219, Page 444, in the office of the Summit County Recorder; thence southeasterly, along the easterly line of said Lot 20, Block 10, as amended by the deed recorded in Book 1219, Page 444, to the southeasterly corner of said amended Lot 20, Block 10; thence northeasterly, along the northerly line of Lot 21, Block 10, to the northeasterly corner of said Lot 21, Block 10; thence

EXHIBIT B.

southeasterly, along the middle block line of said Block 10, to the southeasterly corner of Lot 32, Block 10; thence southeasterly, across the Right of Way of Fourth Street, to the northeasterly corner of Lot 17, Block 11, Park City Survey; thence southeasterly, along the middle block line of said Block 11, to the southeasterly corner of Lot 32, Block 11; thence southeasterly, across the Right of Way of Third Street, to the northeasterly corner of Lot 17, Block 12, Park City Survey; thence southeasterly, along the middle block line of said Block 12, to the southeasterly corner of Lot 32, Block 12; thence southeasterly, across the Right of Way of said Second Street, to the centerline of said Second Street; thence southwesterly, along the centerline of said Second Street to the intersection with the centerline of said Park Avenue, the point of beginning.

LEGAL DESCRIPTION

for the easterly zone of HR-2 Zoning

within the City of Park City, Utah,

a portion of the Southeast Quarter of Section 16,

Township 2 South, Range 4 East, Salt Lake Base & Meridian:

Beginning at the centerline intersection of Park City Main Street and Second Street, thence northeasterly, along the centerline of said Second Street, to the intersection of said centerline Second Street and the southeasterly extension of the easterly line of Block 70, Park City Survey; thence northwesterly, along the said extension of the easterly line of Block 70 to the southerly corner of Lot 1, Block 70; thence northwesterly along the easterly line of said Block 70 and the easterly line of Block 69, Park City Survey, to the northeasterly corner of said Block 69; thence northwesterly, along the extension of the easterly line of said Block 69, to the northerly Right of Way of Fourth Street; thence northeasterly, along the said northerly Right of Way of Fourth Street to the intersection with the easterly Right of Way of Grant Avenue; thence southeasterly, along said easterly Right of Way of Grant Avenue to the northerly corner of Block 72, Millsite Reservation; thence southeasterly, along the easterly line of said Block 72, to the northeasterly corner of the described property in the Judgment recorded in Book 776, Page 419 in the office of the Summit County Recorder; thence southwesterly, along the northerly line of said description in Book 776, Page 419 to the easterly line of the deed description recorded in Book 617, Page 804; thence southerly, along the most easterly lines of the following deed descriptions recorded in: Book 617, Page 804, Book M26, Page 187, Book 1273, Page 849, Book 624, Page 336, Book 1056, Page 57, Book 867, Page 205, and Book 542, Page 376, Parcel 2 and Parcel 3, to the southeasterly corner of said deed description recorded in Book 542, Page 376, Parcel 3; thence southwesterly, along the southerly line of said description recorded in Book 542, Page 376, Parcel 3 to the southwesterly corner of said deed description; thence southwesterly, across and perpendicular to Chambers Street, to the westerly Right of Way line of Chambers Street; thence southeasterly, along said westerly Right of Way line of Chambers Street to the westerly Right of Way line of Hillside Street; thence southwesterly, along the said westerly Right of Way line of Hillside Street, to the southerly corner of Block 20, Park City Survey; thence northwesterly, along the southerly line of said Block 20, to the southerly corner of Lot 18, Block 20; thence northwesterly, across Main Street to the northeasterly corner of Block 74, Park City Survey; thence northeasterly, across First Street to the southeasterly corner of Lot 1, Block 1, Park City Survey; thence northeasterly, along the southeasterly line of said Lot 1, Block 1, to the northeasterly corner of said Lot 1, Block 1; thence northeasterly, across Park Avenue, to the southerly corner of Block 13, Park City Survey; thence northwesterly, along the westerly line of said Block 13, to the northwesterly corner of Lot 3, Block 13; thence southeasterly, along the northerly line of said Lot 3, Block 13, to the southwesterly corner of

Lot 4, Block 13, as amended by the boundary line agreement recorded in Book 865, Pages 795-805, in the office of the Summit County Recorder; thence northerly, along the westerly lines of Lots 4, and 5, as amended by the said boundary line agreement recorded in Book 865, Pages 795-805, to the northwesterly corner of said amended Lot 5, Block 13; thence northerly, along the westerly lines of Lots 6, 7, 8, 9, and 10, Block 13, and the southerly half of Lot 11, Block 13 as amended by the deed recorded in Book 875, Page 418, in the office of the Summit County Recorder; thence southeasterly, along the northerly line of the southerly half of said Lot 11, Block 13, as amended by the said deed recorded in Book 875, Page 418, and the extension of said northerly line to the said centerline of Park City Main Street; thence northerly, along said centerline of Main Street to the intersection with the centerline of said Second Street, the point of beginning.

AVENUE

1499 Park Avenue

SURVEYOR'S CERTIFICATE:

I, Joe Dhaenens, hold license number 187821 as prescribed by the laws of the State of Utah, and certify that I have made a survey of the property shown hereon and as described in the notes and "description of property surveyed" below.

NOTES:

1. The basis of bearings is as shown.
2. Survey monuments were found or set as shown.
3. The purpose of this survey is for parcel corners, spot elevations, and location of physical features.
4. This survey was requested by Green Properties.
5. The survey was performed in February, 1998.
6. The property was partially covered in snow and ice during the survey; it is possible that some features pertaining to the scope of this survey were not discovered.
7. The difference between the record and measured data is as shown.
8. Alteration of any survey data without the surveyor's consent makes this survey invalid.
9. Easements, if any, affecting this property are not shown.
10. The Easterly right-of-way of Woodside Avenue and the Southerly right-of-way of 15th Street may not coincide with boundary lines of the parcel surveyed; the owner of this property should verify said lines with Park City Municipal Corporation.

PARK

N 24° 31' 00" W 871.50' Record

DESCRIPTION OF PROPERTY SURVEYED:

Beginning at a point which is East 1451.00 feet and North 460.00 feet from the Southwest Corner of Section 9, Township 2 South, Range 4 East, Salt Lake Baseline and Meridian, Park City, Summit County, Utah, thence S 65° 08' 30" W along the Northerly line of Sunflower Condominiums 130.23 feet, thence N 32° 26' 20" W along the Easterly right-of-way of Woodside Avenue 108.95 feet, thence N 65° 08' 30" E along the Southerly right-of-way of 15th Street 153.10 feet, thence S 24° 24' 28" E along the Westerly right-of-way of Park Avenue 108.00 feet, thence S 65° 08' 30" W 7.65 feet to the point of beginning. Containing 0.36 Acres.

EXHIBIT C,

mass disk at the
line of park
elevation =

1501 PARK AVENUE

SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described herein and have subdivided said tract of land to be hereafter known as THE HULBERT SUBDIVISION and that same has been correctly surveyed and staked on the ground as shown on this plat.

JOHN DEMKOWICZ, L.S. # 163931

DATE

LEGAL DESCRIPTION

Beginning at a point 598.00 feet North and 1388.00 feet East and North 25124.00° West 48.03 feet from the Southwest corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence North 69745.15° East 8.84 feet to a point on the Westerly right-of-way line of Park Avenue, said point is located South 24724.28° East (Park City monument control map South 24731.00° East) 351.30 feet and South 65735.32° West 33.00 feet from the survey monument located at the intersection of Park Avenue and Empire Avenue; thence along the Westerly right-of-way line of Park Avenue South 24724.28° East 91.13; thence along the Northerly line of that certain Quit-Claim Deed recorded No. 238494 in Book 353, pages 667-668 in the office of the Summit County Recorder; South 65708.30° West 9.51 feet; thence along the Northerly line of that certain property described in a deed, entitled "Conveyance and Option", recorded No. 56281 in Book F of Quit-Claim Deeds, page 507 in the Summit County Recorder; South 65708.30° West 150.88 feet; thence North 28743.00° West 48.72 feet; thence along the Westerly line of that certain property described in a deed, entitled "Conveyance and Option", Recorded No. 55509 in Book F of Quit-Claim Deeds, page 482, in the Summit County Recorder's office, North 28743.00° West 39.30 feet; thence along said deed line North 69730.00° East 3.03 feet; thence along the Westerly line of the Silver Town Condominiums boundary, as recorded Entry No. 132627 (7-19-76) in the office of the Summit County Recorder's Office South 34758.30° East (Plot South 34735.00° East) 3.37 feet; thence along the Southerly line of the Silver Town Condominiums boundary North 69745.15° West (plot North 70708.43° East) 136.47 feet to the point of beginning. Description contains 16,073.72 Square feet. Basis of Bearing of the description is East along the section line between the southwest and the south Quarter Corner of Section 9.

OWNERS DEDICATION AND CONSENT TO RECORD

EXHIBIT D

Know all men by these present that DENNIS P. HULBERT and TERRI V. HULBERT, joint tenants, the undersigned owners of the hereon described tract of land to be known hereafter as THE HULBERT SUBDIVISION, certify that we have caused this survey to be made and this Record of Survey map to be prepared. DENNIS P. HULBERT and TERRI V. HULBERT hereby consent to the recordation of this Record of Survey map. ALSO the owners hereby dedicate to the public the right of way for the

SURVEYORS CERTIFICATE

I James G. West a Registered Utah Land Surveyor holding Certificate No 3082 do hereby certify that I have surveyed the following described tract of land. I further certify that the following description describes the land surface upon which has been or will be constructed SILVER TOWN CONDOMINIUMS in accordance with the Utah Condominium Ownership Act. I further certify that the reference markers as shown on this plat are or will be sufficient to readily retrace or re-establish this survey.

SILVER TOWN CONDOMINIUMS 1503 PARK AVE

BOUNDARY DESCRIPTION

Beginning at a point East 1135.27 feet and North 708.14 feet from the Southwest corner of Section 9, Township 2 South, Range 8 East, Salt Lake Base and Meridian, and running thence N 70° 00' 29" E 187.12 feet to the westerly line of State Highway U-224; thence S 24° 00' E along said westerly line 7.23 feet; thence N 66° 00' E 7.00 feet to the westerly line of Park Avenue; thence S 24° 00' E along said westerly line 145.27 feet; thence S 70° 08' 43" W 165.26 feet; thence N 38° 35' W 157.00 feet to the point of beginning. Contains 0.626 Acre.

Date April 25, 1975

James G. West
Surveyor #3082

OWNER'S CERTIFICATE OF CONSENT TO RECORD

Know all men by these presents that we the undersigned owners of the tract of land described herein and SILVER TOWN CONDOMINIUMS, a Utah Condominium Project, located on said tract of land, do hereby make this certificate for and on behalf of said owners and has caused a survey to be made and this record of survey map to be prepared and has consented to the recording of this record of survey map in accordance with the Utah Condominium Ownership Act. In witness whereof we have hereunto set our hands this 25th day of April 1975

Harold N. Wilkenson
Harold N. Wilkenson

Brent R. Oyer
Brent R. Oyer

Dwayne E. Iverson
Dwayne E. Iverson

William Arthur Francis
William Arthur Francis

EXHIBIT D.

SURVEYOR'S CERTIFICATE

I, D. J. Sorenson DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4183 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE CAUSED TO BE MADE UNDER MY DIRECTION THE BOUNDARY SURVEY AND PLOT PLAN CONTAINED HEREON, AND THAT SAID SURVEY, PLOT PLANS, DESCRIPTIONS, FLOOR PLANS AND OTHER MATERIALS CONNECTED HERewith ON SHEET THRU AND THE CONSTRUCTION OF THE IMPROVEMENTS DESCRIBED IS COMPLETE SO THAT SUCH MATERIAL TOGETHER WITH THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE PROJECT IS ADEQUATE TO DETERMINE THEREFROM THE IDENTIFICATION, LOCATION AND DIMENSIONS OF THE COMMON ELEMENTS, LIMITED COMMON ELEMENTS, AND PRIVATE OWNERSHIP ELEMENTS IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT AS AMENDED JULY 1, 1975, AND THAT SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

D. J. Sorenson

SEP 7, 1982

UTAH R.L.S. FOR P/S ASSOCIATES, INC. / NO. 4183 DATE

EMPIRE COALITION CONDOMINIUMS 1525 Park Ave.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY U-224, SAID POINT BEING EAST 1235.84 FEET AND SOUTH 1725.83 FEET FROM THE WEST QUARTER CORNER OF SECTION 9, T.2 S., R.4 E., S.L.B. & M., AND RUNNING THENCE SOUTH 24°00'00" EAST ALONG SAID RIGHT-OF-WAY LINE 158.88 FEET TO THE NORTHERLY LINE OF SILVER TOWN CONDOMINIUMS; THENCE SOUTH 70°00'28" WEST ALONG SAID NORTHERLY LINE 187.12 FEET TO THE EASTERLY LINE OF SNOWCREST HOTEL CONDOMINIUMS AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER; THENCE NORTH 24°00'00" WEST 141.33 FEET ALONG SAID EASTERLY LINE TO A POINT ON A CURVE ON THE SOUTHERLY LINE OF EMPIRE AVENUE; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT 28.92 FEET (CHORD BEARING AND DISTANCE OF SAID CURVE BEING NORTH 81°48'58" EAST, 28.88 FEET, RADIUS OF SAID CURVE BEING 205.00 FEET); THENCE NORTH 88°00'09" EAST ALONG SAID SOUTHERLY LINE 158.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.8425 ACRES, MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD.

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, BRADSHAW, WALLACE, ZWICK PARTNERSHIP, A UTAH GENERAL PARTNERSHIP, ARE THE RECORD OWNER(S) OF THE REAL PROPERTY DESCRIBED ABOVE AND THAT PURSUANT TO THE UTAH CONDOMINIUM OWNERSHIP ACT DO HEREBY CONSENT TO THE RECORATION OF THIS RECORD OF SURVEY MAP OF THE EMPIRE COALITION CONDOMINIUMS.

Douglas C. Bradshaw

BRADSHAW-FERRIN DEVELOPMENT CO., DOUGLAS BRADSHAW, PRESIDENT

EXHIBIT D

EXHIBITS A - S are not included in the Council Packet. These Exhibits are the individual Zoning District Sections of Chapter 7. Staff will include, under separate cover, those Districts listed under New Business, namely RC, GC, LI, FPZ and SLO. Council has not recently discussed revisions to these Districts. All other Districts have been discussed at previous meetings and were included in past Council packets for insertion into the Land Management Code binder. Additional copies of all Districts are available at the Planning Department.



Ordinance No. 00-49

**AN ORDINANCE APPROVING A FINAL RECORD OF SURVEY PLAT
FOR 2280 DEER VALLEY DRIVE EAST, KNOWN AS BLACK DIAMOND LODGE,
PARK CITY, UTAH**

WHEREAS, the owner of the property at 2280 Deer Valley Drive, known as Black Diamond Lodge, petitioned the City Council for approval of a final 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 August 23, 2000 to receive input on the record of survey plat; and

WHEREAS, on August 31, 2000 the City Council reviewed the proposed record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final record of survey plat for 2280 Deer Valley Drive.

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the RD-MPD, Residential Development, zoning district and is subject to the Deer Valley Master Planned Development.
2. The proposed plat changes the type of ownership of this property to condominium ownership.
3. On March 8, 2000 the Planning Commission approved a Conditional Use Permit for the Mountain View Lodges Condominiums.
4. Both the Land Management Code and the Deer Valley MPD allow multi-unit condominiums with a Conditional Use Permit.
5. On August 23, 2000 the Planning Commission voted to forward to the City Council a positive recommendation on this record of survey plat.

6. The proposed project consists of 27 residential condominium units and associated common areas.
7. The parcel has no frontage on a public street.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned record of survey plat, that neither the public nor any person will be materially injured by the proposed plat.. The final plat is consistent with both the Park City Land Management Code and State condominium requirements.

SECTION 3. PLAT APPROVAL. The final record of survey plat for 2280 Deer Valley Drive, known as Black Diamond Lodge, is approved as shown on Exhibit A, with the following conditions:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. All standard project conditions will apply.
3. The applicant will record the final record of survey plat at the County within one year from the date of City Council approval. If recording has not occurred within the one year's time, this approval and the plat will be void.
4. All conditions of the March 8, 2000 Planning Commission approval for the Mountain View Lodges CUP continue to apply.
5. A financial guarantee for the value of all public improvements and landscaping to be completed shall be provided to the City prior to plat recording, unless previously provided prior to plat recordation or building permit issuance. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
6. A note shall be added to the plat stating that the owner agrees to construct the buildings as per the approved record of survey. If any changes are proposed once the record of survey plat has been recorded, a plat amendment would be required to remedy any conflicts.
7. A note shall be included on the plat stating that the parcel has no frontage on a public street.

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

PASSED AND ADOPTED this 31st day of August, 2000.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott
Janet M. Scott, City Recorder



Approved as to form:

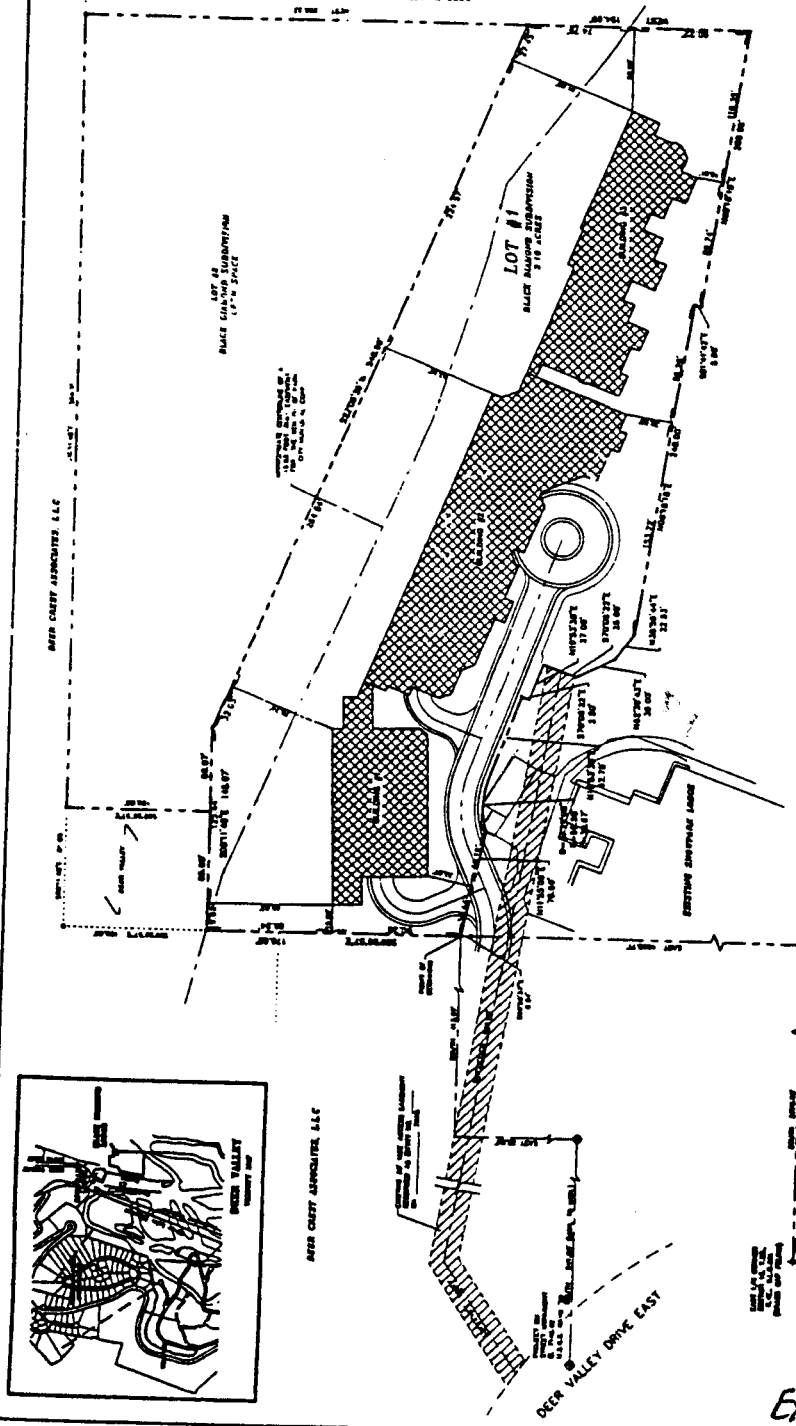
Mark D. Harrington
Mark D. Harrington, City Attorney

RECORDING INFORMATION
 This map is being recorded in accordance with the provisions of the Utah Subdivision Map Act, Chapter 37A, Utah Code, and the provisions of the Utah Condominium Act, Chapter 37B, Utah Code. The map is being recorded in the name of the owner of the land shown on the map, and the recording of this map does not constitute an admission of liability for any errors or omissions on the part of the owner or the recorder.

REMARKS
 This map is being recorded in accordance with the provisions of the Utah Subdivision Map Act, Chapter 37A, Utah Code, and the provisions of the Utah Condominium Act, Chapter 37B, Utah Code. The map is being recorded in the name of the owner of the land shown on the map, and the recording of this map does not constitute an admission of liability for any errors or omissions on the part of the owner or the recorder.

ACKNOWLEDGEMENT
 I, the undersigned, being duly qualified, do hereby certify that the above described map is a true and correct copy of the original map as shown to me by the owner of the land shown on the map, and that the same has been recorded in accordance with the provisions of the Utah Subdivision Map Act, Chapter 37A, Utah Code, and the provisions of the Utah Condominium Act, Chapter 37B, Utah Code.

NOTICE TO CONTRACTORS
 The owner of the land shown on this map warrants that the same is free from all liens, claims, and encumbrances, and that the same is being offered for sale or lease without any restrictions, conditions, or covenants, other than those shown on the map.



- LEGEND**
- LOT #1
 - LOT #2
 - LOT #3
 - LOT #4
 - LOT #5
 - LOT #6
 - LOT #7
 - LOT #8
 - LOT #9
 - LOT #10
 - LOT #11
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 - LOT #97
 - LOT #98
 - LOT #99
 - LOT #100

RECEIVED
 JUL - 5 2003
 PARK CITY PLANNING DEPT.



RECORDS OF SURVEY MAP
BLACK DIAMOND LODGE
 A UTAR CONDOMINIUM PROJECT
 LOCATED IN THE SOUTH HALF OF SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH
 SHEET 1 OF 4



RECORDED

ENTRY NO. _____ PAGE _____
 DATE OF _____ COUNTY OF _____
 DAY OF _____ TIME _____
 APPROVED AND PAID AS THE RECORDER BY _____

APPROVAL AS TO FORM

APPROVED AS TO FORM BY THE _____
 DAY OF _____ 2003

SEWER DISTRICT

APPROVED FOR CONFORMANCE BY THE BOARD OF _____
 DAY OF _____ 2003

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE _____
 CITY PLANNING COMMISSION ON THIS _____
 DAY OF _____ 2003

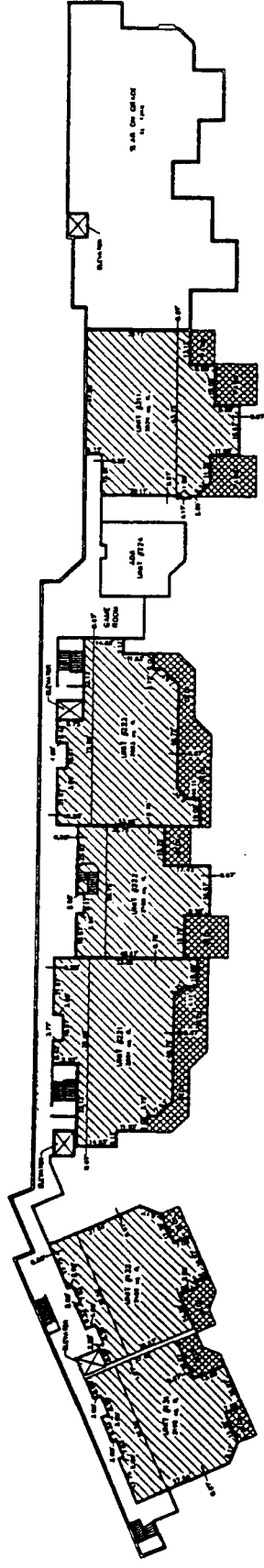
CITY ENGINEER

APPROVED AND ACCEPTED BY THE _____
 CITY ENGINEER ON THIS _____
 DAY OF _____ 2003

CITY COUNCIL

APPROVED TO THE PARK CITY BOARD _____
 AT WHICH THE REG. PLAT WAS APPROVED _____
 DAY OF _____ 2003

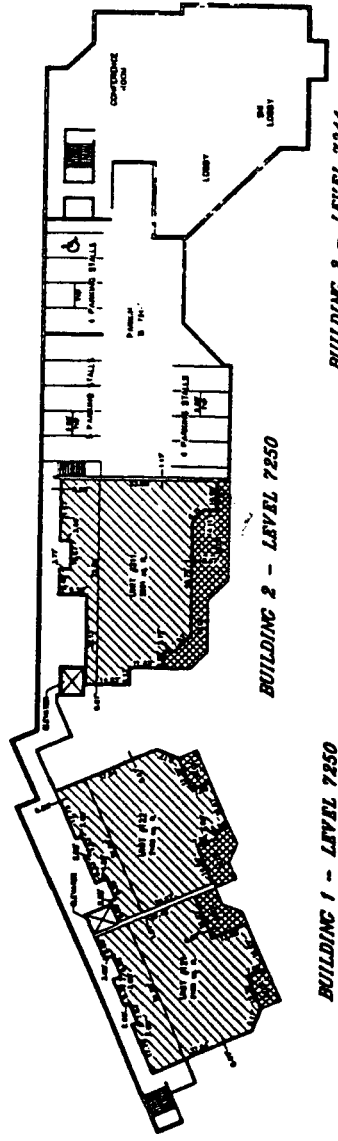
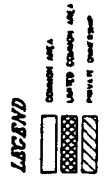
EXHIBIT A.



BUILDING 1 - LEVEL 7250

BUILDING 2 - LEVEL 7261

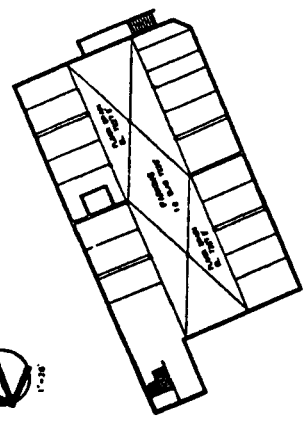
BUILDING 3 - LEVEL 7261



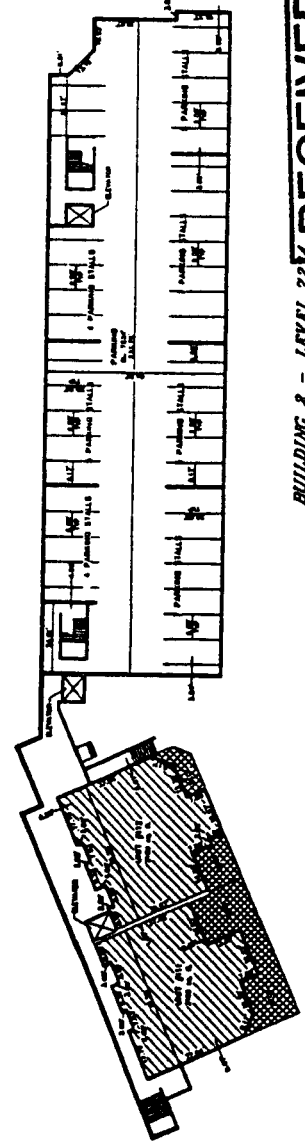
BUILDING 2 - LEVEL 7244

BUILDING 2 - LEVEL 7250

BUILDING 1 - LEVEL 7250



BUILDING 1 - LEVEL 7228



BUILDING 2 - LEVEL 7227

BUILDING 1 - LEVEL 7228

RECORD OF SURVEY MAP
BLACK DIAMOND LODGE
 LOCATED IN THE SOUTHWEST CORNER OF SECTION 16
 TOWNSHIP 2 SOUTH RANGE 7 EAST STATE LAND OFFICE AND MERIDIAN
 PARK CITY, SOUTHWEST COUNTY, UTAH
 SHEET 2 OF 2

RECORDED

DATE OF RECORDING: _____

BOOK: _____

COUNTY OF: _____

FILE: _____

DATE: _____

RECORDED AND FILED AT THE REQUEST OF _____

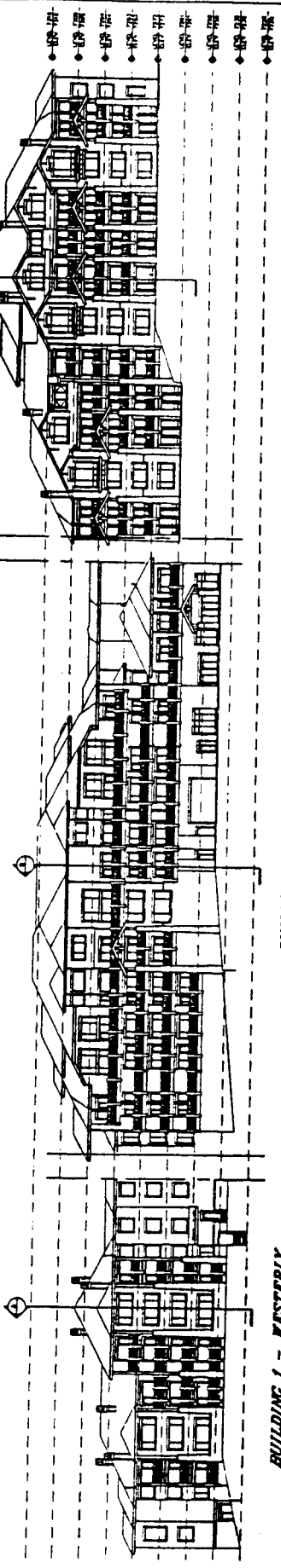
THE JACK S JOHNSON COMPANY

1177 East Park Drive, Park City, Utah 84302

RECEIVED

JUL - 5 2000

PARK CITY
 PLANNING DEPT.

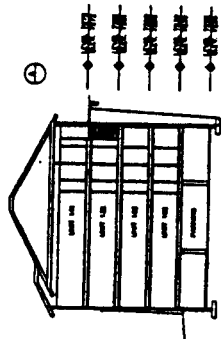


BUILDING 1 - WESTERLY

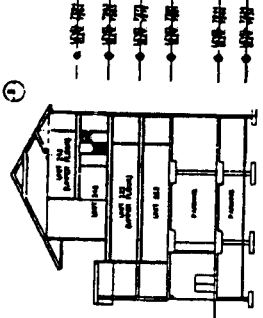
BUILDING 2 - WESTERLY

BUILDING ELEVATIONS

BUILDING 3 - WESTERLY

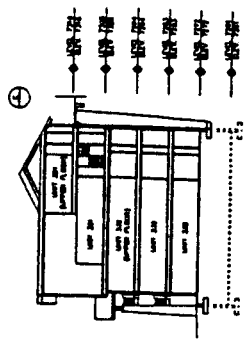


BUILDING 1



BUILDING 2

BUILDING SECTIONS



BUILDING 3

1914 U.S. GOV.
 RECORD OF SURVEY MAP
BLACK DIAMOND LODGES
 LOCATED IN THE SOUTH HALF OF SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLEEP LAKE EAST AND MERRIDAN
 PARK CITY, SUMMIT COUNTY, UTAH
 SHEET 4 OF 4

RECEIVED
 JUL - 5 1930
 PARK CITY
 PLANNING DEPT.

RECORDED
 COUNTY NO. _____ DATE _____
 STATE OF _____ COUNTY OF _____
 NAME _____
 RECORDED AND FILED AT THE REQUEST OF: _____

THE JACK
 JOHNSON
 COMPANY
 1777 West Park Drive • Park City, Utah 84302



Ordinance No. 00-48

**AN ORDINANCE TO APPROVE THE FOURTH AMENDMENT TO THE
CONDOMINIUM DECLARATION FOR THE SILVER KING, 1485 EMPIRE AVENUE,
PARK CITY, UTAH**

WHEREAS, the owners of the property known as 1485 Empire Avenue have petitioned the City Council for approval of a record of survey for a condominium conversion; and

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

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

WHEREAS, the Planning Commission held a public hearing on August 9, 2000, to receive input on the proposed record of survey for the condominium conversion;

WHEREAS, the Planning Commission, on August 9, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 17, 2000, the City Council held a public hearing to receive input on the proposed amendment to the record of survey for the condominium conversion; and

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

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

SECTION 1. APPROVAL. The condominium conversion and record of survey as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The proposed plat changes the type of ownership of the space identified as "Unit 206" on the Amended Plat to private condominium ownership.
2. The Fifth Floor Lounge area being modified to a Sales and Marketing Office will remain

Common Area.

3. The property is currently located in the RC, Recreation Commercial zoning district.
4. The proposal is consistent with the Park City Land Management Code and General Plan.
5. The Silver King Hotel was approved with a parking plan for 50 spaces. They currently provide 58 spaces, eight more than required in their original approval.
6. The Silver King Hotel is a Legal Non-Complying Building in as much as the 58 spaces do not meet current Land Management Code parking requirements.
7. The proposed modification will result in an increased parking demand of 1 space.
8. The applicant has agreed to the conditions of approval.

Conclusions of Law:

1. There is good cause for this condominium plat.
2. Neither the public nor any person will be materially injured by the proposed condominium plat.
3. The plat is consistent with the Park City Land Management Code and applicable State Law regarding condominium plats.

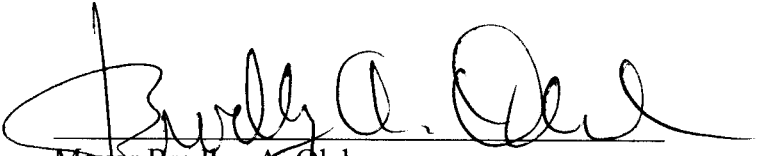
Conditions of Approval:

1. The City Attorney and City Engineer's review and approval of the condominium plat, for compliance with the Land Management Code and conditions of approval, is a condition precedent to recording the plat.
2. All standard project conditions shall apply.
3. A financial guarantee in an amount acceptable to the City Engineer for the value of all public improvements to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
4. The final condominium plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year of City Council's approval, this approval and the plat shall be considered void.

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

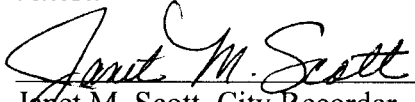
PASSED AND ADOPTED this 17th day of August 2000.

PARK CITY MUNICIPAL CORPORATION



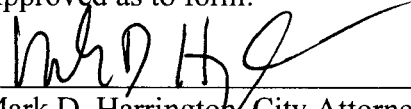
Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

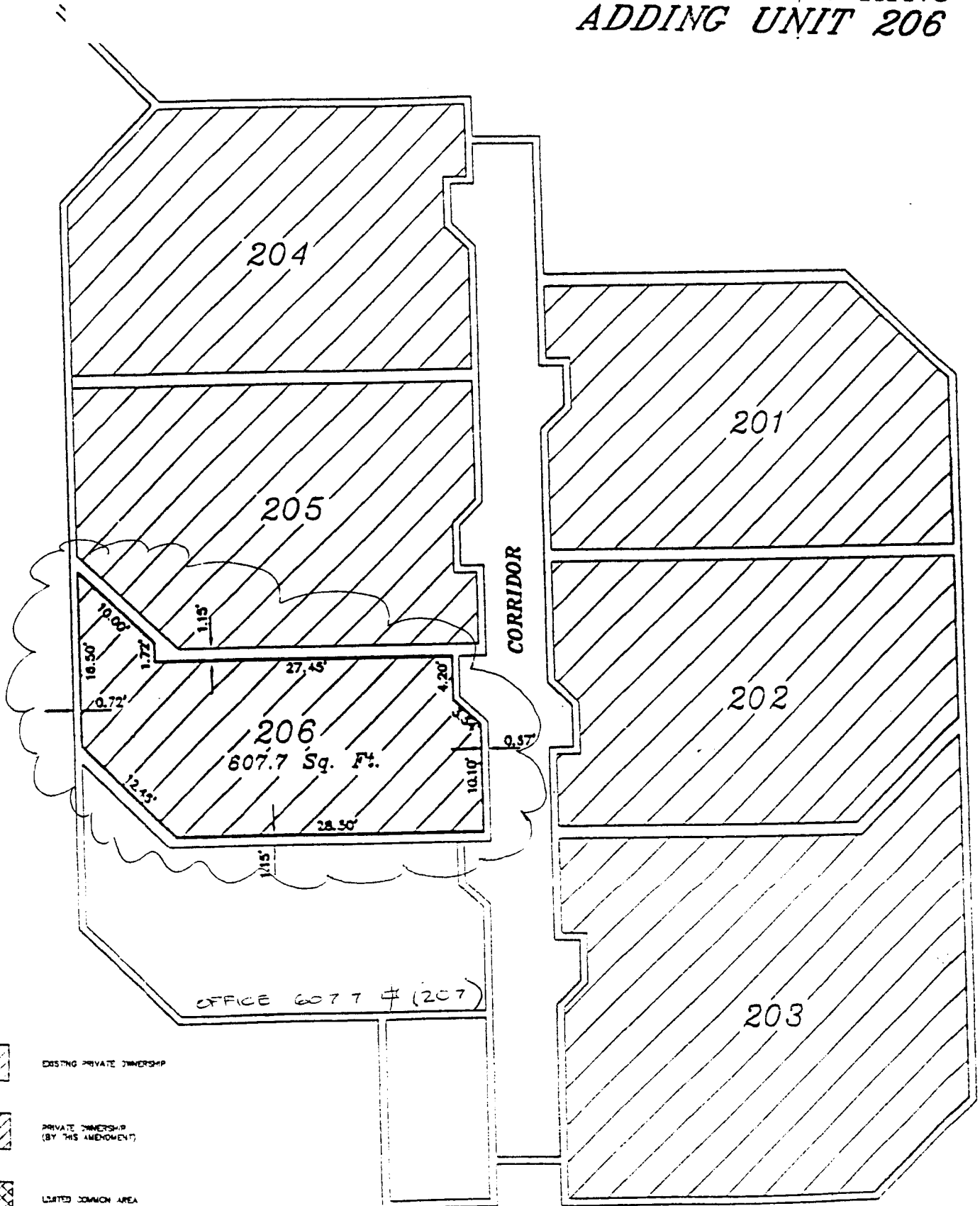
Approved as to form:



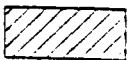
Mark D. Harrington, City Attorney

Exhibit A

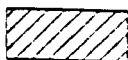
AMENDED PLAT
THE SILVER KING
ADDING UNIT 206



LEGEND



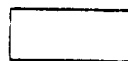
EXISTING PRIVATE OWNERSHIP



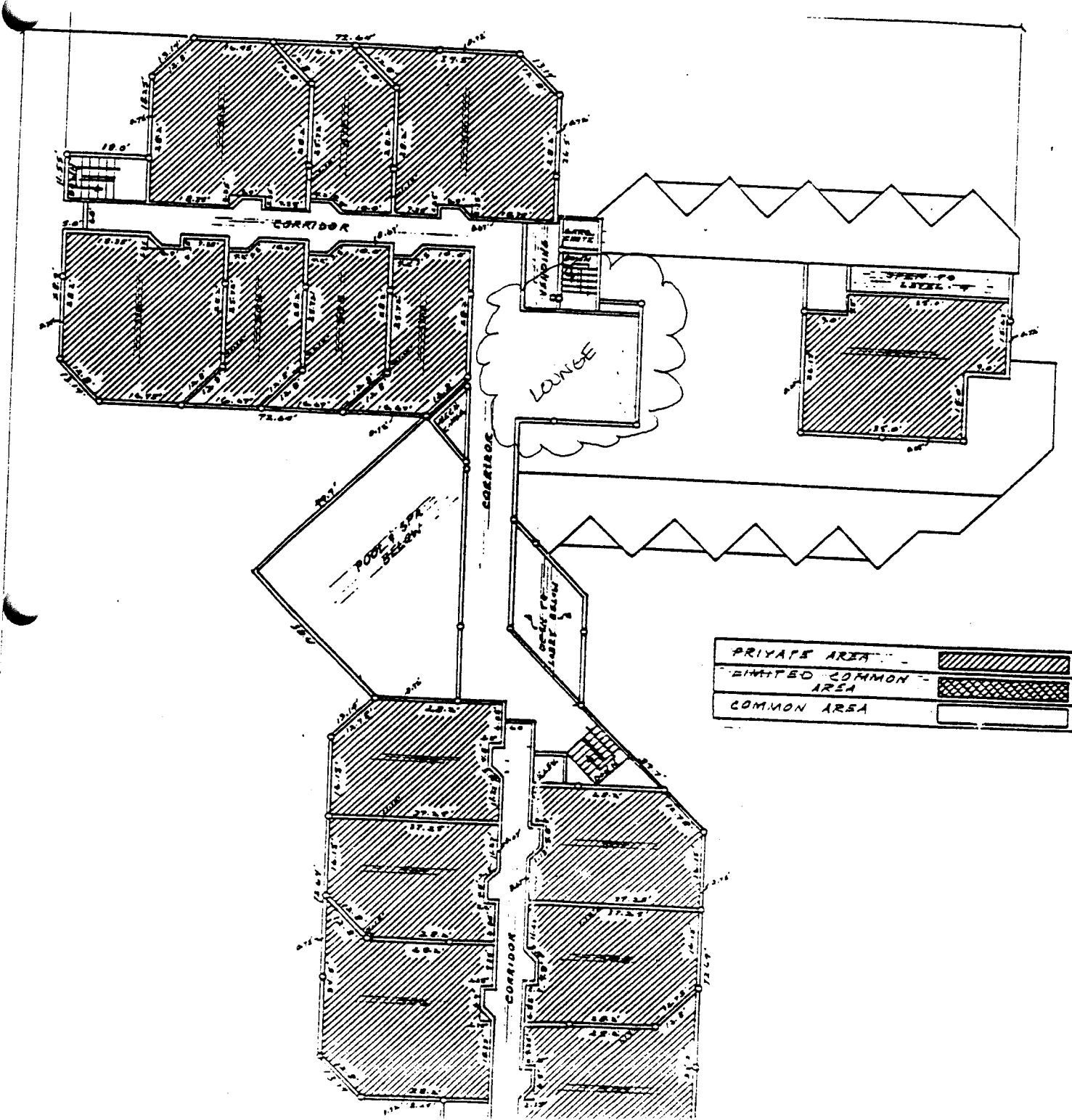
PRIVATE OWNERSHIP
(BY THIS AMENDMENT)



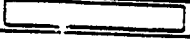


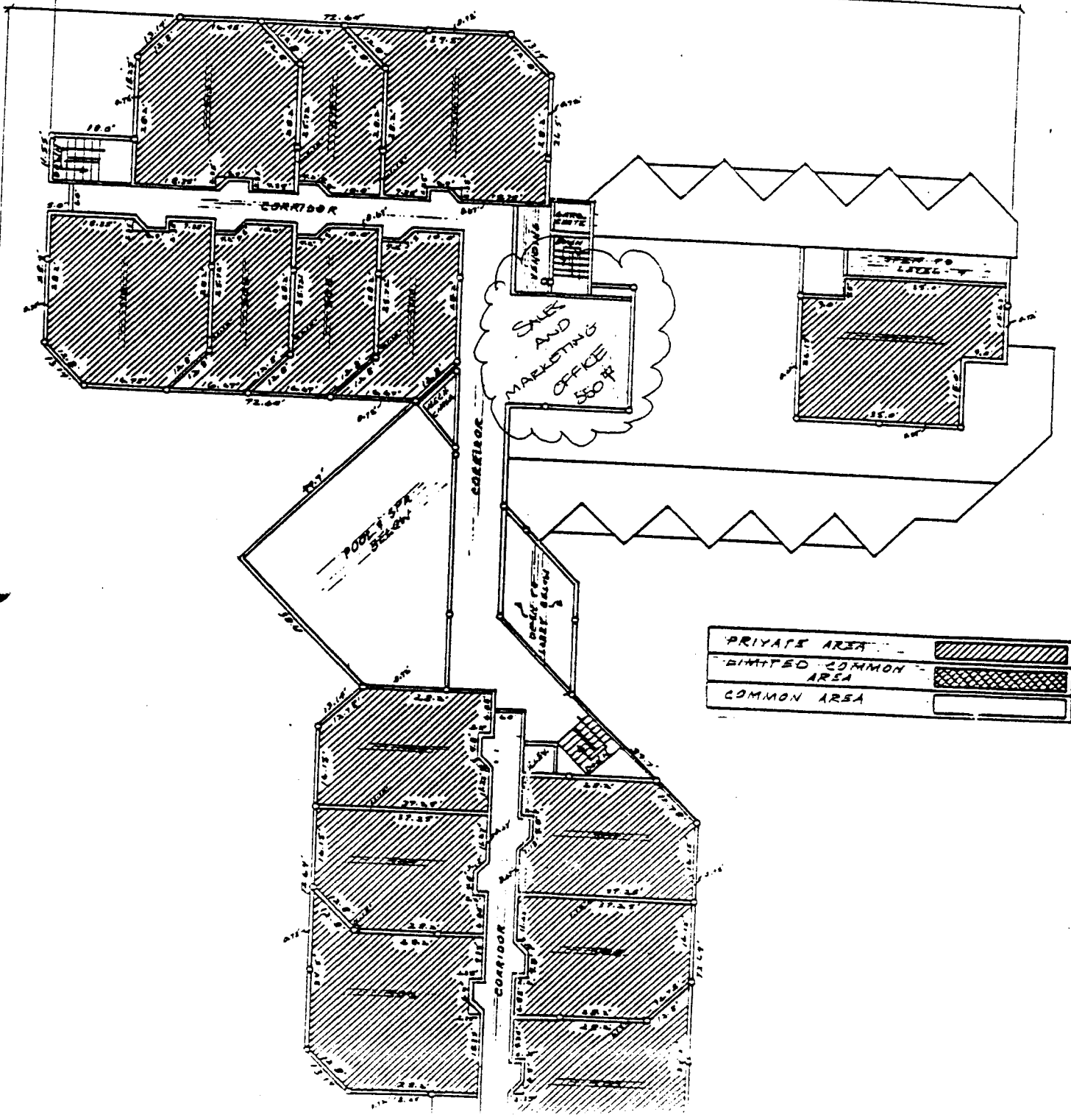
LIMITED COMMON AREA



COMMON AREA



PRIVATE AREA	
LIMITED COMMON AREA	
COMMON AREA	





Ordinance No. 00-47

AN ORDINANCE APPROVING THE COULTER PLAT - AMENDED PLAT TO THE PARK CITY SURVEY TO COMBINE THE NORTHERLY FOUR AND A HALF FEET OF LOT 15, THE SOUTHERLY TWENTY-ONE AND EIGHT TENTHS OF LOT 14, AND ONE METES AND BOUNDS PARCEL OF THE AMENDED PARK CITY SURVEY, INTO ONE PLATTED LOT LOCATED AT 122 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owner of the northerly four and a half feet (4.5') of Lot 15, the southerly twenty-one and eight tenths feet of Lot 14, and one metes and bounds parcel of the Amended Plat of the Park City Survey, has petitioned the City Council for approval of a plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on July 12, 2000, to receive input on the proposed plat;

WHEREAS, the Planning Commission on July 12, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 20, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the HR-1, and pending Historic Residential- 2 zone (HR-2).
2. The amendment will to consolidate the northerly four and a half feet (4.5') of Lot 15, the southerly twenty-one and eight tenths feet of Lot 14, and one metes and bounds parcel of the

Amended Plat of the Park City Survey, into one (1) platted lot to allow the construction of an addition to the existing single-family dwelling.

3. The existing dwelling is historic.
4. The house currently encroaches into the Main Street right-of-way.
5. The subdivision will not increase density on the lot.
6. The project is located within the FEMA Flood Hazard Area.
7. The snow storage along Main Street is very important, as are utilities.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine the northerly four and a half feet (4.5') of Lot 15, the southerly twenty-one and eight tenths feet of Lot 14, and one metes and bounds parcel of the Amended Plat of the Park City Survey, also know as the Coulter Plat - Amended Plat of the Park City Survey, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the subdivision for compliance with the Land Management Code and conditions of approval is a condition precedent to recordation.
2. The proposed construction of an addition and exterior improvements to the existing dwelling shall require compliance with the Historic District Design Guidelines.
3. No remnant lot created is separately developable.
4. A note shall be added to the plat stating that no accessory apartment shall be permitted as part of this structure.
5. A ten foot (10') non-exclusive utility and snow storage easement shall be dedicated to the City in the first ten feet off of Main Street.
6. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

7. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).

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

PASSED AND ADOPTED this 20th day of July, 2000.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch


Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

COPY

**COULVER FLAT
AMENDED FLAT OF THE PARK CITY SURVEY
A PARCEL OF LAND
LYING WITHIN BLOCK 80 OF THE AMERBEE
FLAT OF PARK CITY SURVEY
SUMMIT COUNTY, UTAH**

PARCEL NUMBER

LEGAL DESCRIPTION

THESE ARE THE TERMS AND CONDITIONS OF THE SURVEY AND THE SURVEYOR'S OATH AND CERTIFICATE. THE SURVEYOR HAS BEEN DULY SWORN AND HAS FOUND THAT THE SURVEY IS TRUE AND CORRECT AND THAT THE LINES AND ANGLES ARE CORRECTLY MEASURED AND THAT THE AREA IS CORRECTLY CALCULATED. THE SURVEYOR HAS ALSO FOUND THAT THE SURVEY IS IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF THE STATE OF UTAH AND THE DECISIONS OF THE SUPREME COURT OF THE STATE OF UTAH. THE SURVEYOR HAS ALSO FOUND THAT THE SURVEY IS IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF THE STATE OF UTAH AND THE DECISIONS OF THE SUPREME COURT OF THE STATE OF UTAH.

DATE OF SURVEY

NAME OF SURVEYOR

ADDRESS OF SURVEYOR

CITY OF SURVEYOR

STATE OF SURVEYOR

COUNTY OF SURVEYOR

PLAT NUMBER

DATE OF PLAT

RECORDING OFFICE

BOOK AND PAGE

RECORDING DATE

RECORDING OFFICE

BOOK AND PAGE

RECORDING DATE

RECORDING OFFICE

BOOK AND PAGE

RECORDING DATE



GRAPHIC SCALE

1" = 100'

1" = 200'

1" = 300'

1" = 400'

1" = 500'

1" = 600'

1" = 700'

1" = 800'

1" = 900'

1" = 1000'

MAIN STREET

PARK AVENUE

FIRST STREET

DAILY AVENUE

HILLSIDE STREET

CITY COUNCIL APPROVAL
I HEREBY APPROVE THE SURVEY AND THE PLAT THEREON AS SHOWN ON THIS PLAT AND AS THE SAME APPEARS ON THE RECORDS OF THE COUNTY OF SUMMIT, UTAH.

CITY ENGINEER
I HEREBY APPROVE THE SURVEY AND THE PLAT THEREON AS SHOWN ON THIS PLAT AND AS THE SAME APPEARS ON THE RECORDS OF THE COUNTY OF SUMMIT, UTAH.

CITY PLANNING COMMISSION
I HEREBY APPROVE THE SURVEY AND THE PLAT THEREON AS SHOWN ON THIS PLAT AND AS THE SAME APPEARS ON THE RECORDS OF THE COUNTY OF SUMMIT, UTAH.

SEWER DISTRICT APPROVAL
I HEREBY APPROVE THE SURVEY AND THE PLAT THEREON AS SHOWN ON THIS PLAT AND AS THE SAME APPEARS ON THE RECORDS OF THE COUNTY OF SUMMIT, UTAH.

APPROVAL AS TO FORM
I HEREBY APPROVE THE SURVEY AND THE PLAT THEREON AS SHOWN ON THIS PLAT AND AS THE SAME APPEARS ON THE RECORDS OF THE COUNTY OF SUMMIT, UTAH.

RECORDED
RECORDED AS FILED AT THE REQUEST OF
COUNTY OF SUMMIT, UTAH
DATE OF RECORDING
COMMISSIONER

RECEIVED
PCB
MAY 19 2000
PARK CITY SURVEYING
PARK CITY
PLANNING DEPT

EXHIBIT A



Ordinance No. 00-46

**AN ORDINANCE APPROVING THE CONDOMINIUM CONVERSION OF THE
GEORGETOWN BUILDING, 2041 SIDEWINDER DRIVE,
PARK CITY, UTAH.**

WHEREAS, the owner of the Georgetown Building located at 2041 Sidewinder Drive, have petitioned the City Council for approval of a condominium conversion; and

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

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

WHEREAS, the Planning Commission held a public hearing on June 28, 2000, to receive input on the proposed amended record of survey plat;

WHEREAS, the Planning Commission, on June 28, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 20, 2000, the City Council held a public hearing to receive input on the proposed condominium conversion; and

WHEREAS, it is in the best interest of Park City, Utah to approve the condominium conversion.

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

SECTION 1. APPROVAL. The Georgetown Building condominium conversion is hereby approved as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The project known as the Georgetown Building is located at 2041 Sidewinder Drive and is zoned GC.
2. The proposal would create four condominium office units.
3. The building is under construction.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. All other conditions of approval of the Georgetown Building project continue to apply.

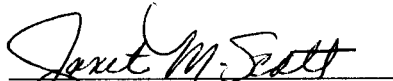
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 13th day of April, 2000 .

PARK CITY MUNICIPAL CORPORATION

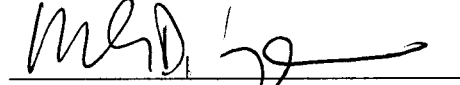

Bradley A. Olch, MAYOR

ATTEST:

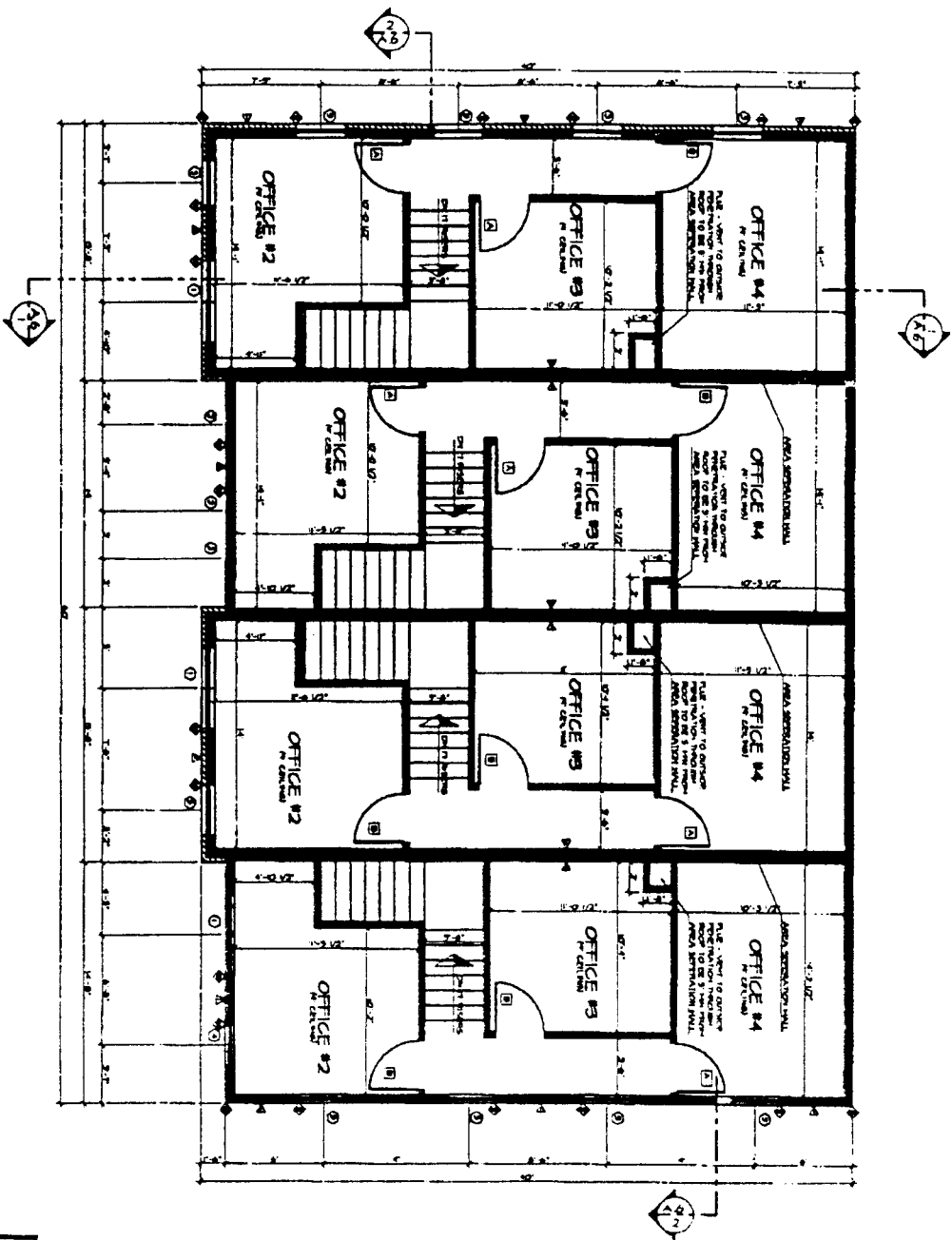

Janet M. Scott, City Recorder



APPROVED AS TO FORM:


Mark D. Harrington, City Attorney

UNIT 1 | UNIT 2 | UNIT 3 | UNIT 4 |



1
A.5
SECOND FLOOR PLAN

- 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
- 2. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
- 3. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
- 4. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
- 5. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
- 6. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
- 7. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
- 8. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
- 9. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
- 10. FINISH FLOOR IS INDICATED BY A DOTTED LINE.

DOOR SCHEDULE

NO.	SYMBOL	TYPE	REMARKS
1	(Symbol)	SWING	...
2	(Symbol)	SLIDING	...
3	(Symbol)	...	...

WINDOW SCHEDULE

NO.	SYMBOL	TYPE	REMARKS
1	(Symbol)	...	...
2	(Symbol)	...	...
3	(Symbol)	...	...

FINISH SCHEDULE

NO.	SYMBOL	TYPE	REMARKS
1	(Symbol)	...	...
2	(Symbol)	...	...
3	(Symbol)	...	...

RECEIVED
APR 26 2000
PARK CITY
PLANNING DEPT.



Ordinance No. 00-45

AN ORDINANCE APPROVING AN AMENDMENT TO THE PARK CITY PLAT TO COMBINE PORTIONS OF LOTS 21 AND 23 AND ALL OF LOT 22 OF BLOCK 10, OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD FOR USE AS A CONDOMINIUM AT 938/942 NORFOLK AVENUE

WHEREAS, the owner, John F. Mullin, of the property known as 938/942 Norfolk Avenue, has petitioned the City Council for approval of a subdivision plat; and

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

WHEREAS, on July 12, 2000 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to consolidate one lot and a portion of another into one lot of record; and

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

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

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

1. The property is located in the HR-1 District.
2. A non-historic duplex structure exists on the site which was constructed across lot lines.
3. The proposed Lot Line Adjustment will combine 3 parcels into 1 lot to bring the existing building into conformance with regulations prohibiting structures that cross property boundaries.
4. The proposed action does not require the applicant to provide additional parking.
5. There exists significant vegetation in the form of trees in the front yard of the duplex.

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

1. There is good cause for the amendment as it brings an existing non conforming building into

compliance.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapters 7 and 15 and State subdivision requirements.

SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recording
2. The trees in front of the building will not be removed without the authorization of the Community Development Department, but this condition will not appear as a note on the plat.
3. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

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


PASSED AND ADOPTED this 20th day of July, 2000.

PARK CITY MUNICIPAL CORPORATION

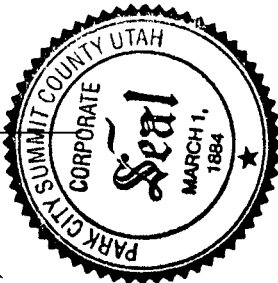


Mayor Bradley A. Olch


Attest:



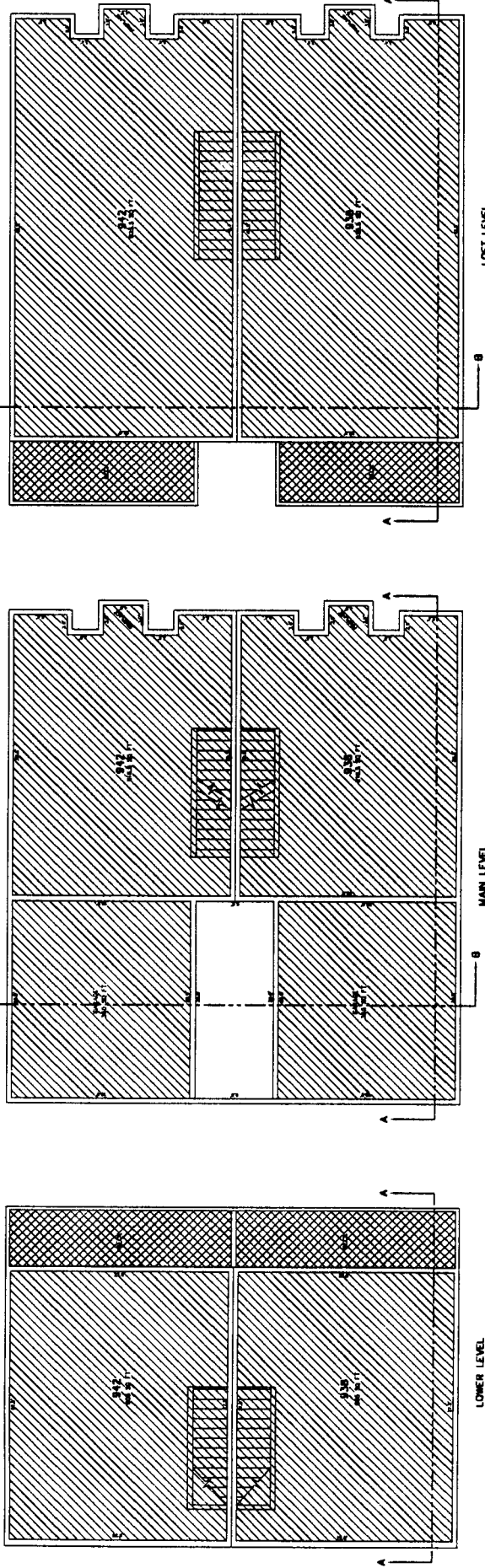
Janet M. Scott, City Recorder



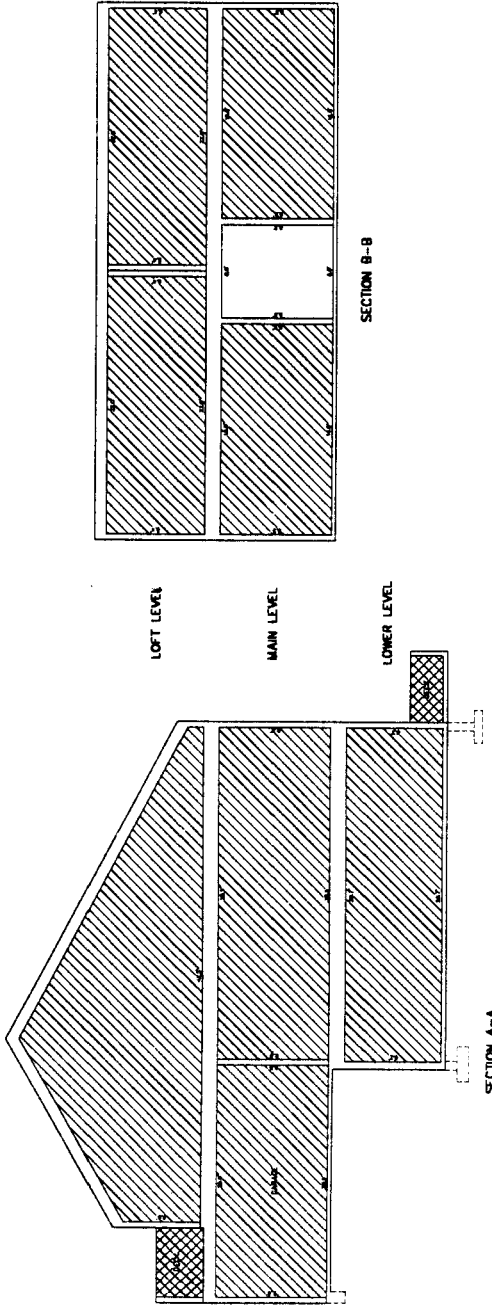
Approved as to form:



Mark D. Harrington, City Attorney



- LEGEND
- COMMON OWNERSHIP
 - ▨ LIMITED COMMON OWNERSHIP
 - ▩ PRIVATE OWNERSHIP



RECEIVED

MAY 15 1990
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF
 DATE _____ TIME _____ DRAWN BY _____
 PLANNING DEPT.

A PLAT AMENDMENT OF LOT 22 AND A PORTION OF LOTS 21 & 23 IN BLOCK 10, SNYDER'S ADDITION
938/942 NORFOLK AVENUE CONDOMINIUM/LOT COMBINATION PLAT

LOCATED IN SECTION 16,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH



Ordinance No. 00-44

AN ORDINANCE APPROVING AN AMENDMENT TO THE PARK CITY PLAT TO SUBDIVIDE THE 201 NORFOLK AVENUE SUBDIVISION INTO 2 LOTS IN BLOCK 78 OF THE PARK CITY SURVEY.

WHEREAS, the owner, Jerry Fiat, of the property known as 201 Norfolk Avenue, have petitioned the City Council for approval of a subdivision plat; and

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

WHEREAS, on June 28, 2000 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to consolidate one lot and a portion of another into one lot of record; and

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

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

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

1. The property is located in the HR-1 zoning district and is subject to requirements and conditions outlined in the Land Management Code.
2. There is an existing structure located at 201 Norfolk which has been determined by the Planning Department to be not historically insignificant.
3. There are several existing clumps of trees and shrubs on the property. Design of future buildings will need to incorporate a landscape plan preserving existing vegetation to the greatest extent possible and measures to mitigate for any loss of significant vegetation.
4. The proposed subdivision plat creates two platted lots for the purpose of allowing building permits to be issued on this property for the renovation of the existing structure and the construction of a single family house.
5. The project is located off of Norfolk Avenue with high intensity residential uses and with minimal construction staging area.
6. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these

improvements are not completed by the developer or owner.

8. Access to these lots shall be from a common driveway within the Norfolk Avenue right-of-way.
9. The applicant stipulates to the conditions of approval.

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

1. The subdivision plat is consistent with the Park City Land Management Code (Forty-Sixth Edition) Chapters 7 and 15.
2. The subdivision plat is consistent with State subdivision requirements.
3. As conditioned, neither the public nor any person will be materially injured by the proposed subdivision.
4. There is good cause for the plat amendment.

SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. City Attorney and City Engineer review and approval of the subdivision plat for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. All Standard Project Conditions shall apply.
3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing vegetation shall be included in the Construction Mitigation Plan (CMP). Measures to protect adjacent houses, foundations, utilities, landscaping, and access shall be included in the CMP.
4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to final plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
5. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.
6. Access. The final location for a driveway for each of the two lots will be determined in conjunction with the required steep slope conditional use permit review for the new house.
7. The following notes shall be included on the plat:
 - a. **FOOTPRINT.** The maximum footprint for the new home, calculated from the outside face of walls shall be three thousand five hundred (3,500) square feet including garages. The following shall not count towards the foot print calculation:
 - Decks which are open on at least two sides (but may have railings as required), covered or uncovered, and have no above grade living space below or above them;

- Exterior walkways;
 - Exterior stairs;
 - Driveways.
- b. **CONSTRUCTION DISTURBANCE.** Unless otherwise provided in agreements with Park City Municipal Corporation which are of record, temporary construction disturbance shall be limited to twenty (20') feet beyond the Building Area Limits or to adjoining lot property lines, whichever is closer. Such disturbed area shall be re-vegetated with native landscaping, and a guarantee for the cost of re-vegetation shall be posted with the City at the time of building permit issuance.
 - c. **HEIGHT.** The building height shall be measured from existing grade. The maximum height shall be twenty five (25') feet for roofs and roof elements that generally are parallel to natural grade and twenty seven (27') feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines, i.e. dormers.
 - d. **FACADE HEIGHT, EASTERLY FACING.** The maximum facade height for the Easterly facing facades, without a step back of at least five (5') feet shall be twenty-five (25') feet from existing or re-established grade, whichever is greater.
 - e. **MASSING.** Design for new construction may be comprised of one or more connected or unconnected building mass. No one building mass within the 3,500 square foot footprint shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. A facade break shall be interpreted to mean that there will be significant variation of roof heights for the different building masses.
 - f. **ACCESS.** The lots shall be accessed by a common driveway within the Norfolk Avenue right-of-way. Because it crosses in front of two platted lots, an agreement defining use and access between the applicant and the owners of record of the two lots will be recorded with the county recorder.
 - g. **UTILITIES.** Utilities shall be extended from Norfolk Avenue. Maintenance and replacement of sewer laterals shall be the responsibility of the owners and not that of the Snyderville Basin Sewer Improvement District. The approved plan shall include proposed methodology to minimize inconvenience to neighbors during construction, recognizing that such inconvenience will still be pervasive and long lived.
 - h. **FIRE SPRINKLERS.** Residential fire sprinkling and/or other safety features shall be required at the determination of the Chief Building Official at the time of building permit issuance. Wood roofing material is prohibited.
7. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
 8. The Historic District Commission shall review house design for compliance with the Historic District Design Guidelines at the time of Historic District review.
 9. A preliminary landscape plan showing grading and developed landscaping around the houses, as well as grading and re-vegetation proposed for all disturbed areas, including the driveway area and the Norfolk Avenue right-of-way, shall be submitted as part of the

Historic District review for the houses and driveway design. A final landscape plan, consistent with the preliminary plan, shall be submitted for review and approval by the Planning Department, at the time of building permit issuance.

10. No accessory apartments or lock-out units as defined in the Land Management Code are allowed on either lot.

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

PASSED AND ADOPTED this 20th day of July, 2000.

PARK CITY MUNICIPAL CORPORATION



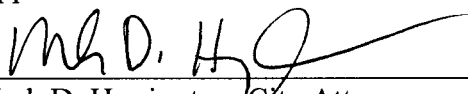
Mayor Bradley A. Olch

Attest:

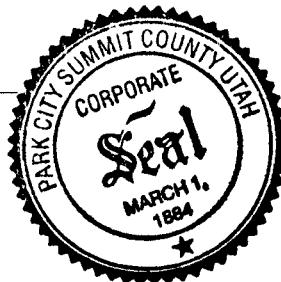


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



RECORDED

PARK CITY
PLANNING DEPT.

OWNER'S CERTIFICATE

I, the undersigned, do hereby certify that I am the owner of the above described property and that I have read and understand the contents of the plat and the provisions of the ordinance relating to the subdivision of land and that I have no objection to the same and that I have no interest in the same other than that of the owner of the same.

By _____ Date _____

DEPARTMENT DESCRIPTION

LOT 1 IS 801 NORTH AVENUE SOUTH, according to the official plat thereof on file in the Survey County Recorder's Office.

MAP/PLAT

1. The street address of the property is 201 Norfolk Avenue.
2. The plat number is 1-1-10 as required in all subdivisions.
3. The plat is on file in the Survey County Recorder's Office.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, do hereby declare that I am the owner of the above described property and that I have read and understand the contents of the plat and the provisions of the ordinance relating to the subdivision of land and that I have no objection to the same and that I have no interest in the same other than that of the owner of the same.

By _____ Date _____

ACKNOWLEDGMENT

State of Utah
County of _____

On this _____ day of _____ 2000, before me, the undersigned, appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal at the City and County of _____ Utah, this _____ day of _____ 2000.

Notary Public

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, do hereby declare that I am the owner of the above described property and that I have read and understand the contents of the plat and the provisions of the ordinance relating to the subdivision of land and that I have no objection to the same and that I have no interest in the same other than that of the owner of the same.

By _____ Date _____

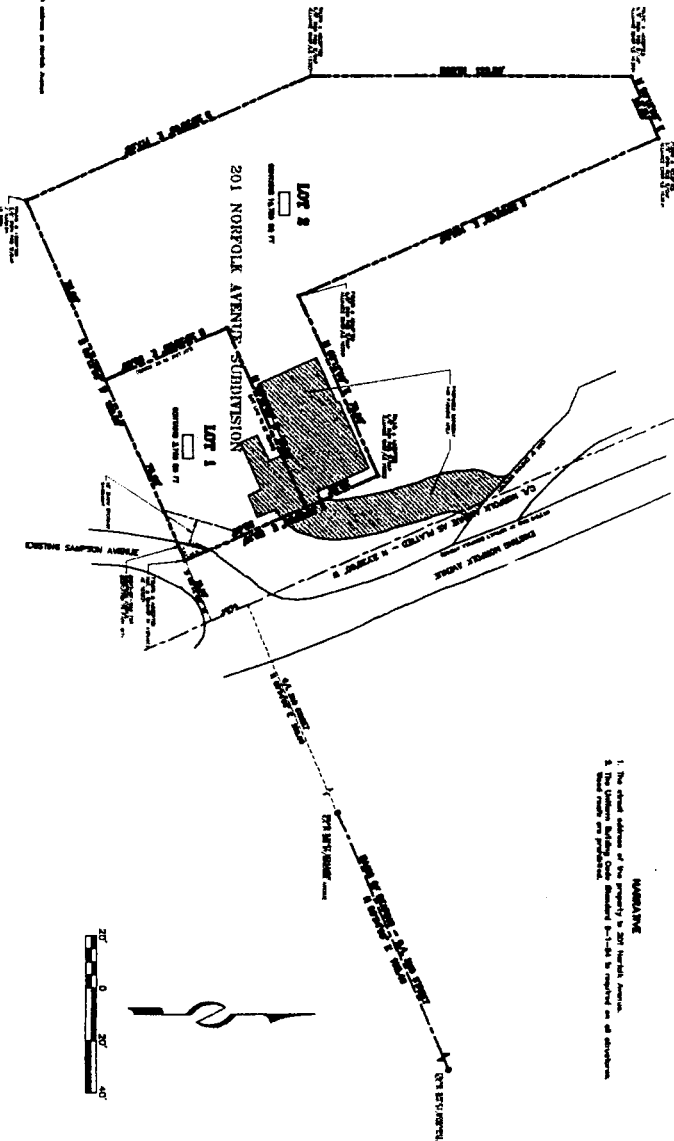
ACKNOWLEDGMENT

State of Utah
County of _____

On this _____ day of _____ 2000, before me, the undersigned, appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal at the City and County of _____ Utah, this _____ day of _____ 2000.

Notary Public



201 NORFOLK AVENUE SUBDIVISION

LOCATED IN SECTION 10
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE AND UTAH
PARK CITY, SALT LAKE COUNTY, UTAH

	<p>STANDARD PLAN REVIEW IMPROVEMENT DISTRICT</p> <p>APPROVED FOR CONFORMANCE TO STANDARD PLAN REVIEW IMPROVEMENT DISTRICT STANDARDS ON THIS DATE OF _____ 2000 A.D.</p> <p>BY _____</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DATE OF _____ 2000 A.D.</p> <p>BY _____</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I AND THE PLAN TO BE IN ACCORDANCE WITH THE PROVISIONS OF THE UTAH SUBDIVISION ACT AND OTHER LAWS THEREOF.</p> <p>DATE OF _____ 2000 A.D.</p> <p>BY _____</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS DATE OF _____ 2000 A.D.</p> <p>BY _____</p>	<p>CERTIFICATE OF ATTORNEY</p> <p>I CERTIFY THE RECORD OF DEEDS HAS BEEN SEARCHED AND THE DATE OF RECORDING IS _____ 2000 A.D.</p> <p>BY _____</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS DATE OF _____ 2000 A.D.</p> <p>BY _____</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SALT LAKE AND FILED AT THE RECORDER'S OFFICE ON THIS DATE OF _____ 2000 A.D.</p> <p>BY _____</p>
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Ordinance No. 00-43

AN ORDINANCE APPROVING THE ADJUSTMENT TO THE LOT LINES FOR LOTS 24 AND 27 OF PARK MEADOWS #6A SUBDIVISION, PARK CITY, UTAH.

WHEREAS, the owner of lot 24 of the Park Meadows #6A subdivision located at 2447 Silver Cloud Drive, have petitioned the City Council for approval of a lot line adjustment; 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 June 14, 2000, to receive input on the proposed lot line adjustment;

WHEREAS, the Planning Commission, on June 28, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 6, 2000, the City Council held a public hearing to receive input on the proposed lot line adjustment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the lot line adjustment.

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

SECTION 1. APPROVAL. The Weekes re-plat is hereby approved as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The lot is located at 2447 Silver Cloud Drive, also known as lot 27 of the Park Meadows 6A subdivision, and is zoned Single Family - SF. Lot 24 is located at 2467 Sunny Knoll Court.
2. The proposed Weekes re-plat changes the rear lot line of existing lot 27 and adds 9556 square feet to the adjoining lot 24.
3. New lot 24A will be under one acre in size.
4. New lots 24A and 27A are compatible in size with neighboring lots.
5. The existing utility easements will remain.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.

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 year's time, this approval and the plat will be void.
3. All other conditions of approval of the Park Meadows 6A subdivision continue to apply.
4. A plat note stating that lot 24A can not be further subdivided is required.
5. The utility easements on lot 24A will not be relocated.

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

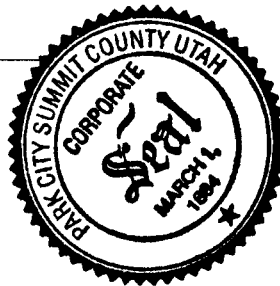
PASSED AND ADOPTED this 6th day of July, 2000 .

PARK CITY MUNICIPAL CORPORATION

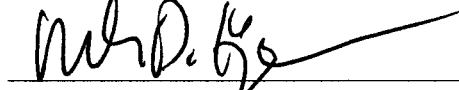

Bradley A. Olson, MAYOR

ATTEST:


Janet M. Scott, City Recorder



APPROVED AS TO FORM:


Mark D. Harrington, City Attorney

Lot 31

Lot 23

ATTENTION: REVISED SURVEY

Arc L=61.26'
 Radius=50.00'
 Delta=70°12'00"

Arc L=77.95'
 Radius=75.00'
 Delta=72°56'34"

LOT 24A
 ±43543 sq.ft.
 ±0.99 acres

Lot 30

S 13°00'00" W
 80.00'

Line to be removed
 95.00'
 N 75°18'01" E

134.27'
 N 75°28'01" E

70.00'
 N 75°15'31" E

Proposed
 Lot 27
 Lot Line
 Adjustment

9556 sq. ft.

Lot 25

S 18°30' E
 17.965'

Lot 29

N 09°00' W
 107.88'

Line to be added
 S 60°30' W
 116.09'

Lot 26

Lot 28

N 09°00' W
 150.00'

LOT 27A
 ±20036 sq.ft.
 ±0.46 acres

N 75°15'31" E
 70.00'

Arc L=85.94'
 Radius=1533.59'
 Delta=03°10'10"

C/L SILVER CLOUD

12

EXHIBIT B
RECEIVED
 PARK CITY
 PLANNING DEPT



Ordinance No. 00-42

**AN ORDINANCE APPROVING THE WALK TO SLOPES PLAT AMENDMENT
PHASE 2 TO COMBINE ALL OF LOTS 7, 8, 38 AND A PORTION OF LOT 37 IN
BLOCK 26 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY, INTO A
SINGLE PLATTED LOT, LOCATED AT
1243 EMPIRE AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of all of Lots 7, 8, 38 and a portion of Lot 37, in Block 26 of the Snyder's Addition to Park City Survey, have petitioned the City Council for approval of a revision to the final 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 March 29, 2000, to receive input on the proposed plat;

WHEREAS, the Planning Commission, on April 12, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 29, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Recreational Commercial (RC) zone.
2. The amendment will combine all of Lots 7, 8, and 38 with a portion of Lot 37 in Block 26 of the Snyder's Addition to Park City Survey, into a single lot.
3. The lots are currently vacant, with the exception of several physical encroachments onto Lots

- 7 and 37 by the existing Sweetwater Condominium complex.
4. The existing physical encroachments of the Sweetwater Condominium complex onto the proposed platted lot have been adequately addressed and shall be resolved prior to the recordation of this plat.
 5. The plat amendment will reduce density in the area from a maximum building footprint of 844 square feet for each lot (approx. 3,376 sq. ft.), to a combined maximum building footprint of 2,400 square feet.
 6. Fire hydrants are necessary for proper fire protection, and the hydrants must be properly located.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine all of Lots 7, 8, 38 and a portion of 37, in Block 26 of the Snyder's Addition to Park City Survey, known as Walk to Slopes Plat Amendment Phase 2, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. No remnant lot created is separately developable.
3. A note shall be added to the plat stating that no accessory apartment shall be permitted as part of any new construction.
4. The existing physical encroachments of the Sweetwater Condominium complex onto the proposed platted lot shall be legally resolved and/or physically removed prior to the recordation of this plat.
5. A ten foot (10') no-build setback easement shall be dedicated on the plat within the first ten feet off of the northern property line between the Sweetwater Condominium complex structure and any future construction on the newly created lot.
6. A ten foot (10') non-exclusive utility and snow storage easement shall be dedicated to the City in the first ten feet off of Empire and Lowell Avenues.
7. The City Engineer shall review and approve the slope, configuration and drainage pattern of the proposed driveway fronting Empire and Lowell Avenues.
8. This approval shall expire one year from the date of the City Council approval, unless this plat amendment is recorded prior to that date.
9. The applicant shall install a new fire hydrant on Empire Avenue if the existing hydrant is within 5' of any proposed driveway. This work must be accomplished in accordance with current City standards.
10. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).

11. This approval shall expire one year from the date of City Council approval, unless this Plat Amendment is recorded prior to that date.

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

PASSED AND ADOPTED this 29th day of June, 2000.

PARK CITY MUNICIPAL CORPORATION



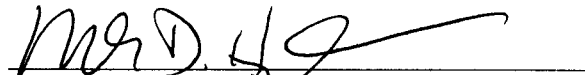
Mayor Bradley A. Olch

Attest:

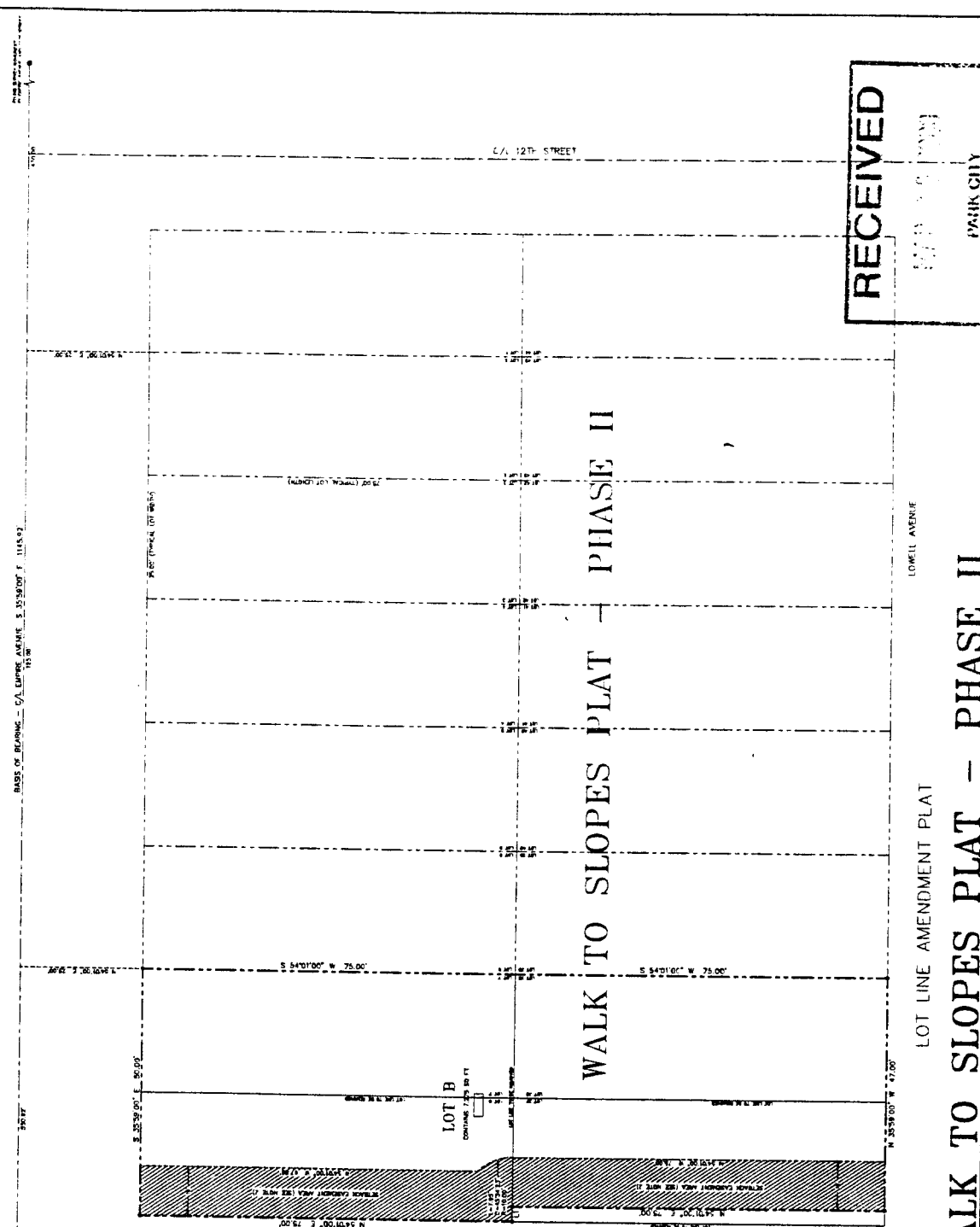


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



RECEIVED
CITY OF PARK CITY
PLANNING DEPARTMENT
MAY 10 2009

LOWELL AVENUE
PARK CITY

WALK TO SLOPES PLAT - PHASE II

LOT LINE AMENDMENT PLAT
LOCATED IN SECTION 16,
TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASIN
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

EXHIBIT C PROPOSED PLAT AMENDMENT

STAKEHOLDER CERTIFICATE

John Demaree, certifies that I am a Registered Land Surveyor and that I hold Certificate No. 11323, as prescribed by the laws of the State of Utah, and that by this plat I have shown the true and correct location of the boundaries of the subject property and that the same has been or will be monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at the northwesterly corner of Lot 6, Block 26, Snyder's Addition in the Park City, Utah, as shown on the official plat thereof on file and of record in the office of the County Clerk of Summit County, Utah, and running thence South 54°10'00" West 150.00 feet to the corner of Lot 6, Block 26, Snyder's Addition; thence South 54°10'00" West 150.00 feet to the corner of Lot 6, Block 26, Snyder's Addition; thence North 34°01'00" East 75.00 feet to the northwesterly corner of Lot 6, Block 26, Snyder's Addition; thence along the right-of-way of the South 85°59'00" East 30.00 feet to the point of beginning.

OWNER'S DECLARATION AND CONSENT TO RECORD

TO SHOW ALL MEN BY THESE PRESENTS that by vote of a corporate resolution, WALK TO SLOPES, LLC, a limited liability company, duly organized under the laws of the State of Utah, and having its principal office at 1000 North 2000 West, Park City, Utah, the owner, or its representative, hereby irrevocably offers for dedication to the City of Park City, Utah, the above described land for use, maintenance, parks, and recreation purposes, and that the same shall be used in accordance with the plat and construction drawings on file and of record in the office of the County Clerk of Summit County, Utah.

In witness whereof, the undersigned and he have this _____ day of _____, 2009.

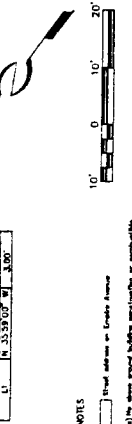
ACKNOWLEDGMENT

By _____
WALK TO SLOPES, LLC
County of Summit,
State of Utah.

On this _____ day of _____, 2009, Michael B. Wells, a duly licensed and sworn Surveyor, duly qualified in the State of Utah, and duly sworn in the State of Utah, has personally examined the above described land and the plat and construction drawings on file and of record in the office of the County Clerk of Summit County, Utah, and certifies that the same are in accordance with the plat and construction drawings on file and of record in the office of the County Clerk of Summit County, Utah.

NOTES

1. The plat shall be subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Title 2, Utah Code Annotated.
2. The plat shall be subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Title 2, Utah Code Annotated.
3. The plat shall be subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Title 2, Utah Code Annotated.
4. The plat shall be subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Title 2, Utah Code Annotated.
5. The plat shall be subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Title 2, Utah Code Annotated.
6. The plat shall be subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Title 2, Utah Code Annotated.



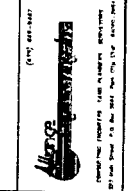
PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION ON _____ DAY OF _____, 2009 A.D.
BY _____ CHAIRMAN

ENGINEER'S CERTIFICATE
APPROVAL AS TO FORM THIS PLAT AMENDMENT
DAY OF _____, 2009 A.D.
BY _____ PARK CITY ENGINEER

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY AND PLAT AMENDMENT WAS FILED IN MY OFFICE BY _____ DAY OF _____, 2009 A.D.
BY _____ PARK CITY RECORDER

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REQUESTS FOR CONFORMANCE BY SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2009 A.D.
BY _____ S.B.S.E.D.





Ordinance No. 00-41

**AN ORDINANCE APPROVING AN AMENDMENT TO THE LITTLE BELLE
CONDOMINIUMS RECORD OF SURVEY, UNITS 5, 6, 7 AND 8 AT 7195 LITTLE
BELLE COURT, PARK CITY, UTAH.**

WHEREAS, the Little Belle unit 5, 6, 7 and 8 owners located at 7195 Little Belle Court have petitioned the City Council for approval of a final 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 June 14, 2000, to receive input on the proposed amended record of survey;

WHEREAS, the Planning Commission, on June 14, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 15, 2000, the City Council held a public hearing to receive input on the proposed amended record of survey; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The condominium project known as the Little Belle Condominiums is located at 7195 Little Belle Court and is zoned RD-MPD.
2. The proposed amended record of survey adds private living space and changes limited common and common area to private ownership.
3. A vote of 66.66% for approval of the amendment was received by the members of the Homeowners association, record of this vote has been received by the Planning Department.
4. The number of bedrooms does not increase.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good

cause for the above-mentioned amendment to the record of survey, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

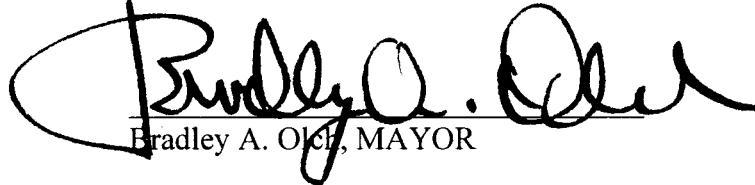
SECTION 3. PLAT APPROVAL. The amended record of survey for units 5, 6, 7, and 8 also know as the Little Belle Condominiums at 7195 Little Belle Court, is approved as shown on Exhibit B, with the following conditions:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Amended Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. During the construction of the additions, gas and electrical shall be extended from the existing service areas.
4. All other conditions of approval of the Little Belle Condominiums project continue to apply.

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

PASSED AND ADOPTED this 15th day of June, 2000 .

PARK CITY MUNICIPAL CORPORATION



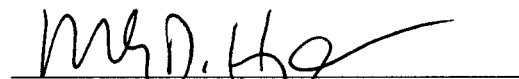
Bradley A. O'Leary, MAYOR

ATTEST:



Janet M. Scott, City Recorder

APPROVED AS TO FORM:



Mark D. Harrington, City Attorney



Ordinance No. 00-40

**AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT
FOR 503 and 503 ½ WOODSIDE AVENUE, KNOWN AS TREASURE HILL
SUBDIVISION PHASE II, PARK CITY, UTAH**

WHEREAS, the owners of the property at 503 AND 503 ½ Woodside Avenue, known as Treasure Hill Subdivision Phase II, petitioned the City Council for approval of a final subdivision 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 May 24, 2000 to receive input on the proposed subdivision; and

WHEREAS, on June 15, 2000 the City Council reviewed the proposed subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final subdivision plat for 503 and 503 ½ Woodside Avenue.

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the HR-1-MPD zoning district and is subject to requirements and conditions of the Sweeney Properties Master Plan (SPMPD) (1986, amended in 1987 and 1995).
2. There is an existing structure located at 503 Woodside of which the original southern portion has been determined by the Planning Department and HDC to be historically significant.
3. There are several existing clumps of trees and shrubs on the property. Design of future buildings will need to incorporate a landscape plan preserving existing vegetation to the greatest extent possible and measures to mitigate for any loss of significant vegetation.

4. The proposed subdivision plat creates two platted lots for the purpose of allowing title to be transferred to the applicants and for building permits to be issued on this property for two single family houses.
5. The property is approximately 1.719 acres in area. Open space area of approximately 0.719 acres has been added to the lot areas to incorporate the ski easements as perpetually dedicated open space areas. The actual lots sizes for Lots 1 and 2 are 0.794 and 0.925 acres respectively. Building pads and limits of construction disturbance are indicated on the plat.
6. The project is located off of Woodside Avenue with high intensity residential uses and with minimal construction staging area.
7. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
8. The SPMPD states that access to these lots shall be from a common underground driveway within the Fifth Street right-of-way. The master plan also states that construction of single family houses on the Fifth Street lots is subject to review under the Conditional Use review criteria of the LMC. The SPMPD specifically states that the applicant must demonstrate that all significant impacts which result from the construction of these units and access to the units can be adequately mitigated.
9. The SPMPD requires that prior to the sale of individual lots, the site must be considered under and meet the requirements of the Park City Subdivision Ordinance (Chapter 15 of the LMC- February 25, 1998 edition or as amended).
10. The applicant stipulates to the conditions of approval.
11. On May 24, 2000 the Planning Commission conducted a public hearing and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat, that neither the public nor any person will be materially injured by the proposed amendment. The final plat is consistent the Park City Land Management Code, the Sweeney Property Master Plan, and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The final subdivision plat for 503 and 503 ½ Woodside Avenue, known as Treasure Hill Subdivision, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the subdivision plat for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. All Standard Project Conditions shall apply.
3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing trees shall be included the Construction Mitigation Plan (CMP). Measures to protect adjacent houses, foundations, utilities, landscaping, and access shall be included in the CMP.
4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to final plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
5. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.
6. In order to ensure compliance with the SPMPD the following notes shall be included on the plat:
 - a. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note f, shall be three thousand five hundred (3,500) square feet including garages. The following shall not count towards the footprint calculation:
 - Decks which are open on at least two sides (but may have railings as required), covered or uncovered, and have no above grade living space below or above them;
 - Exterior walkways;
 - Exterior stairs;
 - Driveways.
 - b. BUILDING AREA LIMITS. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on the Plat or as consistent with the approved construction drawings of the driveway, ski bridges and utility plans) shall be limited to the Building Area Limits noted on the plat. Notwithstanding the foregoing notes, flat areas located on the Ski Trail Easements directly adjacent to and east of the Building Area Limits of Lots 1 and 2 may be landscaped with irrigated grasses.

- c. CONSTRUCTION DISTURBANCE. Unless otherwise provided in agreements with Park City Municipal Corporation which are of record, temporary construction disturbance shall be limited to twenty (20') feet beyond the Building Area Limits or to adjoining lot property lines, whichever is closer. Such disturbed area shall be re-vegetated with native landscaping, and a guarantee for the cost of re-vegetation shall be posted with the City at the time of building permit issuance. The adjacent ski trails may be used for construction staging.
- d. HEIGHT. The building height shall be measured from existing grade. The maximum height shall be twenty five (25') feet for roofs and roof elements that generally are parallel to natural grade and thirty (30') feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines, for example, dormers. The Planning Commission may, during the small-scale MPD approval process, grant height exceptions up to a maximum height of thirty three (33') feet for pitched roofs for the expressed purpose of accommodating access, ie stairwells and/or elevators between floor levels.
- e. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades, without a step back of at least five (5') feet shall be twenty-five (25') feet from existing or re-established grade, whichever is greater.
- f. MASSING. House designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3,500 square foot footprint shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. This requirement shall be interpreted to mean that there will be significant variation of roof heights for the different building masses.
- g. ACCESS. The lots shall be accessed by a common underground driveway within the 5th Street right-of-way. Minimum vertical clearance in the tunnel shall be 10 feet, or as determined by the Chief Building Official. The Historic District Commission shall review the design of the entrance onto Woodside and the driveway. The design shall include provisions for covering the driveway/parking structure with vegetation/sod to maintain as much as possible the current "green-open look" of 5th Street. HDC approval of this design is required prior to issuance of a building permit for the driveway.
- h. UTILITIES. Utilities shall be extended from Norfolk Waterline and from Woodside Avenue. Where necessary, utilities for 501 Woodside (Lot 1, Block 28, Park City Survey) shall be replaced as part of construction of the underground driveway at the expense of the developer of the 2 Lots. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the

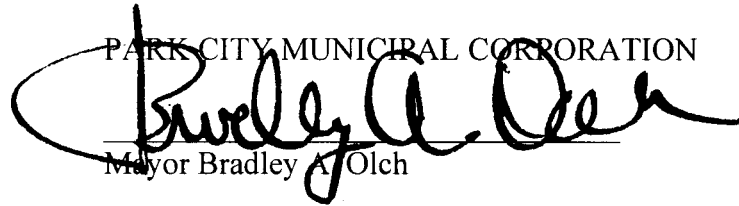
Snyderville Basin Sewer Improvement District. The approved plan shall include proposed methodology to minimize inconvenience to neighbors during construction.

- i. FIRE SPRINKLERS. Residential fire sprinkling and/or other safety features shall be required at the determination of the Chief Building Official at the time of building permit issuance. Wood roofing material shall be prohibited.
 - j. STAIRWAY. A four foot wide stairway serving the ski run as well as the adjacent properties on Woodside shall be constructed as part of the driveway access construction for the lots in this subdivision.
 - k. EASEMENTS. These lots are subject to the Town Lift Easements as recorded in Book 01228, pages 213, Summit County Recorder's Office, Summit County, Utah and as shown on Sheet 14 of the SPMPD. These lots are subject to the Norfolk Waterline Easement as recorded in Book 458, pages 5-7, Summit County Recorder's Office, Summit County, Utah and the developer shall pay for any necessary rerouting of such and shall provide a new easement if necessary. These lots are subject to ski/pedestrian easements as described in the SPMPD, Section 4.4 of the Master Plan Summary and as shown on Sheets 1, 2, and 4-9 of the SPMPD.
 - l. PRECEDENCE. The above special restrictions are covenants of and consistent with the Sweeney Properties Master Plan approved by the Park City Council on October 16, 1986 and as subsequently amended on October 14, 1987; December 30, 1992; and November 7, 1996. Final house design shall be reviewed under the Small Scale Master Plan process as a Conditional Use Permit, in accordance with the SPMPD. These lots shall not be further subdivided.
7. A summertime easement for construction and service access across the SPMPD ski trails shall be required. Easements for the driveway across the Master Planned open space tract and across Lot 2 for access to Lot 1 are required. All areas disturbed by this construction shall be re-vegetated with native grasses and vegetation.
 8. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
 9. Prior to issuance of any building permits for the driveway and entrance onto Woodside Avenue, the Historic District Commission shall review and approve the plans for compliance with the Historic District Design Guidelines. The Planning Commission shall review house design for compliance with the Historic District Design Guidelines at the time of review of the small scale MPD.

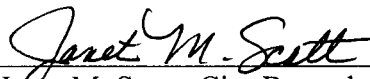
10. A preliminary landscape plan showing grading and developed landscaping around the houses, as well as grading and re-vegetation proposed for all disturbed areas, including the driveway area and the Fifth Street right-of-way, shall be submitted as part of the small scale MPD for the houses and driveway design. A final landscape plan, consistent with the preliminary plan, shall be submitted for review and approval by the Planning Department, at the time of building permit issuance.
11. The existing historic structure shall be relocated to another lot in the Historic District that has frontage on a Street.

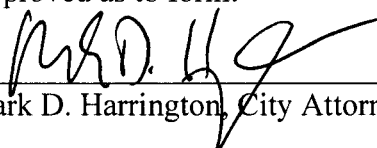
SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

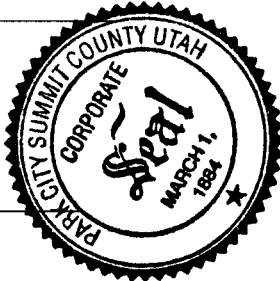
PASSED AND ADOPTED this 15 th day of June, 2000.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

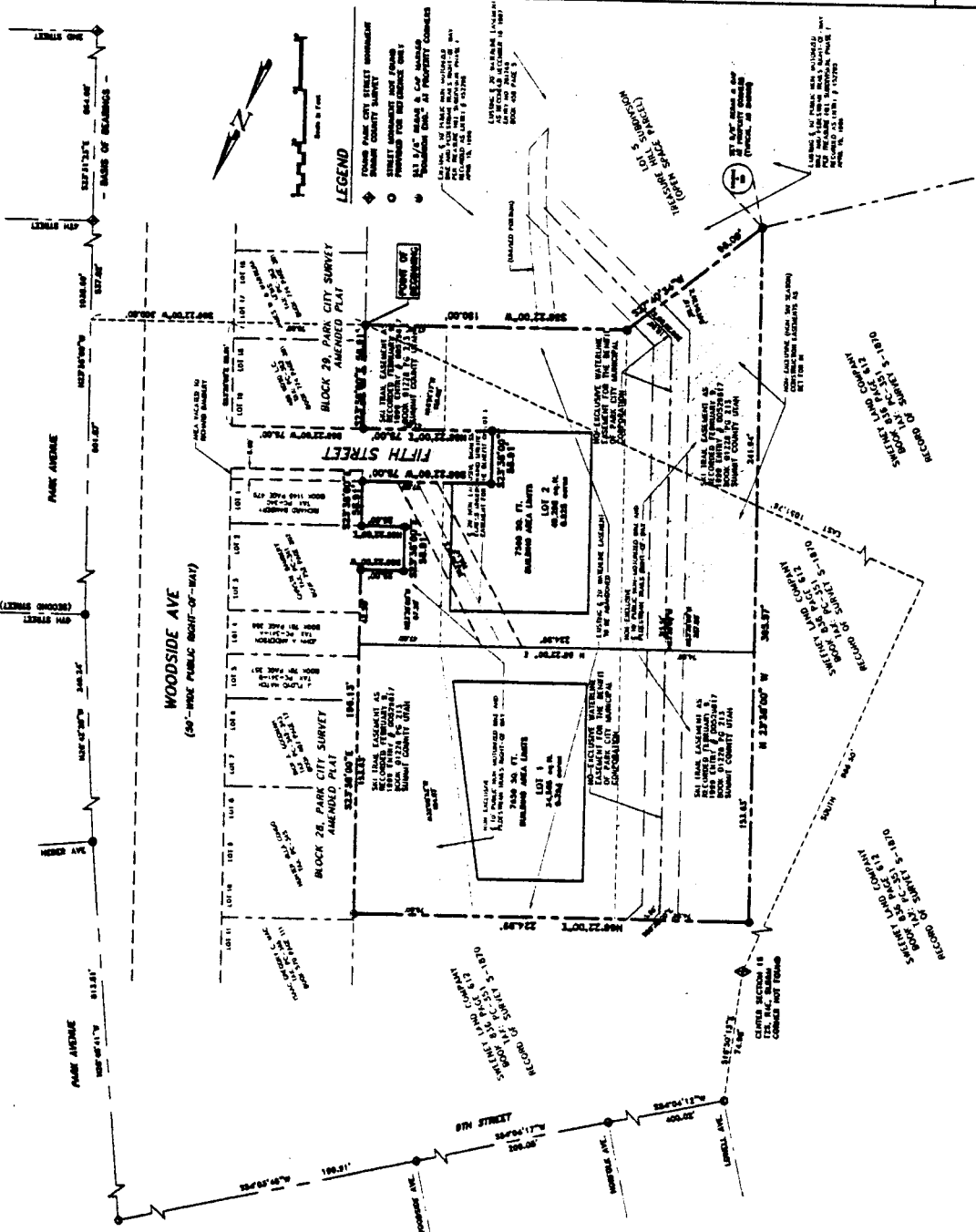
Attest:


Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



**QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION**
A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH



LEGEND

- ◆ FRONT PARK CITY STREET SURVEY
- ◆ STREET SURVEY
- PLANNED FOR REFERENCE ONLY
- TOWNSHIP CORNER - 21 PROPERTY CORNER

1. **NOTICE:** The subdivision depicted on this plat is subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Part 2, of the Utah Code, which require that a subdivision map be recorded in the public records of the county in which the land is located. The subdivision depicted on this plat is subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Part 2, of the Utah Code, which require that a subdivision map be recorded in the public records of the county in which the land is located.

2. **BOUNDARY LINES:** The boundaries shown on this plat are based on the survey conducted by the Surveyor General of Utah, and are subject to the provisions of the Utah Subdivision Map Act, Chapter 2, Part 2, of the Utah Code, which require that a subdivision map be recorded in the public records of the county in which the land is located.

3. **CONVEYANCE:** The land shown on this plat is being conveyed to the owners named herein, and the owners named herein are to be held to the provisions of the Utah Subdivision Map Act, Chapter 2, Part 2, of the Utah Code, which require that a subdivision map be recorded in the public records of the county in which the land is located.

4. **PLANNED FOR REFERENCE ONLY:** The land shown on this plat is being conveyed to the owners named herein, and the owners named herein are to be held to the provisions of the Utah Subdivision Map Act, Chapter 2, Part 2, of the Utah Code, which require that a subdivision map be recorded in the public records of the county in which the land is located.

5. **PLANNED FOR REFERENCE ONLY:** The land shown on this plat is being conveyed to the owners named herein, and the owners named herein are to be held to the provisions of the Utah Subdivision Map Act, Chapter 2, Part 2, of the Utah Code, which require that a subdivision map be recorded in the public records of the county in which the land is located.

6. **PLANNED FOR REFERENCE ONLY:** The land shown on this plat is being conveyed to the owners named herein, and the owners named herein are to be held to the provisions of the Utah Subdivision Map Act, Chapter 2, Part 2, of the Utah Code, which require that a subdivision map be recorded in the public records of the county in which the land is located.

**QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION**
A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH

RECEIVED

MAY 16 2000

PARK CITY PLANNING DEPT.

PREPARED BY: **DOMINION**
Surveying Associates, L.L.C.
1000 East 1000 North, Suite 200
Salt Lake City, UT 84103

PAGE 3 OF 3



Ordinance No. 00-39

AN ORDINANCE APPROVING A PLAT AMENDMENT, TO COMBINE THE SOUTH 7.5 FEET OF LOT 7 AND ALL OF LOT 6, BLOCK 53 OF THE PARK CITY SURVEY, LOCATED AT 226 MARSAC AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the south 7.5 feet of lot 7 and all of lot 6, Block 53 of the Park City Survey, have petitioned the City Council for approval of a revision to the final plat; and

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

WHEREAS, on May 24, 2000 the Planning Commission held a public hearing to receive public input on the proposed final plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on June 8, 2000 the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

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

Findings of Fact:

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will combine the south 7.5' of lot 7 and all of lot 6, block 53 of the Park City Survey into a single lot to allow for the construction of a garage/carport.
3. The lots are occupied by an existing non-historic dwelling which currently has access from stairs off Marsac Avenue. The stairs are old and in disrepair. The stairs do not serve the general public but instead serve only a limited number of homes. There is no connection of these stairs to Ontario Avenue via a public easement.
4. The plat amendment will not increase density on the lot.
5. Board of Adjustment will review the Applicant's application for a variance for reduction of front yard setback on July 11, 2000.

6. The Planning Commission forwarded a positive recommendation to approve this Plat Amendment at their May 24, 2000 meeting.
7. The Applicant stipulates to all conditions of approval.
8. The facts discussed in the Background and Analysis sections are incorporated herein.

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

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

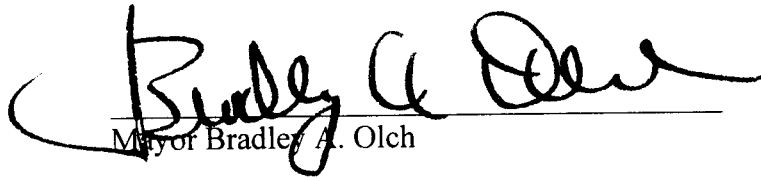
SECTION 3. CONDITIONS OF APPROVAL. The plat amendment to combine the north ½ of Lot 4 and all of Lot 5, Block 53 of the Park City Survey, known as 220 Marsac Avenue, is approved as shown in Exhibit A is hereby adopted with the following Conditions of Approval:

1. City Attorney and City Engineer review and approval of the Plat Amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. All standard project conditions and Land Management Code criteria for review shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, the approval and plat shall be considered void.
4. No remnant lot created is separately developable.
5. A ten (10) foot non-exclusive snow storage easement along Ontario Avenue shall be dedicated to the City on the plat. This easement may be eliminated for areas covered by an approved building.
6. Prior to any construction, a conditional use permit for construction on a steep slope shall be approved by the Planning Commission.
7. Prior to any construction, the proposal shall be reviewed according to the Historic District Design Guidelines.
8. A building permit will not be issued prior to recordation of the Plat Amendment.
9. Prior to any construction, a variance to permit the reduction of front yard setback from the prescribed ten foot minimum to zero feet shall be approved by the Board of Adjustment.

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

PASSED AND ADOPTED this 8th day of June, 2000

PARK CITY MUNICIPAL CORPORATION



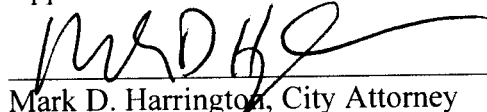
Mayor Bradley A. Olch

Attest:

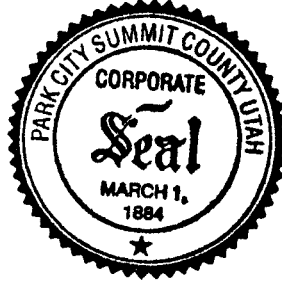


Janet M. Scott, City Recorder

Approved as to form:



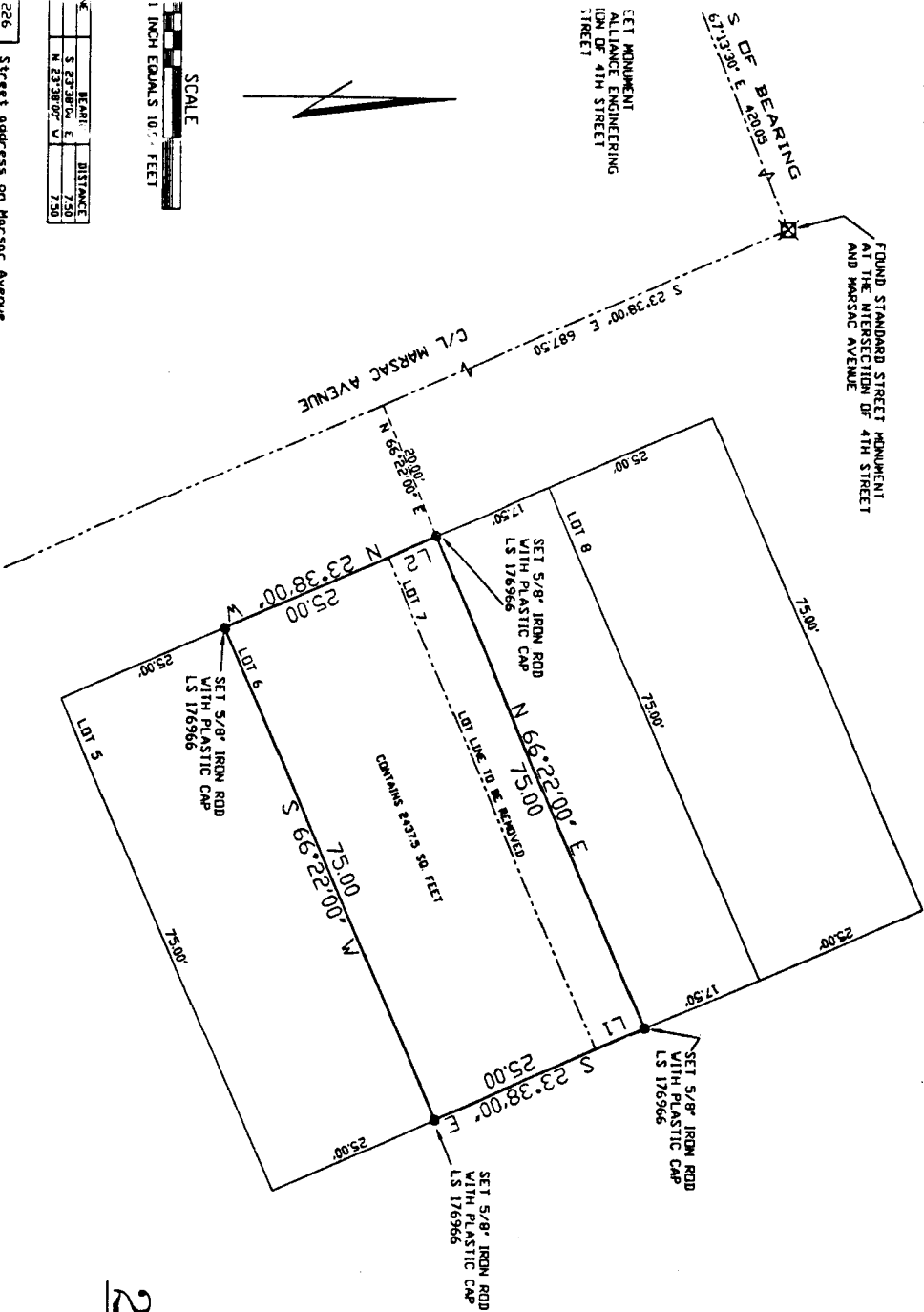
Mark D. Harrington, City Attorney



I, Jack M. Hermon, a Registered Surveyor and that I hold License No. 176966, as prescribed by the laws of the State of Utah, and that this plat was prepared under my direction and supervision in accordance with the requirements of the Park City Municipal Code. I further certify that this plat accurately represents the surveyed property.

Jack M. Hermon Date

LEGAL DESCRIPTION
 Beginning at the Southwest corner LOT 6, BLOCK 53, PARK CITY SURVEY, AMENDMENT TO SHEET 3, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, and running thence N 66° 22' 00" W 1500 feet; thence N 66° 22' 00" E 75.00 feet; thence S 23° 38' 00" E 32.50 feet to the Southeast corner of said LOT 6; thence S 66° 22' 00" W 75.00 feet to the point of beginning.



SCALE
 1 INCH EQUALS 10' FEET

BEARING	DISTANCE
S 23° 38' 00\"	7.50
N 23° 38' 00\"	7.50

226 Street address on Marsac Avenue

RECEIVED FOR CONFORMANCE TO
 SURVEYABLE BASIN SEWER IMPROVEMENT
 DISTRICT STANDARDS ON THIS
 DAY OF 1999 A.D.

APPROVED BY THE PARK CITY
 PLANNING COMMISSION THIS
 DAY OF 1999 A.D.

APPROVAL AS TO FORM
 APPROVED AS TO FORM
 THIS DAY OF 1999 A.D.

CERTIFICATE OF ATTEST
 I CERTIFY THIS RECORD OF SURVEY
 WAS APPROVED BY PARK CITY
 COUNCIL THIS DAY OF 1999 A.D.

APPROVAL AND ACCEPTANCE
 PARK CITY COUNCIL
 THIS DAY OF 1999 A.D.

LOT LINE AMEN
 226 MARSAC AV
 LOCATED IN SE
 TOWNSHIP 2 SOUTH, RANGE
 AND MERIDIAN, PARK CITY,

OWNER'S DEDICATION
 KNOW ALL MEN BY THESE PRESENTS
 Liability Company of the herein described
 CHRISTENSEN REPAIR having consented to
 the dedication of the Lot Line
 ALSO, the owner, or its representative,
 of Park City all the streets, land for local
 utilities and easements shown on the plat
 irrevocable offer of dedication.
 In witness whereof, the undersigned
 1999.
 By: Don Christensen
 Commercial Mortgage and Investment.

Notary Public
 My commission expires: _____

On this _____ day of _____
 appeared before me, the undersigned Notary
 Public, Don Christensen, Notary Public,
 Commercial Mortgage and Investment, and
 stated therein and that he signed the above
 and voluntarily.

State of Utah:
 County of Summit:

AC

Exhibit A

Mayor Bradley A. Olch

Bradley A. Olch

PARK CITY MUNICIPAL CORPORATION

DATED this 8th day of June, 2000.

1. The Mayor is authorized to sign the Quit Claim Deed for Lots 51 and 52 of Eagle Pointe Phase 3 Subdivision, which deed will vacate Park City's interest in that certain storm sewer easement recorded in the Summit County Recorder's Office as Entry #484091 Book 1065 Page 676 as to the above described property.
2. The Deed shall be subsequently recorded.

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

WHEREAS, there is no public interest in keeping the unnecessary storm sewer easements;

WHEREAS, the City has been petitioned to vacate an unnecessary storm sewer easement; and

WHEREAS, all necessary utility easements have been provided and all necessary public improvements are guaranteed with a financial guarantee in favor of Park City; and

WHEREAS, Eagle Pointe Phase 3 Subdivision was properly approved by Park City;

**AN ORDINANCE AUTHORIZING THE MAYOR
TO SIGN A QUIT-CLAIM DEED TO LOTS 51 AND 52
IN EAGLE POINTE PHASE 3 SUBDIVISION**

Ordinance No. 00-38



AN ORDINANCE AMENDING, SECTION 8.30 OF THE LAND MANAGEMENT CODE, REGULATING TELECOMMUNICATIONS FACILITIES IN ALL ZONING DISTRICTS

WHEREAS, On December 6, 1999, the City Council adopted a Temporary Zoning Ordinance requiring the Planning Commission to review all Telecommunications Facility applications; and

WHEREAS, Telecommunications carriers desire to locate Telecommunications Facilities within boundaries of Park City Municipal Corporation; and

WHEREAS, the City Council desires to establish a process for permitting such Telecommunications Facilities within Park City while providing for public participation in such process via notice and public hearings; and

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

SECTION I. FINDINGS: The Council finds that:

1. The current Section 8.30 of the Land Management Code permits administrative review and approval of Telecommunications towers without need for public hearing;
2. Prior applications for Telecommunications towers in Park City have aroused significant public interest and attracted considerable, valid public input that may not have otherwise been considered under the current ordinance;
3. It is in the best interest of Park City and for the protection of the general welfare of its citizens to allow public participation in the Telecommunications Facility permitting process;

SECTION 2. AMENDMENT TO CHAPTER 8 OF THE LAND

MANAGEMENT CODE. Chapter 8.30 is hereby deleted and replaced by amended Chapter 8.30 attached hereto as Exhibit A. Defined terms in Chapter 8.30 shall be defined in accordance with the pending revisions to the Land Management Code.



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

PASSED AND ADOPTED this 1st day of June, 2000.

PARK CITY MUNICIPAL CORPORATION

Burgh W. Olch

Mayor Bradley A. Olch

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Timothy C. Twardowski

Timothy C. Twardowski, Assistant City Attorney



Exhibit A

8.30 **TELECOMMUNICATIONS FACILITIES.** The intent of this section is to ensure that Telecommunications Facilities are compatible with the unique characteristics of each zoning district of Park City, and that adverse impacts on community quality and public health and safety in residential, commercial and industrial areas, are mitigated. The intent of these requirements is to locate such Telecommunications Facilities and related equipment where they are least visible from public streets, public areas and designated view corridors and, to the best extent possible, provide screening from adjacent property owners. The installation of these devices is governed by the following regulations.

(A) **Permit Required.** The installation of Telecommunications Facilities, unless otherwise addressed in this Code, shall be deemed a Conditional Use and subject to the Park City Building Permit process. It shall be unlawful to install any Telecommunications Facility without first having a Conditional Use Permit and Building Permit from the City. Plans of such facility shall be submitted with each Telecommunications Application.

- (B) **Definitions.**
1. **Antenna.** Transmitting or receiving device used in telecommunications. A device that transmits and/or receives that radiates or captures Telecommunications and/or radio signals for Telecommunications.
 2. **Antenna, Drive Test.** A Temporary Antenna which is used for field testing of Telecommunications signals and possible locations but does not provide Telecommunications services to customers.
 3. **Antenna, Enclosed.** An Antenna or series of individual Antennas entirely enclosed inside a structure including but not limited to a cupola or wall of a building or chimney.
 4. **Antenna, Freestanding.** An Antenna mounted on or within a stand-alone support structure including but not limited to a wooden pole, steel pole, lattice tower, utility pole, lift tower, light standard, flag pole or other vertical support.
 5. **Antenna, Roof Mounted.** An Antenna or series of individual Antennas mounted on a roof, mechanical room or penthouse of a building.
 6. **Antenna, Temporary.** An Antenna used for a time period of less than thirty (30) days.
 7. **Antenna, Wall Mounted.** An Antenna or series of individual Antennas mounted fully against the vertical exterior face of a building or chimney including on the face of a chimney or penthouse. A wall of or face of a building is defined as the entire area of all exposed vertical surfaces of a building that are above ground and facing approximately the same direction.
 8. **Co-location.** The location of a wireless Telecommunications Facility on an existing structure, tower or building in a manner that precludes the need for that wireless Telecommunications facility to be located on a free-standing structure of its own.

- 9. **Equipment Shelter.** A cabinet or building used to house equipment for Telecommunications Facilities.
 - 10. **Stealth Telecommunications Facility.** A Telecommunications Facility which is dispised as another object or otherwise concealed from public view.
 - 11. **Telecommunications.** The transmission, between or among points specified by a user, of information of the user's choosing, without change in the form or content of the information as sent or received.
 - 12. **Telecommunications Facility.** A Telecommunications Facility consists of Antenna, Equipment Shelters and related structures used for transmitting and/or receiving Telecommunications and/or radio signals.
 - 13. **Technical Necessity.** A particular design, placement, construction, or location of a Telecommunications Facility that is technically necessary for Telecommunications consistent with the Federal Telecommunications Act of 1996, as amended.
- (C) **SUBMITTAL REQUIREMENTS.** A complete application shall include all elements of the proposed Telecommunications Facility and shall produce all information required by the Telecommunications Facility Application. Applicants shall provide the following submittal requirements: the requirements as stated within the Telecommunications Facility Application available in the Community Development Department:
- 1. Each applicant shall present documentary evidence regarding the need for Telecommunications Facilities within the City. This information shall identify the applicant's existing Telecommunications Facilities and coverage areas to demonstrate the need for the proposed Telecommunications Facility within the City.
 - 2. An applicant proposing to erect a new Telecommunications Facility shall provide documentary evidence that a legitimate attempt has been made to locate the new Telecommunications Facility on existing buildings or structures or as a co-location. Such evidence shall include a radio frequency engineering analysis of the potential suitability of existing buildings or structures or co-location sites in the radio frequency coverage area for the proposed Telecommunications Facility. Efforts to secure such locations shall be documented through correspondence between the applicant and the property owner(s) of the existing buildings, structures or co-location sites.
 - 3. Applicants proposing to construct new Telecommunications Facilities shall document the locations of all of the applicant's existing Telecommunications Facilities that provide Telecommunications within the City, as well as any changes proposed within the following twelve-month period, including plans to discontinue or replace such existing Telecommunications Facilities. Applicants shall provide competent testimony from a radio frequency engineer regarding the suitability of potential Telecommunications Facility locations in relation to the applicant's existing Telecommunications Facilities.
 - 4. Each application shall include a site location alternative analysis describing the location of other sites considered for the proposed Telecommunications Facility, the availability of those sites, the extent to which other sites do or do not meet the applicant's Telecommunications needs and the reason why the subject site was chosen.

for the proposed Telecommunications Facility. The analysis shall address the following issues:

- a. How the proposed location and Telecommunications Facility relate to the object of providing full Telecommunications services within the City area;
- b. How the proposed Telecommunications Facility relates to the location of the applicant's existing Telecommunications Facilities that provide Telecommunications within and near the City;
- c. How the proposed Telecommunications Facility relates to the applicant's anticipated need for additional Telecommunications Facilities that provide Telecommunications within and near the City;
- d. If applicable, how the applicant's plans specifically relate to, and are coordinated with, the needs of all other Telecommunications providers within and near the City;

5. A visual impact study, graphically simulating through models, computer enhanced graphics or similar techniques, the appearance of any proposed Telecommunications Facility and indicating its view from at least five locations around and within one mile of the proposed Telecommunications Facility will be most visible.

(D) **COMPLIANCE WITH OTHER LAWS.** Such structures Telecommunications Facilities shall comply with applicable Federal Aviation Administration and Federal Communications Commission regulations available. Evidence of substantial compliance must be submitted prior to the issuance of a Building Permit for tower construction a Telecommunications Facility.

(E) **NOT ESSENTIAL SERVICES.** Telecommunications Facilities shall be regulated and permitted pursuant to this and other applicable sections of the Park City Land Management Code, General Plan and Sensitive Lands Ordinance and shall not be regulated or permitted as essential services, public utilities or private utilities.

(F) **CONDITIONAL USE REVIEW PROCESS.** A Conditional Use Permit is required for all Telecommunications Facilities. The Community Development Department shall review all Telecommunications Facility Applications and forward the applications to the Planning Commission. The Planning Commission Community Development Department shall review an application administratively pursuant to Sections (f) and (m) below; pursuant to Section 1.13 herein.

1. **Noticing.** Noticing of all applications shall comply with Section 15-1.10(c) which requires a published notice of not less than fourteen (14) days prior to the hearing and courtesy mailed notice to owners of property within 300 feet of the proposed Telecommunications Facility. If there are no occupied properties within 300 feet, notice shall be given to the closest, registered Home Owners Association.

2. **Consent Agenda Review.** Applications meeting the Consent Agenda Review criteria will be placed on the Planning Commission's agenda and will not require a public hearing. Applications placed as a consent agenda item may be removed by the

3. ~~Public Hearing.~~ Applications requiring a public hearing shall be placed on the same date or a later meeting of the Planning Commission at the applicant's discretion. Planning Commission from the consent agenda and set as a public hearing on the Planning Commission's regular agenda for review.

4. ~~Exemption for Towers Located on City Land.~~ Towers located on City owned land shall pay fair compensation in an amount determined by the City Council. No Planning Commission review shall be necessary but a building permit must be obtained and the criteria in Section (f) or Section 1.13 followed.

(G)

SITE REQUIREMENTS.

1. ~~Setbacks.~~ The placement of Telecommunications Facilities on a lot shall comply with the setbacks of the underlying zone as stated herein. Telecommunications Facilities shall comply with the setbacks for main structures and shall not be determined accessory structures.
2. ~~Height.~~ The Telecommunications Facilities shall comply with the base height requirement, as stated in Title 15 of the Land Management Code, for the zone in which it is placed. The height shall be measured from the grade or roof beneath to the top of the Antenna or mounting hardware, whichever is higher. The following exemptions shall apply.
 - a. ~~Root Mounted Antenna.~~ placed on a flat roof, may extend up to ten (10) feet above the existing structure, provided that the Antenna setback from the edge of the roof is a minimum distance equal to or greater than the height of the Antenna.
 - b. ~~Root Mounted Antenna,~~ placed on a pitched roof, may extend a maximum of five (5) feet above the existing structure.
3. ~~Use of Property.~~ The Telecommunications Facility shall be an ancillary use on the lot on which it is placed. The lot shall contain a separate principal use.
4. ~~Design.~~
 - a. ~~Equipment Shelters~~ located outside of an existing building shall require a public hearing in front of the Planning Commission for compliance with the Architectural Design Guidelines if applicable, and Park City Design Guidelines.
 - b. ~~Antenna and associated equipment~~ shall incorporate materials and colors present in the context of the surrounding area. ~~Stealth Telecommunications Facilities~~ shall be designed in a manner to blend with the existing and natural environment.
 - c. ~~Panel Antennas~~ shall be no more than five (5) square feet in area per face.
 - d. ~~Freestanding Antennas and Wall Mounted Antennas~~ shall be mounted a maximum of twelve (12) inches from the wall or pole.

(H)

~~SITE DISTURBANCE.~~ Any application, temporary, or permanent, which requires the removal of significant vegetation or proposes any new, or improvements to driveways or roads a length greater than twenty (20) feet and/or a width greater than ten (10) feet wide.

shall require a public hearing before the Planning Commission. As used herein, "Significant Vegetation" includes trees six inch in diameter (6") or greater measured four feet six inches (4'6") above the ground, groves of small trees or clumps of oak and maple covering an area of twenty (20) square feet or more measured at the drip line. Plans must show all such trees within twenty feet (20') of a proposed Telecommunications Facility. The Community Development Department shall determine the Limits of Disturbance and may require mitigation for loss of significant vegetation consistent with Landscape Criteria in Chapter 9.

(1) **ZONING RESTRICTIONS.** Unless otherwise required within this Section, applications for Antennas shall be permitted and reviewed as follows.

1. **Freestanding Antenna.**

- a. Prohibited. Any Antenna located on Historic structures and all Freestanding Antenna located within the HRL, HR-1, HR-2, HRM, E-40, E, SF, R-1, RM, and COS zones. Freestanding Antenna on new structures within the ROS zone are also prohibited.
- b. Consent Agenda Review. Freestanding Antenna located in RDM, GC, and LI zones may be approved by the Planning Commission on its consent agenda. Public Hearing Required. Freestanding Antenna located in HRC, HCB, RD, and RC zones. Any Freestanding Antenna located on existing poles in the ROS zone.

2.

Roof Mounted Antenna.

- a. Prohibited. Any Roof Mounted Antenna located on a Historic or underground structure or within the COS zone.
- b. Consent Agenda Review. Roof Mounted Antenna within the RDM, RC, GC, and LI zones may be approved by the Planning Commission on its consent agenda.
- c. Public Hearing Required. Roof Mounted Antenna located in HRL, HR-1, HR-2, HRM, HRC, HCB, ROS, E-40, E, SF, R-1, RD, and RM zones.

3.

Wall Mounted Antenna.

- a. Prohibited. Any Wall Mounted Antenna located on a Historic or underground structure or within the COS zone.
- b. Consent Agenda Review. Wall Mounted Antennas located within the RD, RDM, RC, GC, and LI zones may be approved by the Planning Commission on its consent agenda.
- c. Public Hearing Required. All Wall Mounted Antennas located in HRL, HR-1, HR-2, HRM, HRC, HCB, ROS, E-40, E, SF, R-1, and RM zones.

4.

Enclosed Antenna.

- a. Prohibited. Any Enclosed Antenna located within a Historic structure or within the COS zone.
- b. Consent Agenda Review. Enclosed Antennas located within the HRL, HR-1, HR-2, HRM, HRC, HCB, ROS, E-40, E, SF, R-1, RD, RDM, RM, RC, GC, and LI may be approved by the Planning Commission on its consent agenda. Public Hearing Required. The location of Enclosed Antenna which require an
- c.

~~increase in height or exterior wall modification to the existing structure.~~

(j) **TECHNICAL NECESSITY EXCEPTION.** If the application does not meet the criteria as stated in Sections F, G, H and I (e), the applicant may apply to the Planning Commission Board of Adjustment for a Technical Necessity Exception. The Planning Commission Board of Adjustment shall review the application as a Conditional Use Permit Variance pursuant to Section 1-13 herein Chapter 5 and may shall require the applicant to provide any additional technical information in order to approve the variance including the following:

1. A written explanation describing the surrounding topography, structures, vegetation and other factors which make the proposed Telecommunications Facility technically necessary for Telecommunications consistent with the Federal Telecommunications Act of 1996, as amended.

(k) **CO-LOCATION.** To discourage the proliferation Telecommunications Facilities co-location of communication towers, shared use of tower structures is both permitted and encouraged. Placement of more than one (1) tower Co-location on a hand site lot may be permitted by the Planning Commission if all setbacks, design and landscape requirements are met for each tower Telecommunications Facility. The application shall include any existing or approved, but unbuilt, Telecommunications Facility communication towers within the transmission Telecommunications area that may meet the needs of the applicant. The supplied documentation shall evaluate the following factors:

1. Structural capacity of the communication Antenna towers;
2. Geographic Telecommunications service area requirements;
3. Mechanical or electrical incompatibilities;
4. Inability or ability to locate equipment on existing communication Antenna towers; and
5. Any restriction or limitation of the Federal Communication Commission that would preclude the shared use of the communication Antenna tower

~~Accessory Buildings. The Planning Department shall review accessory building applications through the building permit process, along with the details for the construction of the tower. The accessory building shall comply with the guidelines stated in the Land Management Code and the Historic District Design Guidelines where applicable. Outdoor storage of materials is prohibited.~~

(l) **SIGNS.** Signs shall only be permitted if they are related to the health and safety of the general public. All proposed signs shall be submitted with the Telecommunications Facility application and subject to review by the Planning Department.

(m) **ABANDONMENT.** The property owner applicant, or the applicant's successor(s) and/or assign(s) shall be responsible for the removal of unused Telecommunications Facilities towers within twelve (12) months of cessation abandonment of use. If such tower is not removed by the property owner, then the City may employ all legal measures, including as necessary, obtaining authorization from a court of competent jurisdiction, to remove the tower, and after

removal may place a lien on the subject property for all direct and indirect costs incurred in dismantling and disposal of the tower, including court costs and reasonable attorney fees.

(N) **SUBDIVISION AND CONDOMINIUM COVENANTS.** Many subdivision and condominium covenants may address the location of Telecommunications Facilities receiving stations within condominium units and the lots of a subdivision. The City is not a party to those covenants, and no permit from the City shall effect the enforceability of such covenants which might be more restrictive than this ordinance. Applicants for the installation of wireless Telecommunications Facilities receivers are advised to determine what private land use restrictions apply to their site before applying for the permit from the City. If the proposed installation is within the common area of a condominium or planned unit development, and the application submitted is not in the name of the Home Owner's Association or management committee, the applicant shall provide a letter from the Home Owner's Association or management committee indicating consent to the location of the Telecommunications Facilities Antenna within the common area has been granted as a part of the permit application filed with the City.

~~Action. The Community Development Department shall respond, in writing, to a complete application within a reasonable period of time. A denial must be supported by substantial evidence from the written record.~~

~~Appeal of the Administrative Conditional Use Denial. If the applicant does not agree with the determination of the Community Development Director, the applicant may request Planning Commission review within ten (10) calendar days of the Community Development Department's decision. All actions of the Planning Commission are appealable to the City Council. Appeals shall be pursuant to Section 1.16 herein.~~

~~Technical Necessity Exception. If the application does not meet the criteria as stated in Section (c) the applicant may apply to the Planning Commission for a Technical Necessity Exception. The Planning Commission shall review the application as a Conditional Use Permit pursuant to Section 1.13 herein.~~

(O) **TEMPORARY PERMITS.** A temporary permit may be approved for Temporary Antennas only in conjunction with a special event licensed under Title 4, Chapter 8 of the Park City Municipal Code. A Temporary Antenna permit application must be submitted to the Community Development Department. The application will be administratively reviewed by the Community Development Department based on the following criteria:
1. **Time.** Permits will be issued only for the duration of a licensed special event plus five (5) calendar days. In no case will a temporary administrative permit be issued for a period of greater than thirty (30) days.
2. **Height.** The height of the Temporary Antenna may not be greater than five feet higher than the zoning height for the specific zone where the Antenna is placed, as stated in the Park City Land Management Code.

3. **Zoning.** Temporary Antennas are permitted in the following zones: RCO, GC, HCB, HRC, RC, and LI.

4. **Permission.** Temporary Antenna permit applications shall be accompanied by written permission from the property owner.

If the above criteria are met, the Planning Department shall grant a temporary administrative permit for the Facility.

(P) **TEMPORARY ANTENNA FOR USE DURING DRIVE TESTS.** Telecommunications companies wishing to perform drive tests shall submit notice to the Park City Planning Department stating the location and the date of the proposed test. Antennas in use for a drive test shall not be left standing for a period greater than one day. Drive tests shall be limited to testing functions only and shall not be used for Telecommunications services to customers. Drive tests on City property also require Planning Department approval and execution of the City's standard drive test agreement.

ORDINANCE 00-36

AN ORDINANCE AMENDING TITLE 4, CHAPTER 8 OF THE MUNICIPAL CODE OF PARK CITY REGULATING MASTER FESTIVAL LICENSING; BY ADDING A NEW SUB-CHAPTER 8A REGULATING PUBLIC OUTDOOR MUSIC PLAZAS; AND AMENDING SECTION 6-3-10, OF TITLE 6, HEALTH, NUISANCE ABATEMENT, NOISE BY CREATING AN EXEMPTION FOR SUCH OUTDOOR MUSIC PLAZAS

WHEREAS, Utah Code Annotated ("UCA"), § 10-8-73 and 10-8-76 give the City the power to regulate and prohibit public demonstrations, processions and other street or otherwise public performances which may interfere with public order or otherwise create a noise nuisance; and

WHEREAS, UCA § 10-8-84 allows the City to pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by Chapter 8 of UCA Title 10 which are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the City and its inhabitants, and for the protection of property in the city; and

WHEREAS, UCA § 10-8-60 gives the City the right to declare what constitutes a public nuisance, and provide for the abatement of the same, and impose fines upon persons who may create, continue or suffer nuisances to exist; and

WHEREAS, the City Council received a petition supporting outdoor music, but also heard from several area residents who objected to amplified music; and

WHEREAS, the City Council received recommendations based upon the findings and experiences of a volunteer citizen committee, and a University of Utah class concerning the effects and regulation of noise and the construction of sound mitigating stages, to properly set forth reasonable regulations and time limits to substantially mitigate the effects of such music upon neighboring residents and businesses; and

WHEREAS, the Community Development Department recommended the restrictions herein based upon the Department's noise measurements around the neighborhood and other parts of the City; and

WHEREAS, the City commissioned an independent noise study by Spectrum



Acoustical Engineers along Park Avenue and the study concluded that music performed pursuant to the restrictions herein should be compatible with the existing background and traffic noise of the neighborhood; and

WHEREAS, the plazas authorized herein are within the Historic Commercial Business ("HCB") zoning district, where noisy commercial operations, businesses and public master festivals/parades are common; and

WHEREAS, the adjoining neighborhood to the west of the Town Lift Plaza is primarily residential, however the neighborhood is separated from the plaza by Park Avenue, is adjacent to ski runs with permitted but not yet installed snow making with noise levels as high as 85 decibels, and Park Avenue is along a primary municipal transit route with existing noise levels as high as 90 decibels. The snow making decibel limitation was established after extensive on-site testing and analysis with the City staff and officials; and

WHEREAS, licensing and zoning are legitimate and reasonable means of time, place and manner regulations to ensure that outdoor music performers comply with reasonable regulations and to ensure that performers do not knowingly allow their music to become a nuisance to nearby residences and businesses, nor create public disorder; and

WHEREAS, the City Council received convincing testimony that outdoor music performances, because of their very nature, have a positive effect on both the existing businesses around them and the community at large, causing enhanced resort atmosphere and business patronage; and

WHEREAS, as a result of these findings and testimony, the City Council finds that public outdoor music in the specified plazas is not a nuisance per se, but if performed consistently with the regulations contained herein, is reasonably within the standard of comfort prevailing in the areas of and adjacent to the plazas defined herein, promotes the arts and cultural enhancement in the community, and is consistent with pending Master Festival Licensing section 4-8-5; and

WHEREAS, the City Council finds that outdoor music, if unregulated, may have serious objectionable operational characteristics particularly when located in close proximity to residential neighborhoods, thereby contributing to increased noise, pedestrian traffic and downgrading the quality of life in such adjacent residential areas; and

WHEREAS, the City Council desires to minimize and control these adverse effects and thereby preserve the property and character of surrounding neighborhoods, deter unreasonably large pedestrian crowds, protect the citizens from increased noise, preserve the quality of life, and protect the health, safety and welfare of the citizenry; and

WHEREAS, the time, place and manner restrictions of this ordinance are required to protect legitimate and important governmental interests and are reasonably related to achieve the protection of those interests with the minimum interference necessary to rights protected by state and federal constitutional provisions; and

WHEREAS, implementation of the Ordinance eliminates approximately nine potential venues for non-master festival licensed outdoor music; and

WHEREAS, the City Council finds that barring all amplified events and music would be over broad and arbitrary; and

WHEREAS, the City Council held work sessions with public input on this matter as regularly scheduled meetings on November 18, 1999, and February 10, 2000, and public hearings on March 2, 2000, March 30, April 13, and May 18, 2000.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, AS FOLLOWS:

SECTION 1. FINDINGS. The recitals above are incorporated herein as findings by the City Council, the legislative body of Park City.

SECTION 2. AMENDMENT. The Municipal Code of Park City is hereby amended by adding the following Chapter 8a to Title 4:

CHAPTER 8A - PUBLIC OUTDOOR MUSIC PLAZAS

4-8A-1. TITLE FOR CITATION.

This section shall be known and may be referred to as the Public Outdoor Music Plaza Ordinance.

4-8A-2. PURPOSE: REASONABLE LICENSING PROCEDURES.

It is the purpose and object of this section that the City establish reasonable and uniform regulations governing the licensing and manner of operations of Public Outdoor Music Plazas in Park City. This section shall be construed to protect the legitimate and important governmental interests recognized by this Chapter in a manner consistent with constitutional protections provided by the United States and Utah Constitutions. The purpose of these regulations is to provide for the regulation and licensing of Public Outdoor Music Plazas within the City in a manner which will protect the property values of surrounding businesses and neighborhoods, and residents from the potential adverse secondary effects, while providing to those who desire to perform in and patronize Public Outdoor Music Plazas the opportunity to do so. The purpose of this Chapter is to prevent and control the adverse effects of Public Outdoor Music Plazas and

thereby to protect the health, safety, and welfare of the citizens and guests of Park City, protect the citizens from increased noise, preserve the quality of life, preserve the property values and character of the surrounding neighborhoods.

4-8A-3. APPLICATION OF PROVISIONS.

This section imposes regulatory standards and license requirements on certain activities, which are characterized as "Public Outdoor Music Plazas." It is not the intent of this Chapter to suppress any speech activities protected by the First and Fourteenth Amendments to the United States Constitution and the Constitution of the State of Utah, but to impose content-neutral regulations which address the adverse secondary effects of Public Outdoor Music Plazas. This Chapter is intended to supersede any other related ordinances including, but not limited to, Title 6 Chapter 3, Noise, of the Municipal Code, and Chapter 7 (including pending Municipal Code § 15-2-6-10(B)(4)) of the Park City Land Management Code, as amended.

4-8A-4. DEFINITIONS.

For the purpose of this Chapter, the following words shall have the following meanings:

- (A) **AMPLIFIED EVENT OR MUSIC.** An event or music utilizing an amplifier or other input of power so as to obtain an output of greater magnitude or volume through speakers or other electronic devices.
- (B) **PUBLIC OUTDOOR MUSIC PLAZA.** The following plazas used for public performances and outdoor music:

- (1) Town Lift Plaza as shown on **Exhibit A**; and

- (2) Summit Watch Marriott Plaza as shown on **Exhibit B**.

- (C) **STAGES.** The raised and semi-enclosed platforms that are designed to attenuate sound, in a form substantially similar to as depicted in **Exhibit C** or as otherwise approved by Special Events staff.

4-8A-5. MASTER FESTIVAL LICENSE; REVIEW PROCEDURE.

The City Council hereby grants Master Festival Licenses for each of the plazas in Section 4. The Licenses shall be subject to all regulations and conditions of this Chapter. The Licenses shall be valid as of June 1, 2000 and shall expire October 1, 2000, unless renewed by the City Council. The City Council may not renew said licenses until after a public hearing and receipt of a staff evaluation of the prior year's compliance with this Chapter. Renewal shall be granted in the sole judgment of the City Council based upon compliance with the regulations herein, community

impacts, and so long as such decision is not arbitrary and capricious. No licensee nor performer shall accrue any vested rights under this revocable license.

4- 8A- 6. PROGRAM LIMITS AND CATEGORIES.

Each Stage may be programmed for not more than four days per week, and of those four days, only one program day may be a weekend day (Saturday or Sunday). The categories of programming allowed at Public Outdoor Music Plazas are:

(A) **Amplified Event or Music:** This type of event shall be programmed for no more than 2 days a week at each plaza, only one of which may be a weekend day (Saturday or Sunday). Amplified Music shall be limited to no more than 5 hours of total performance time on each of those two days (breaks are not included in total time but warm-up and rehearsals are).

(B) **Non-amplified music and events:** Programming for music and events such as poetry readings, dance, or other events that require no amplification.

4- 8A- 7. GENERAL REGULATIONS.

(A) The program manager, or his/her designee, shall provide on-site management for each event.

(B) A sound technician shall provide on-site noise monitoring for each event with music, Amplified or otherwise, and any Amplified Event.

(C) For Amplified Events or Music, a sound limiter will be placed on the sound system that maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty five (25) feet from the stage. Non-amplified music and events shall not exceed a maximum decibel level of 90, as measured twenty five (25) feet from the stage. The data currently available to the City indicates that a maximum decibel level of 90 satisfies the purpose of this ordinance. The City may amend this ordinance consistent with newly acquired data.

(D) All events shall be open to the public and free of charge.

(E) Power controls. A timer device will be installed that shuts the power of the stage and sound system off at 8:00 p.m.

(F) Time: All performances, regardless of type, are permitted only between noon (12:00 p.m.) and 8 p.m.

(A) The City Special Events Department will appoint an independent neighborhood review group of at least three area residents which will be contacted weekly by the City Special Events staff and the program manager to receive comments and concerns. A phone number will also be

4- 8A-10. ON-GOING COMPLIANCE EVALUATION.

(C) Nothing in this Chapter shall be interpreted to create a contract or implied-contract between the City and any performer, or plaza owner.

(B) The Arts Council will appoint an independent Programming Board, consisting of five residents of Park City (community and arts). The Programming Board will schedule the selection and times of events. Nothing herein shall allow the City to regulate the content or otherwise censor plaza productions or speech. The Arts Council shall at all times hold the City harmless and indemnify the City for all claims, actions and liability arising from the Arts Council's use of the Public Outdoor Music Plazas. The Arts Council shall maintain its own liability insurance, with the City listed as an additional insured in a form approved by the City Attorney.

(A) The Park City Arts Council will be the licensee of the events and will own the Stages. The Arts Council will hire a program manager, approved by the City, said approval not to be unreasonably withheld. The program manager will be responsible for general management of each plaza and on-sight oversight for each event. Agreements with the individual property owners will be provided to the City Special Events Department by the program manager.

4- 8A-9. LICENSE HOLDER; PROGRAM BOARD

It is unlawful for the licensee or any person or business to allow the sale, storage, supply, or consumption of alcoholic beverages on the Public Outdoor Music Plazas, unless licensed pursuant to Chapters 4-6 of Title 4, as applicable.

4- 8A-8. ALCOHOL.

(I) All events shall take place only on authorized Stages and shall have clean-up services directly following each event so as to leave the plazas in a clean and litter free manner.

(H) The Police Department or other proper City official shall have access at all times to all plazas under this Chapter, and may make periodic inspection of said premises whether the officer or official is in uniform or plain clothes.

(G) No event shall exceed 250 people unless a separate Master Festival License is granted for that event.

The Master Festival Licenses granted under this Chapter are in lieu of any Administrative Conditional Use Permit for outdoor music (including outdoor speakers) pursuant to the existing Land Management Code and pending ordinance MCPC § 15-2-6.10(B)(4) . The Community Development Department shall not issue any outdoor music permits in the Historic Commercial Business ("HCB") zoning district north of Heber Avenue. The City may still issue outdoor music permits in conjunction with an approved Master Festival License.

4-8A-12. PLAZAS LICENSES IN LIEU OF ADMINISTRATIVE PERMITS FOR OUTDOOR MUSIC AND OUTDOOR SPEAKERS.

The Master Festival Licenses granted under this Chapter are not transferable without the written consent of the Mayor. It is unlawful for an individual to transfer a Public Outdoor Music Plaza master festival license without City approval as provided herein. If any transfer of the controlling interest in a Public Outdoor Music Plaza license occurs without City approval, the license is immediately null and void and the Public Outdoor Music Plaza shall not operate until a separate new license has been properly issued by the City as herein provided. The City will not unreasonably withhold consent of transfer provided the proposed Licensee is a non-profit organization within Park City, meets all the criteria of this Chapter, and demonstrates experience managing special events.

4-8A-11. TRANSFER LIMITATIONS.

(3) Upon any other evidence that the Program Manager or entertainer constitutes a hazard or nuisance to the health, safety, or welfare of the community.

(2) Any violation of law or City ordinance.

(1) Any violation of this Chapter as evidenced by a citation issued by the Police Department.

(B) The Police Chief, or his/her designee, may suspend the Licenses granted herein and schedule a revocation hearing before the City Council at the next regularly scheduled City Council meeting for any of the following causes:

available at each venue so that individuals may phone in comments. Based upon such comments, the Special Events staff may issue additional conditions consistent with the intent of this Chapter to the program manager. A summary of, and recommended response to comments, will be forwarded to the City Council within seven days of the end of each month of operation, or sooner if requested by the program manager to resolve any issue. At the end of the season, the Special Events staff will forward a final recommendation to the City Council, with proposed changes, if any, prior to renewal of the licenses granted herein.

SECTION 3. AMENDMENT. Section 6-3-10, of Title 6, Health, Nuisance Abatement, Noise, is hereby amended to add the following to as an exemption to Chapter 3, Noise:

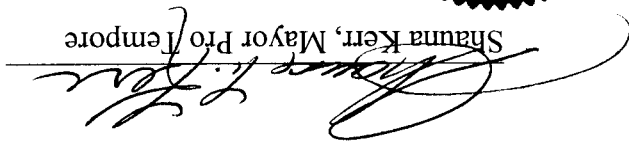
(j) Noise resulting from a duly licensed and operated Public Outdoor Music Plaza pursuant to Title 4, Chapter 8a of the Municipal Code of Park City.

SECTION 4. SEVERABILITY. If any phrase, clause, sentence, paragraph, or section of this Ordinance is declared unlawful by a Court of competent jurisdiction, such decision shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective upon publication.

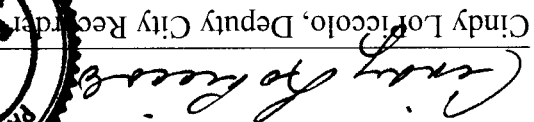
PASSED AND ADOPTED this 1st day of June, 2000.

PARK CITY MUNICIPAL CORPORATION


Shauna Kerr, Mayor Pro Tempore



Attest:


Cindy Loriccolo, Deputy City Recorder

Approved as to Form:

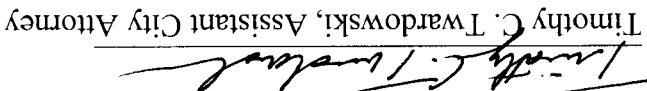
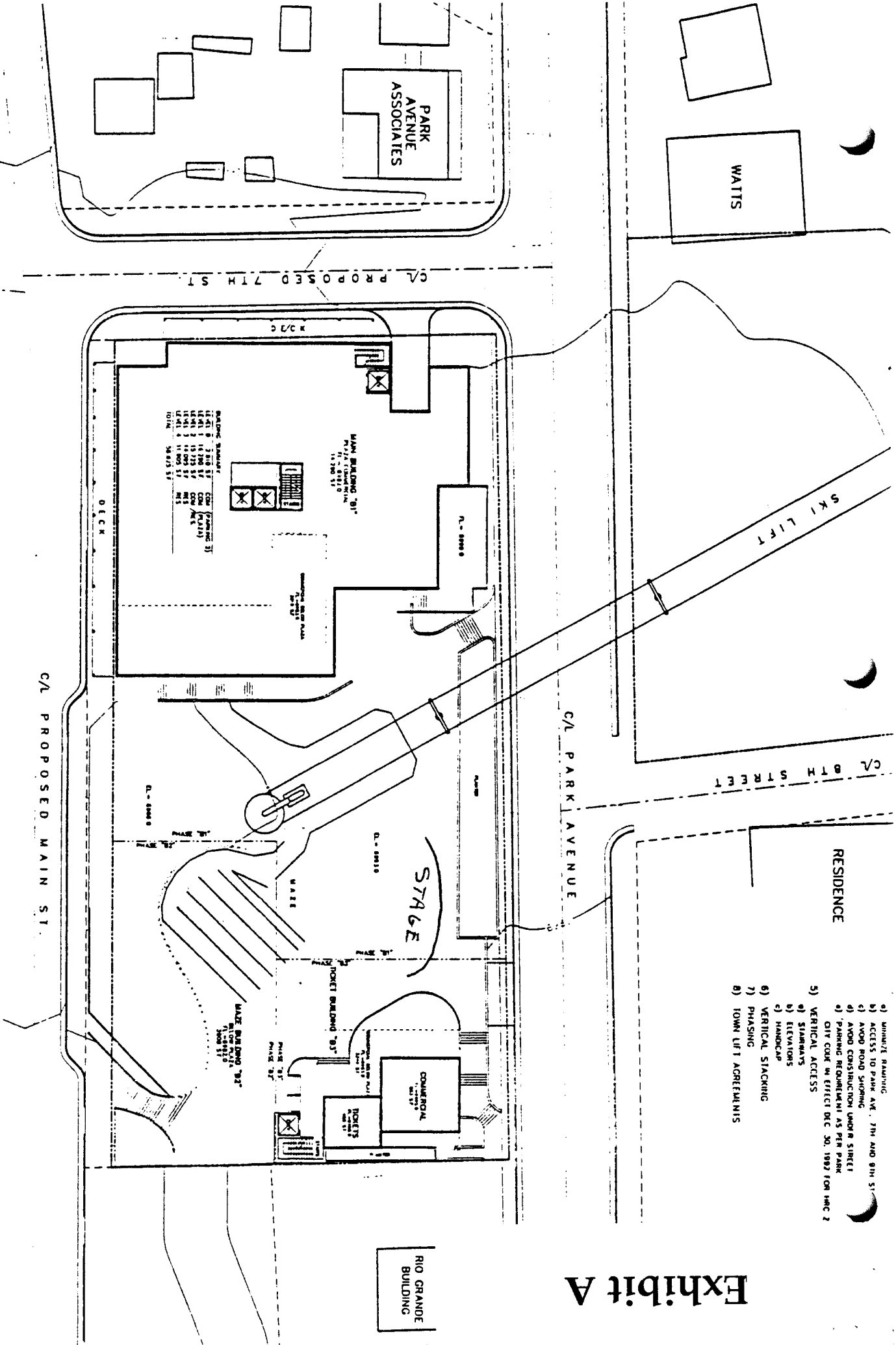

Timothy C. Twardowski, Assistant City Attorney

Exhibit A

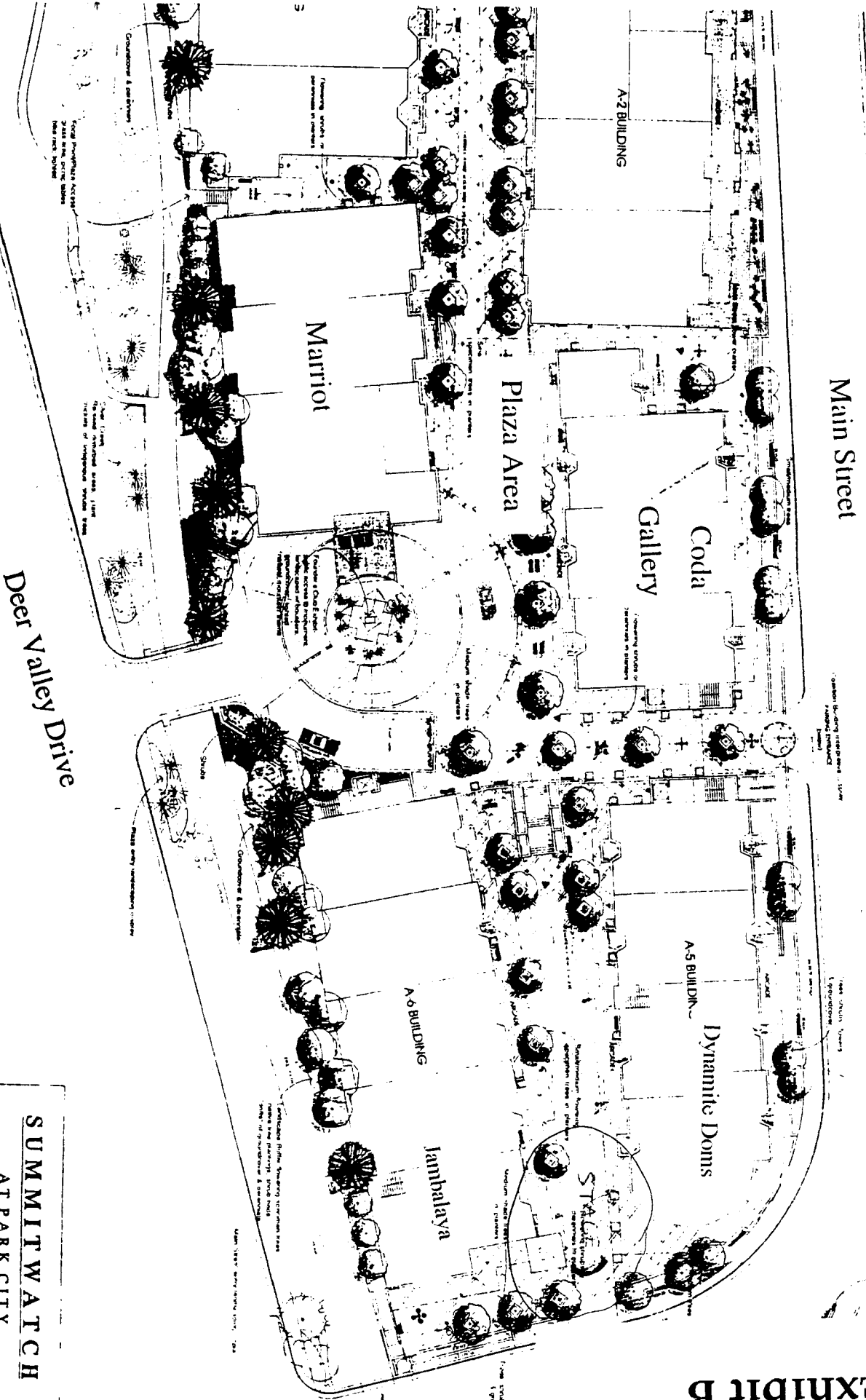
- a) UNIM/76 DRAWING
- b) ACCESS TO PARK AVE. 7TH AND 8TH ST.
- c) AVOID ROAD SHEDDING
- d) AVOID CONSTRUCTION UNDER STREET
- e) PAVING REQUIREMENT AS PER PARK CITY CODE IN EFFECT DEC. 30, 1997 FOR IHC 2
- 5) VERTICAL ACCESS
 - a) STAIRWAYS
 - b) ELEVATORS
 - c) HANDICAP
- 6) VERTICAL STACKING
- 7) PHASING
- 8) TOWN LIFT AGREEMENTS



Town Lift Plaza

RIO GRANDE BUILDING

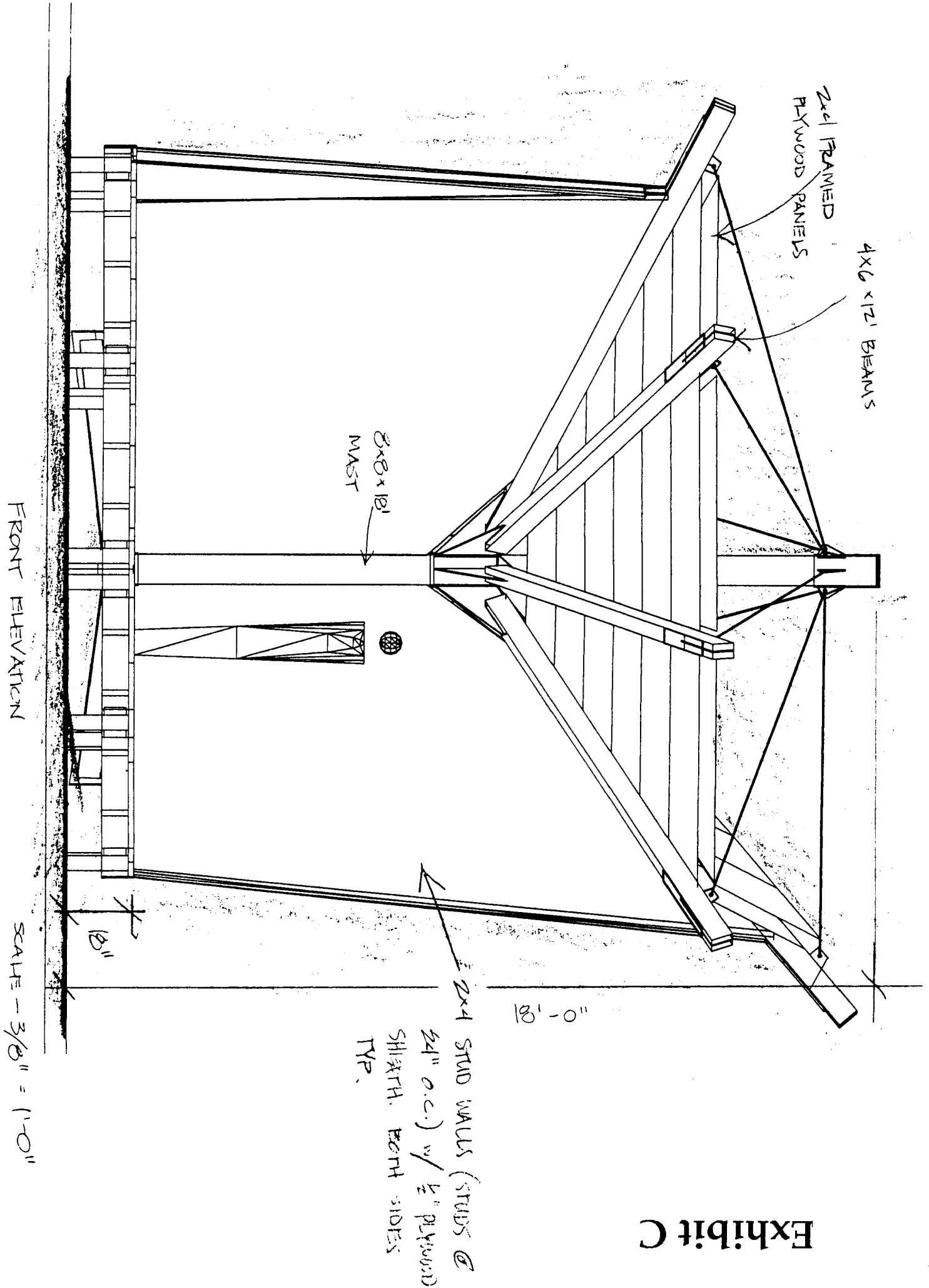
Exhibit B

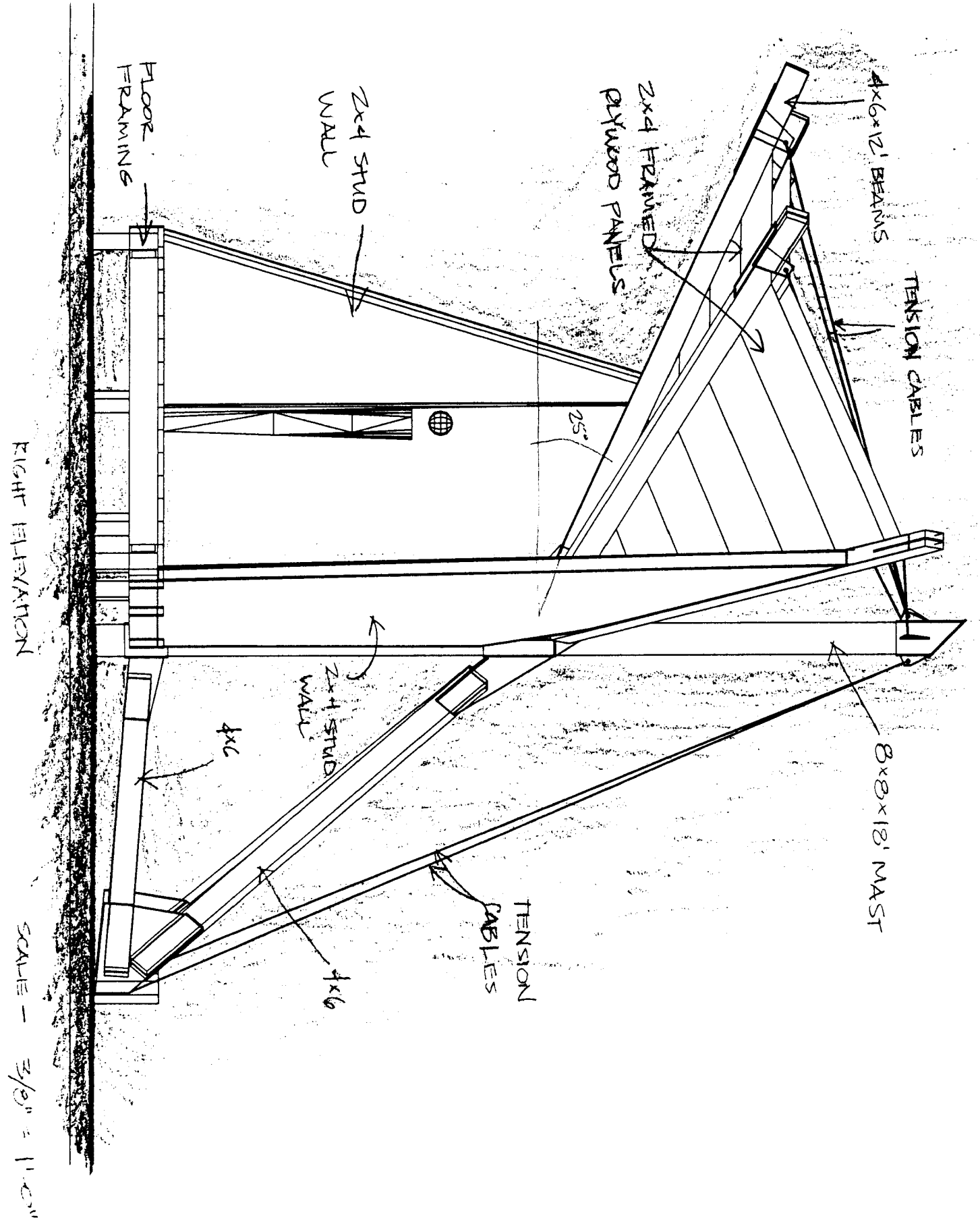


SUMMITWATCH
 AT PARK CITY
 Marriott Ownership Resorts, Inc.

Scale: 1" = 100'

Exhibit C

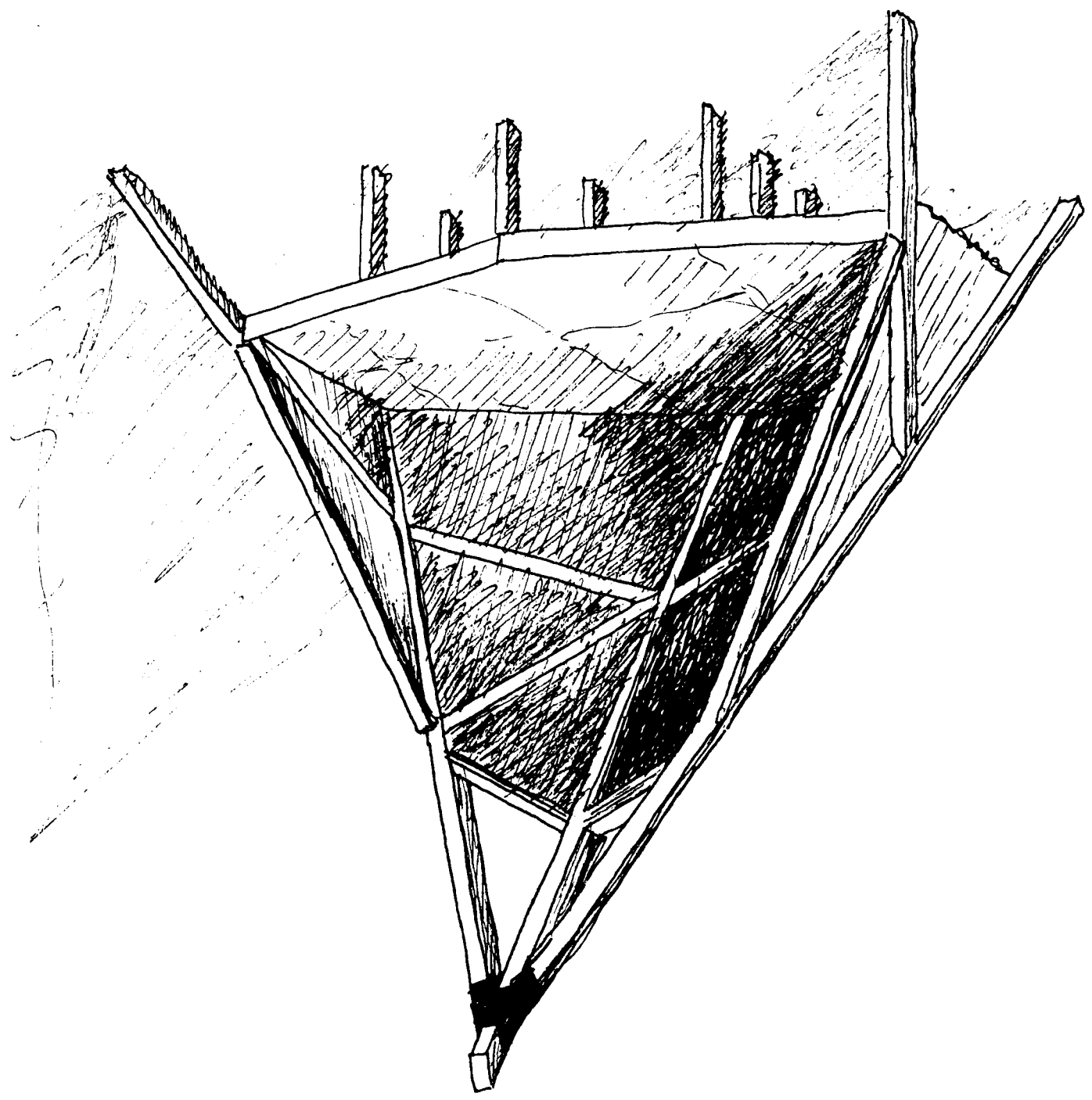


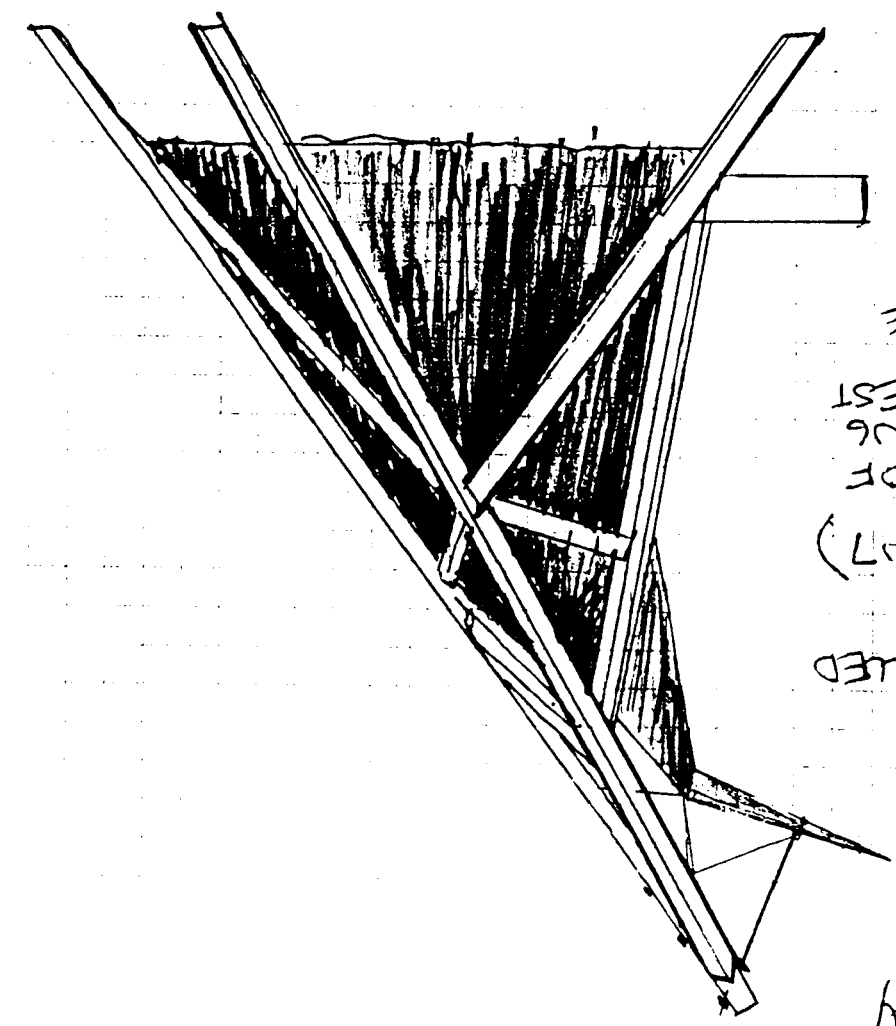


RIGHT ELEVATION

SCALE - 3/8" = 1'-0"

INITIAL
BANDSTAND
PROPOSAL

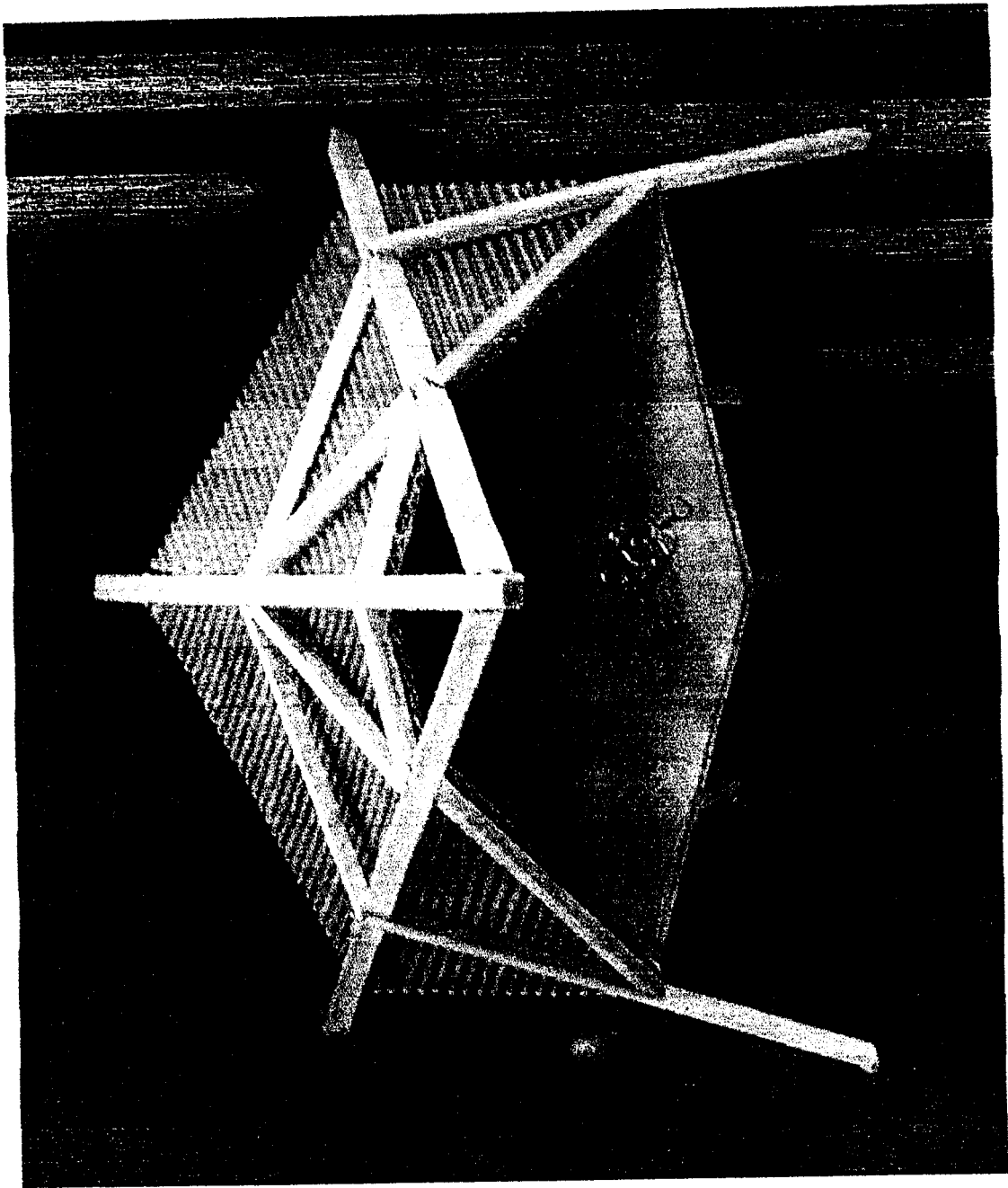




- WHY?
- SKIN IS ALREADY PULLED AWAY FROM STRUCTURE (DECISION?)
- POSSIBILITY OF MANIPULATING SKIN FOR BEST ACOUSTICAL PERFORMANCE

- PULL SKIN OUT AND SHAPE IN AND ACOUSTICALLY IMPROVED CONFIGURATION.

DESIGN & -
DESIGN RE-EVALUATION





**AN ORDINANCE APPROVING THE 347 WOODSIDE REPLAT - LOT LINE
COMBINATION PLAT TO COMBINE THE NORTH 20' OF LOT 12, ALL OF LOT 13,
AND THE SOUTHERLY HALF OF LOT 14, BLOCK 30 OF THE PARK CITY SURVEY
INTO ONE PLATTED LOT, LOCATED AT 347 WOODSIDE AVENUE, PARK CITY,
UTAH**

WHEREAS, the owner of the north twenty feet (20') of Lot 12, all of Lot 13, and the southerly half of Lot 14 in Block 30 of the Park City Survey have petitioned the City Council for approval of a revision to the final 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 May 10, 2000, to receive input on the proposed plat;

WHEREAS, the Planning Commission, on May 10, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 1, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will combine the north twenty feet (20') of Lot 12, all of Lot 13, and the southerly half of Lot 14 in Block 30 of the Park City Survey, into a single lot to allow for proposed improvement to the property.
3. The lots are occupied by an existing historic dwelling.

4. The Conditional Use Permit Application for Development on a Steep Slope was reviewed and approved by the Planning Commission on April 12, 2000, to construct a two-story addition to the rear of the existing historic single family structure.

5. An Historic Design Review Application was reviewed by Staff for the rehabilitation of the existing historic house and construction of the rear addition for compliance with the Historic District Design Guidelines. The application was approved on May 22, 2000.

6. The addition design proposed is incumbent upon the approval of the plat amendment.
7. The plat amendment will not increase density on the lot.
8. Parking is a problem in the area.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

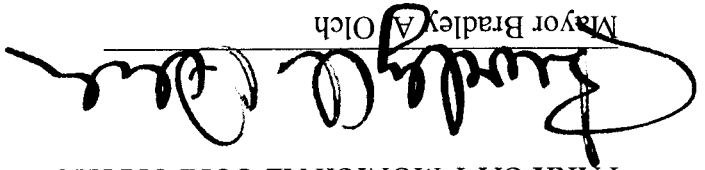
SECTION 3. PLAT APPROVAL. The plat amendment to combine the north twenty feet (20') of Lot 12, all of Lot 13, and the southerly half of Lot 14 in Block 30 of the Park City Survey, known as 347 Woodside Replat - Lot Line Combination Plat, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. No remnant lot created is separately developable.
3. Design of the proposed addition and garage requires compliance with the Historic District Design Guidelines.
4. A note shall be added to the plat stating that no accessory apartment and/or lockouts, etc. shall be permitted as part of the historic dwelling or lower living areas (including the garage). The lot shall only contain one (1) single-family home.
5. The City Engineer shall review and approve the slope, configuration and drainage pattern of the proposed driveway fronting Woodside Avenue.
6. A five (5) foot non-exclusive snow storage easement along Woodside Avenue shall be dedicated to the City on the plat.
7. Building Permits for this project may not be issued until the plat is recorded.

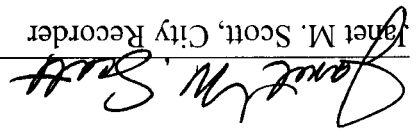
- 8. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
- 9. This approval shall expire one year from the date of Planning Commission approval, unless this Plat Amendment is recorded prior to that date.

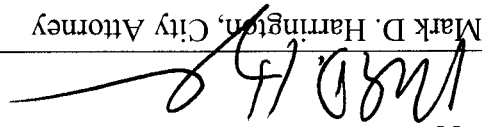
SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 1st day of June, 2000.

PARK CITY MUNICIPAL CORPORATION

 Mayor Bradley A. Oich



Attest:

 Janet M. Scott, City Recorder

Approved as to form:

 Mark D. Harrington, City Attorney

AN ORDINANCE APPROVING AN AMENDMENT TO THE PARK CITY PLAT TO COMBINE ALL OF LOT 20 AND A PORTION OF LOT 21 OF BLOCK 28 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD AT 1048 LOWELL AVENUE

WHEREAS, the owners, James and Deborah Christensen, of the property known as 1048 Lowell Avenue, have petitioned the City Council for approval of a subdivision plat; and WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on May 24, 2000 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to consolidate one lot and a portion of another into one lot of record; and

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

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

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

1. The Planning Commission forwarded a positive recommendation for the subdivision plat to the City Council on May 24, 2000.
2. The property is located in the HR-1 District.
2. The property in question is currently vacant.
3. The proposed Plat Amendment will combine one lot and a portion of another into one lot to accommodate the construction of a new single family home.
4. The construction of this home and driveway improvements will diminish the amount of land available for snow storage on Lowell Avenue during the winter months.
5. The Planning Commission forwarded a positive recommendation to the City Council.

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

1. There is good cause for the amendment.



2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapters 7 and 15 and State subdivision requirements.

SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recording.
2. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
3. A five foot snow storage easement shall be dedicated and shown on the final plat near Lowell Avenue.
4. A note shall be added to the plat that the remnant lot is not hereby rendered separately developable.

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

PASSED AND ADOPTED this 1st day of June, 2000.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch
 Mayor Bradley A. Olch



Attest:
Janet M. Scott
 Janet M. Scott, City Recorder

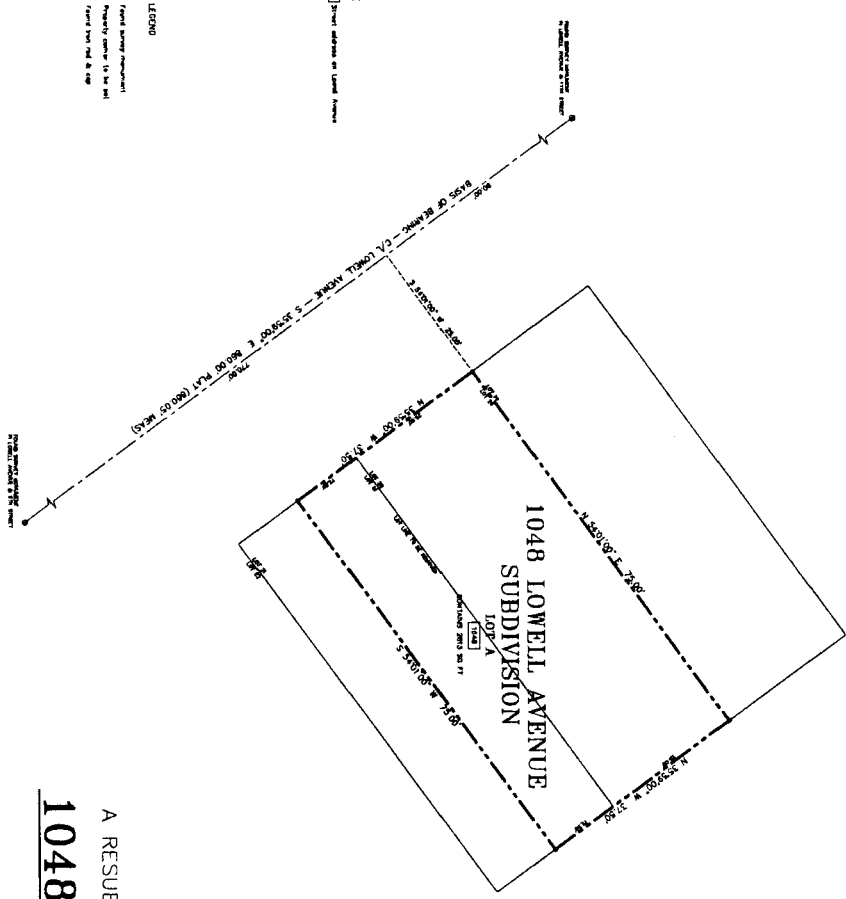
Approved as to form:

Mark D. Harrington
 Mark D. Harrington, City Attorney

SUBNETWORK CERTIFICATE
 I, John Demaree, certify that I am a Registered Land Surveyor, and that I hold Certificate No. 18301, as provided by the laws of the State of Utah. I have surveyed and shown the boundaries of the subdivision shown on this plat, and that the same have been or will be monumented on the ground as shown on this plat.

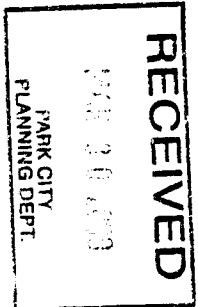
John Demaree
 Date

BOUNDARY DESCRIPTION
 All of Lot 20, and the North 1/2 of Lot 21, Block 28, Snyder's Addition, Subdivision, as shown on the plat hereon, and the same are more particularly described on the plat hereon, and the same are more particularly described in the office of the Summit County Recorder.



- LEGEND**
- ① Field Survey Monument
 - ② Property corner to be set
 - ③ Field boundary line

NOTE
 [Symbol] Street address or legal name



A PARCEL COMBINATION PLAT
 A RESUBDIVISION OF LOTS 20 AND 21, BLOCK 28, SNYDER'S ADDITION
1048 LOWELL AVENUE SUBDIVISION

LOCATED IN SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 2 EAST, COUNTY OF SUMMIT, UTAH
 PARK CITY, SUMMIT COUNTY, UTAH

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of the herein described tract of land, to be known hereafter as the 1048 LOWELL AVENUE SUBDIVISION, PLAT 1, do hereby certify that we have caused this subdivision plat to be prepared and recorded in the office of the Summit County Recorder, and that we are the owners of the herein described tract of land and that they signed the above Owner's Declaration and Consent to Record in full knowledge of the contents of the same and with the intent that the same should be recorded in the office of the Summit County Recorder, and that the same have been or will be monumented on the ground as shown on this plat.

In witness whereof, the undersigned set their hands this _____ day of _____, 2000.

James D. Christensen
 Owner

Deborah Renee Christensen
 Owner

ACKNOWLEDGMENT

State of Utah
 County of Summit
 On this _____ day of _____, 2000, James D. Christensen and Deborah Renee Christensen, persons appearing in person, being duly sworn, depose and say that they are the owners of the herein described tract of land and that they signed the above Owner's Declaration and Consent to Record in full knowledge of the contents of the same and with the intent that the same should be recorded in the office of the Summit County Recorder, and that the same have been or will be monumented on the ground as shown on this plat.

Notary Public
 My commission expires _____

	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR COMPLIANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS DAY OF _____, 2000 A.D. BY _____, S.E.S.I.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____, 2000 A.D. BY _____, CHAIRMAN	ENGINEER'S CERTIFICATE I HAVE THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS DAY OF _____, 2000 A.D. BY _____, PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS DAY OF _____, 2000 A.D. BY _____, PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I HEREBY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____, 2000 A.D. BY _____, PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____, 2000 A.D. BY _____, MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FIELD AT THE REQUEST OF _____, BOOK _____, PAGE _____, DATE _____, TIME _____, RECORDER
--	--	--	--	--	--	---	---

67



AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR 1340 AND 1360 LOWELL AVENUE, KNOWN AS PARK CITY MOUNTAIN VILLAGE SUBDIVISION-PHASE B-1, PARK CITY, UTAH

WHEREAS, the owner of the property at 1340 and 1360 Lowell Avenue, known as Park City Mountain Village Subdivision-Phase B-1, petitioned the City Council for approval of a final subdivision plat; and

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

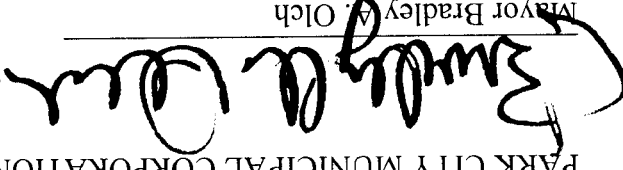
WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 10, 2000 to receive input on the proposed subdivision; and

WHEREAS, on June 1, 2000 the City Council reviewed the proposed subdivision plat; and
WHEREAS, it is in the best interest of Park City, Utah to approve the final subdivision plat for Park City Mountain Village Subdivision Phase B-1;

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

- SECTION 1. FINDINGS.** The following findings are hereby adopted:
1. The City and Powdr Corporation have entered into a Development Agreement which sets forth the Master Planned Development Approval for the remaining parcels at the base of the Park City Mountain Resort.
 2. The Park City Mountain Resort Master Plan anticipated that parcel B (the main parking lot) would be developed in phases.
 3. The Planning Commission has reviewed and approved a CUP for construction on the first phase of parcel B which is now known as Jupiter Peak Lodge.
 4. In order for Powdr Corporation to transfer ownership of the B1 parcel to the developer of the Jupiter Peak Lodge, a subdivision is necessary.
 5. When the balance of the B parcel is developed, there will be a common parking structure and a plat amendment will need to be processed to eliminate the property line.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

PASSED AND ADOPTED this 1st day of June, 2000.

publication.

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

maintenance of all pedestrian improvements of whatever nature. Improvements must be posted prior to permit issuance. The applicant is responsible for

required to be approved by the City. A financial security to ensure installation of those

Prior to issuance of building permits, a final plan for pedestrian improvements will be

Building Official.

Penetration between lot B1 and B2 will be allowed only to accommodate subsurface

parking and circulation subject to specific requirements of the Park City Chief

“c” for exception.

condominium project and a lot combination occurs prior to construction. See note

No structural penetration between buildings may be located on separate lots unless

the project is platted under the Utah Condominium Act, as an expandable

A zero side yard setback is permitted along the lot lines common to Lots B1 and B2.

The plat shall contain the following notes:

1. All standard conditions of approval shall apply.

2. City Engineer and City Attorney review and approval of the plat for compliance with the

conditions of approval, the Land Management Code and state law is a condition precedent

to plat recordation.

3. The plat shall contain the following notes:

a. A zero side yard setback is permitted along the lot lines common to Lots B1 and B2.

b. No structural penetration between buildings may be located on separate lots unless

the project is platted under the Utah Condominium Act, as an expandable

condominium project and a lot combination occurs prior to construction. See note

“c” for exception.

Penetration between lot B1 and B2 will be allowed only to accommodate subsurface

parking and circulation subject to specific requirements of the Park City Chief

Building Official.

Prior to issuance of building permits, a final plan for pedestrian improvements will be

required to be approved by the City. A financial security to ensure installation of those

improvements must be posted prior to permit issuance. The applicant is responsible for

maintenance of all pedestrian improvements of whatever nature.

4. Prior to issuance of building permits, a final plan for pedestrian improvements will be

required to be approved by the City. A financial security to ensure installation of those

improvements must be posted prior to permit issuance. The applicant is responsible for

maintenance of all pedestrian improvements of whatever nature.

5. Prior to issuance of building permits, a final plan for pedestrian improvements will be

required to be approved by the City. A financial security to ensure installation of those

improvements must be posted prior to permit issuance. The applicant is responsible for

maintenance of all pedestrian improvements of whatever nature.

6. On May 10, 2000 the Planning Commission held a public hearing and forwarded to City

Council a positive recommendation to approve the Park City Mountain Village Subdivision

Phase B-1.

there is good cause for the above-mentioned subdivision plat, that neither the public nor any person

will be materially injured by the proposed amendment. The final plat is consistent with both the Park

City Land Management Code and State subdivision requirements.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that

there is good cause for the above-mentioned subdivision plat, that neither the public nor any person

will be materially injured by the proposed amendment. The final plat is consistent with both the Park

City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The final subdivision plat for 1340 and 1360

Lowell Avenue, known as Park City Mountain Village Subdivision Phase B-1, is approved as shown

on Exhibit A, with the following conditions:

1. All standard conditions of approval shall apply.

2. City Engineer and City Attorney review and approval of the plat for compliance with the

conditions of approval, the Land Management Code and state law is a condition precedent

to plat recordation.

3. The plat shall contain the following notes:

a. A zero side yard setback is permitted along the lot lines common to Lots B1 and B2.

b. No structural penetration between buildings may be located on separate lots unless

the project is platted under the Utah Condominium Act, as an expandable

condominium project and a lot combination occurs prior to construction. See note

“c” for exception.

Penetration between lot B1 and B2 will be allowed only to accommodate subsurface

parking and circulation subject to specific requirements of the Park City Chief

Building Official.

Prior to issuance of building permits, a final plan for pedestrian improvements will be

required to be approved by the City. A financial security to ensure installation of those

improvements must be posted prior to permit issuance. The applicant is responsible for

maintenance of all pedestrian improvements of whatever nature.

4. Prior to issuance of building permits, a final plan for pedestrian improvements will be

required to be approved by the City. A financial security to ensure installation of those

improvements must be posted prior to permit issuance. The applicant is responsible for

maintenance of all pedestrian improvements of whatever nature.

5. Prior to issuance of building permits, a final plan for pedestrian improvements will be

required to be approved by the City. A financial security to ensure installation of those

improvements must be posted prior to permit issuance. The applicant is responsible for

maintenance of all pedestrian improvements of whatever nature.

6. On May 10, 2000 the Planning Commission held a public hearing and forwarded to City

Council a positive recommendation to approve the Park City Mountain Village Subdivision

Phase B-1.

Mark D. Harrington, City Attorney

Mark D. Harrington

Approved as to form:

Janet M. Scott, City Recorder

Janet M. Scott

Attest:



AN ORDINANCE APPROVING THE 187 DALY AVENUE PLAT - LOT LINE AMENDMENT PLAT TO COMBINE THE SOUTHERLY THIRTEEN FEET (13') OF LOT 30, ALL OF LOT 31, AND THE NORTHERLY FOURTEEN FEET (14') OF LOT 32 OF BLOCK 73 OF THE FIRST MILLSITE RESERVATION SUBDIVISION, INTO TWO (2) SEPARATE LOTS LOCATED AT 187 DALY AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the southerly thirteen feet (13') of Lot 30, all of Lot 31, and the northerly fourteen feet (14') of Lot 32 of Block 73 of the First Millsite Reservation Subdivision, have petitioned the City Council for approval of a revision to the final 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 22, 1999, to receive input on the proposed plat;

WHEREAS, the Planning Commission, on September 22, 1999, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 1, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The lots are located in the HR-1 District.
2. The site currently contains an existing dwelling composed of historic and non-historic construction campaigns which straddles all of the existing lots. The applicants intend to



petitioned the Historic District Commission to relocate and reconstruct the historic dwelling on one of the proposed lots.

3. The proposed Plat Amendment will combine three (3) lots to accommodate the possibility of two single-family residences, or a single-family dwelling and a duplex.
4. The proposed plat amendment, as conditioned, reduces the potential density on Daly Avenue by requiring HDC design review of the all proposed structures.
5. Dedication of a ten (10) foot non-exclusive snow storage easement on Lot A and B along Daly Avenue is necessary to provide adequate snow removal services.
6. The property is shown as a Flood Hazard Area on the Flood Insurance Rate Map from FEMA.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that

there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine the southerly

thirteen feet (13') of Lot 30, all of Lot 31, and the northerly fourteen feet (14') of Lot 32 of Block 73 of the First Millisite Reservation Subdivision, into two (2) separate lots, known as 187 Daly Avenue Plat - Lot Line Amendment Plat, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recording

2. A ten (10) foot non-exclusive snow storage easement on Lot A and B, along Daly Avenue shall be dedicated to the City on the plat.

3. Any new structures on Lot A or Lot B shall comply with the setback, height, and maximum footprint requirements set forth in the Land Management Code and the Historic District Design Guidelines, as amended.

4. The design and rehabilitation of all structures on Lots A & B shall comply with the Historic District Design Guidelines.

5. Full building permits for Lot A and Lot B may not be issued until the plat is recorded.

6. The Plat Amendment shall not be recorded prior to the removal of the encroachment of the existing structure over the proposed intermediate lot line which will divide Lot A and Lot B.

7. A note shall appear on the final plat that the property is a designed Flood Hazard Area.

8. No remnant lot hereby created is separately developable.

9. All Standard Project Conditions shall apply (Please see Exhibit B- Standard Project Conditions).

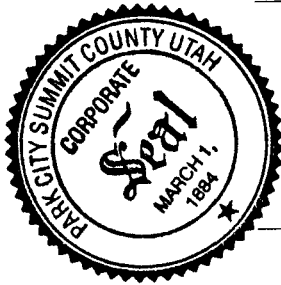
10. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

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

PASSED AND ADOPTED this 1st day of June, 2000.

PARK CITY MUNICIPAL CORPORATION

Burdette A. Olson
Mayor Bradley A. Olch



Attest:
Janel M. Scott
Janel M. Scott, City Recorder

Approved as to form:
Mark D. Harrington
Mark D. Harrington, City Attorney



Ordinance No. 00-31

**AN ORDINANCE TO APPROVE THE RECORD OF SURVEY FOR THE
CONDOMINIUM CONVERSION OF THE EXISTING DUPLEX AT 1372 WOODSIDE
AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property known as 1372 Woodside Avenue have petitioned the City Council for approval of a record of survey for a condominium conversion; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 10, 2000, to receive input on the proposed record of survey for the condominium conversion;

WHEREAS, the Planning Commission, on May 10, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 18, 2000, the City Council held a public hearing to receive input on the proposed subdivision and record of survey for the condominium conversion; and

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

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

SECTION 1. APPROVAL. The condominium conversion and record of survey as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The proposed plat changes the type of ownership of this property to condominium ownership.
2. The property is currently located in the RM, Medium Density Residential, zoning district, and is included within the area proposed for a rezoning to HRM, Historic Residential Medium density.
3. The proposal is consistent with the Park City Land Management Code, all pending sections

of the Land Management Code, and the General Plan in that, both the RM and HRM zones allow duplex structures on approved lots, when all minimum code requirements are met.

4. An existing duplex exists at 1372 Woodside Avenue.
5. Demand for snowplowing generally increases when a new dwelling(s) unit(s) and their driveway(s) are built.
6. The applicant has agreed to the conditions of approval.

Conclusions of Law:

1. There is good cause for this condominium plat.
2. Neither the public nor any person will be materially injured by the proposed condominium plat.
3. The plat is consistent with the Park City Land Management Code and applicable State Law regarding condominium plats.
4. A ten-foot snow storage easement is an appropriate means of allowing additional snow removal storage.

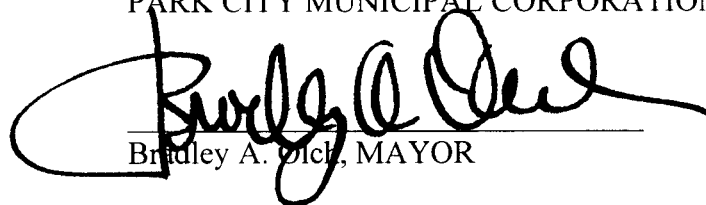
Conditions of Approval:

1. The City Attorney and City Engineer's review and approval of the condominium plat, for compliance with the Land Management Code and conditions of approval, is a condition precedent to recording the plat.
2. All standard project conditions shall apply.
3. A financial guarantee in an amount acceptable to the City Engineer for the value of all public improvements to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
4. The final condominium plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year of City Council's approval, this approval and the plat shall be considered void.
5. A ten foot snow storage easement shall be dedicated to the city on the plat adjacent to Woodside Avenue

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

PASSED AND ADOPTED this 20th day of May 1999 .

PARK CITY MUNICIPAL CORPORATION



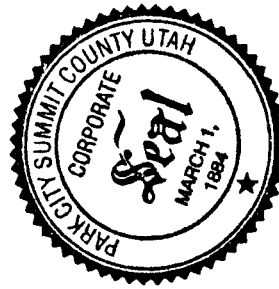
Bradley A. Wick, MAYOR

ATTEST:

Janet M. Scott
Janet M. Scott, City Recorder

APPROVED AS TO FORM:

Mark D. Harrington
Mark D. Harrington, City Attorney



CONVEYANCE CERTIFICATE
 I, John D. ...
 and I, Fred ...
 do hereby certify that the information herein is accurate to the best of my knowledge.

OWNER'S REPRESENTATION
 I, J. A. ...
 do hereby certify that the information herein is accurate to the best of my knowledge.

OWNER'S REPRESENTATION AND CONSENT TO RECORD
 I, J. A. ...
 do hereby certify that the information herein is accurate to the best of my knowledge.

In witness whereof, the undersigned set their hands this _____ day of _____, 2000.

By: John E. ...
 WILSON HUNT PROPERTIES, L.L.C.

By: John D. ...
 WILSON HUNT PROPERTIES, L.L.C.

ADMINISTRATOR

City of Salt Lake
 County of Salt Lake

On this _____ day of _____, 2000, I, John E. ...
 Administrator of the City of Salt Lake, do hereby certify that the information herein is accurate to the best of my knowledge.

By: John E. ...
 Administrator

ADMINISTRATOR

City of Salt Lake
 County of Salt Lake

On this _____ day of _____, 2000, I, John D. ...
 Administrator of the City of Salt Lake, do hereby certify that the information herein is accurate to the best of my knowledge.

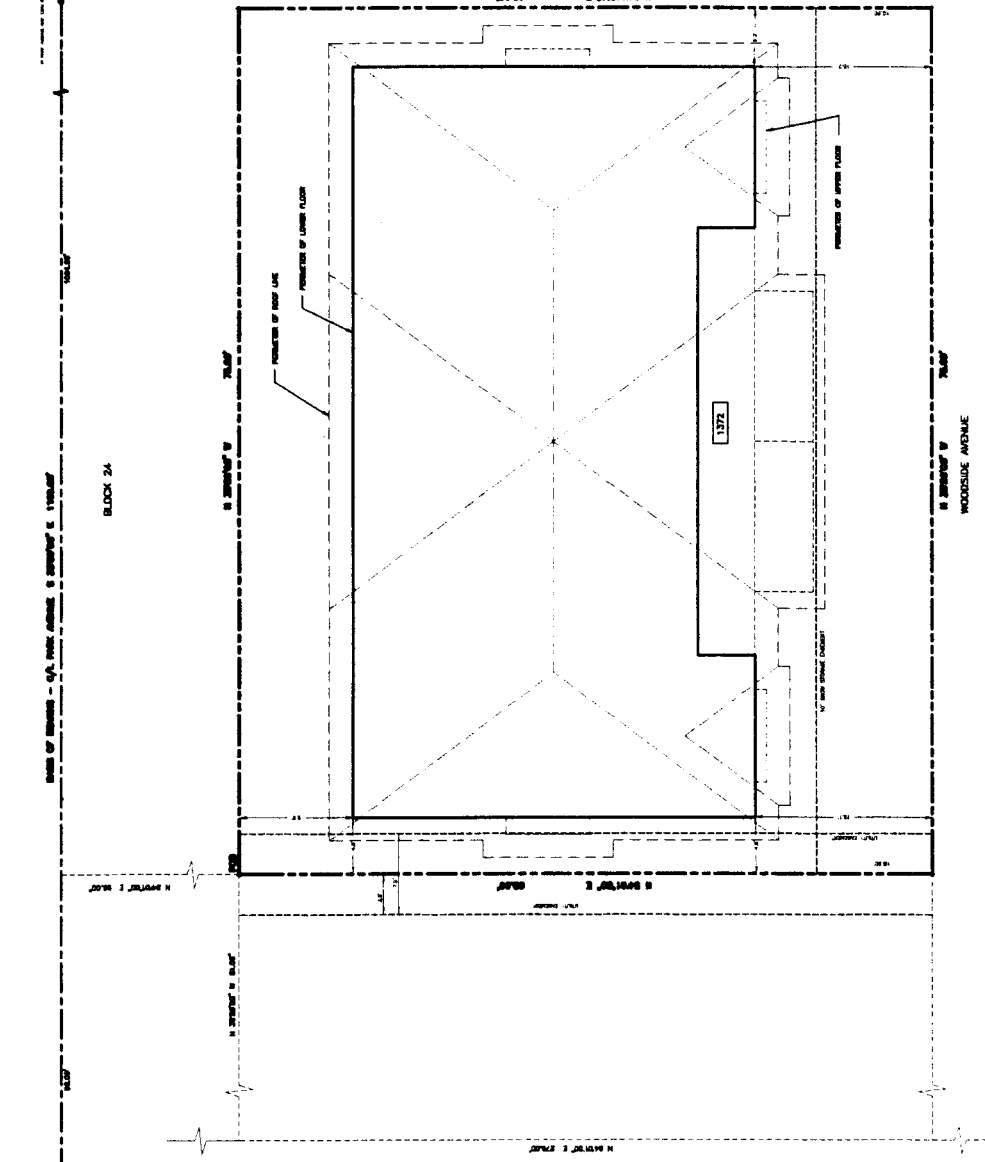
By: John D. ...
 Administrator

GENERAL NOTES:

1. THIS PLAN WAS PREPARED FROM ARCHITECTURAL PLANS SUBMITTED BY THE OWNER AND IS NOT GUARANTEED BY THE CITY OF SALT LAKE.
2. ALL TIES SHOWN ARE PERPENDICULAR.

LEGEND:

1372 STREET ADDRESS ON WOODSIDE AVENUE

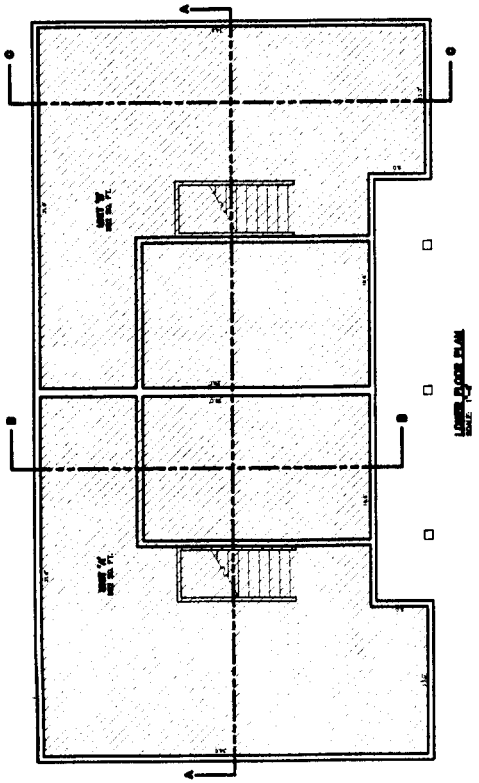


RECORD OF SURVEY MAP
1372 WOODSIDE AVENUE CONDOMINIUMS

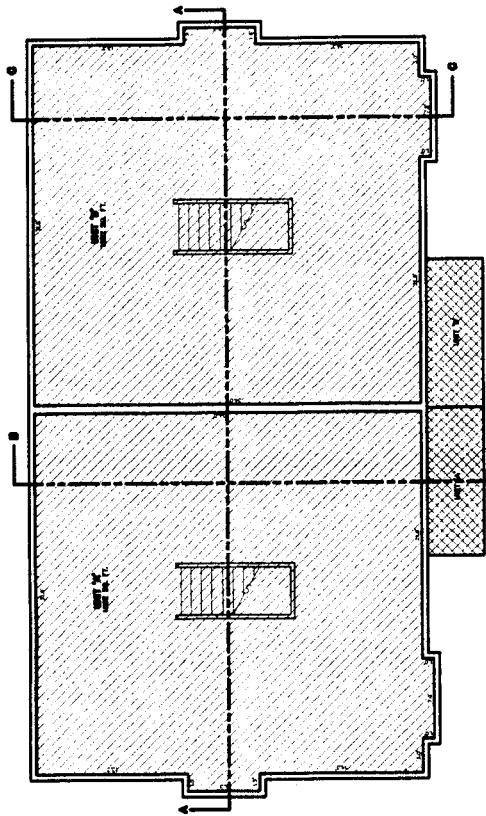
LOCATED IN SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN
 AND MERIDIAN, PARK CITY, SALT LAKE COUNTY, UTAH

PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____, 2000 A.D. BY: _____ CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAN TO BE IN ACCORDANCE WITH THE CITY ENGINEERING CODE. THIS DAY OF _____, 2000 A.D. BY: _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS DAY OF _____, 2000 A.D. BY: _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I HEREBY CERTIFY THAT THIS RECORD OF SURVEY MAP WAS FILED IN THE CITY CLERK'S OFFICE THIS DAY OF _____, 2000 A.D. BY: _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTABLE BY THE PARK CITY COUNCIL THIS DAY OF _____, 2000 A.D. AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
				STATE OF UTAH, COUNTY OF SALT LAKE CITY OF PARK CITY CLERK

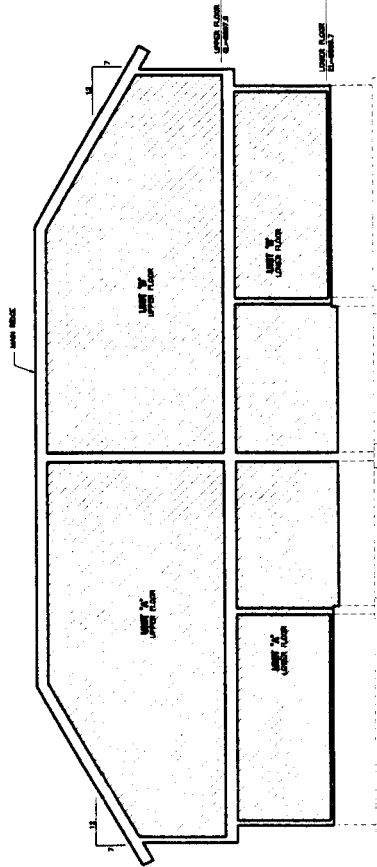
PARK CITY
 PLANNING DEPT.



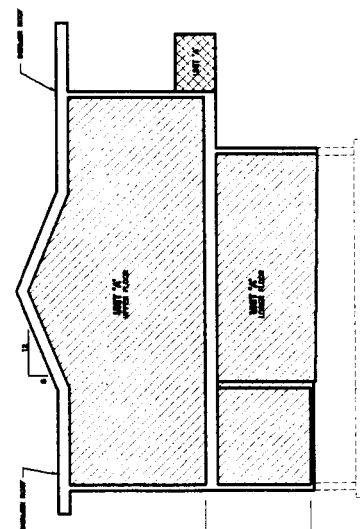
UNIT 101 FLOOR PLAN



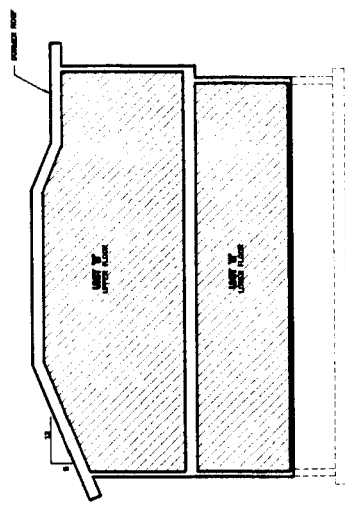
UNIT 102 FLOOR PLAN



SECTION A-A
SCALE 1/4\"/>



SECTION B-B
SCALE 1/4\"/>



SECTION C-C
SCALE 1/4\"/>

RECORD OF SURVEY MAP

1372 WOODSIDE AVENUE CONDOMINIUMS

LOCATED IN SECTION 18
 TOWNSHIP 2 SOUTH, RANGE 10 EAST, COUNTY OF SALT LAKE, UTAH
 AND MERIDIAN, PARK CITY, SALT LAKE COUNTY, UTAH

- UNITED STATES GOVERNMENT AND INDIAN TRIBES
- UNITED STATES GOVERNMENT
- UNITED STATES GOVERNMENT
- UNITED STATES GOVERNMENT

PAGE 2 OF 2

RECEIVED

STATE OF UTAH COUNTY OF SALT LAKE AND FILED
 AT THE REQUEST OF _____ PAGE _____
 DATE _____ TIME _____ BOOK _____ FILE _____
 RECORDED

PARK CITY
 PLANNING DEPT.

JOB NO. 4-6-99 25,500,000 1372-0000-00



Ordinance No. 00-30

**AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT
FOR 2280 DEER VALLEY DRIVE EAST, KNOWN AS BLACK DIAMOND
SUBDIVISION, PARK CITY, UTAH**

WHEREAS, the owner of the property at 2280 Deer Valley Drive, known as Black Diamond Subdivision, petitioned the City Council for approval of a final subdivision 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 May 10, 2000 to receive input on the proposed subdivision; and

WHEREAS, on May 18, 2000 the City Council reviewed the proposed subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final subdivision plat for 2280 Deer Valley Drive.

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the RD-MPD, Residential Density, zoning district and is subject to the Deer Valley Master Planned Development.
2. The proposed subdivision plat creates a legal lot of record for the proposed Black Diamond Lodge (formerly known as Mountain View Lodge).
3. On March 8, 2000 the Planning Commission approved a Conditional Use Permit for the Mountain View Lodge Condominiums.
4. The proposal is consistent with the Land Management Code and the Deer Valley MPD in that multi-unit condominiums are allowed with a Conditional Use Permit and this parcel was designated as a multi-family parcel within the Deer Valley MPD.
5. The applicant agrees to the conditions of approval.
6. This property has access to a public street via a private driveway. Frontage on a public street is often desirable.

7. On May 10, 2000 the Planning Commission conducted a public hearing and forwarded to the City Council a positive recommendation to approve the subdivision plat.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat, that neither the public nor any person will be materially injured by the proposed amendment. The final plat is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The final subdivision plat for 2280 Deer Valley Drive, known as Black Diamond Subdivision, is approved as shown on Exhibit A, with the following conditions:

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 recording the plat.
2. All standard project conditions will apply.
3. The applicant will record the final plat at the County within one year from the date of City Council approval. If recording has not occurred within the one year's time, this approval and the plat will be void. No footing and foundation permits may be issued prior to plat recordation.
4. All conditions of the March 8, 2000 Planning Commission approval for the Mountain View Lodges CUP continue to apply.
5. A public trail and trail easement connecting the Deer Crest trails to the Deer Valley trails and traversing this property shall be shown on the plat and developed with the condominium development on this lot.
6. A financial guarantee for the value of all public improvements and landscaping (including re-vegetation of disturbed areas) to be completed shall be provided to the City prior to plat recording. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
7. A note shall be placed on the plat stating that the new lot has no frontage on a public street.

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

PASSED AND ADOPTED this 18 th day of May, 2000.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

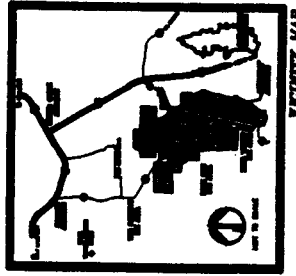
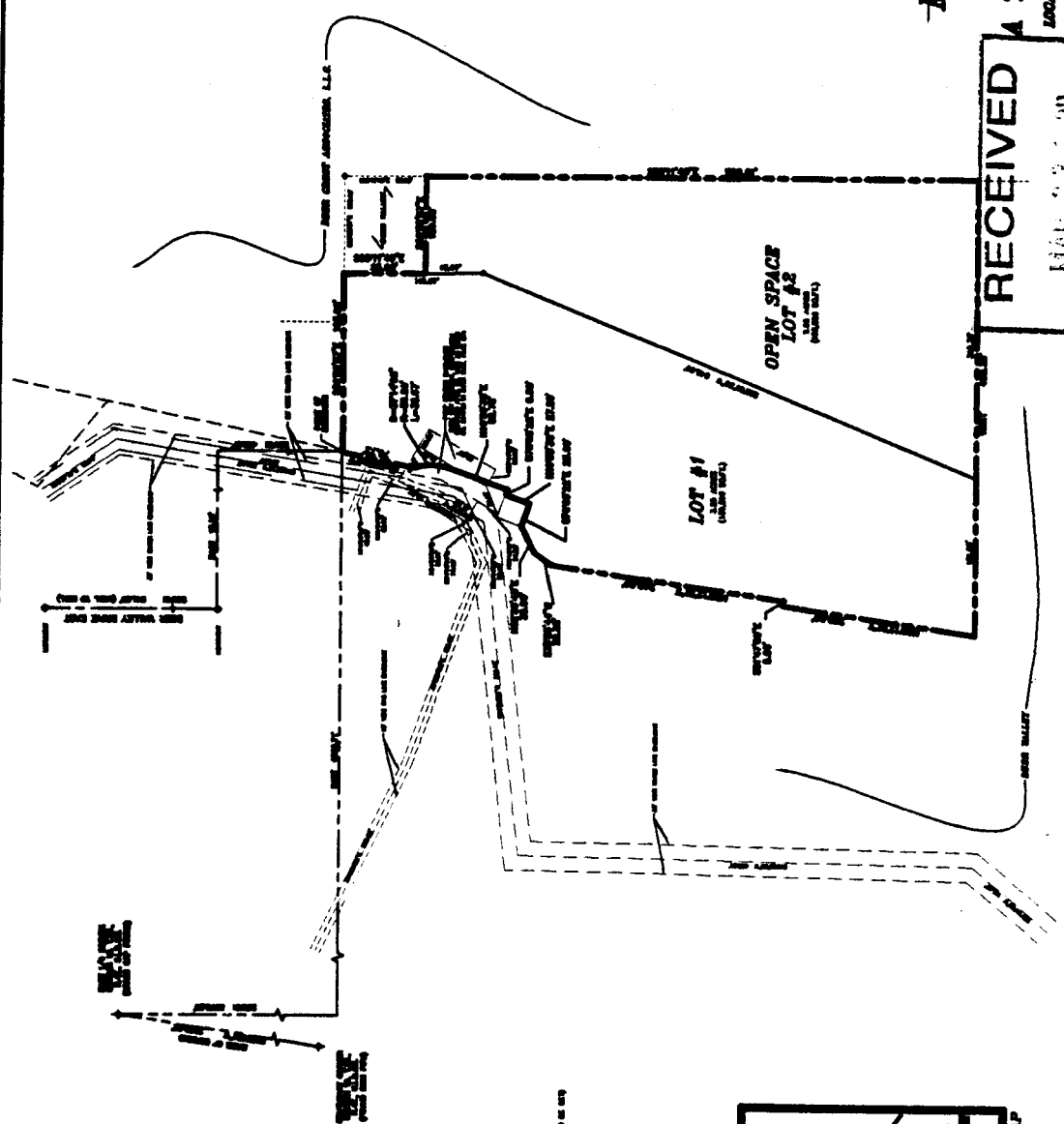
Approved as to form:

Mark D. Harrington

Mark D. Harrington, City Attorney



EXHIBIT A.



- WATER
- SEWER
- GAS
- ELECTRIC
- FUTURE TRAILING CORRIDOR
- 1/4" = 1" SCALE
- 1/4" = 1" SCALE
- 1/4" = 1" SCALE

THESE PLANS AND SPECIFICATIONS SHALL BE KEPT ON FILE AT THE OFFICE OF THE CITY ENGINEER FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF THE ISSUANCE OF THE PLAT. THE CITY ENGINEER SHALL BE KEPT ADVISED OF ANY CHANGES TO THESE PLANS AND SPECIFICATIONS.

GENERAL NOTES:
 1. ALL UTILITIES SHALL BE DEPTH TO THE CENTER OF THE UTILITY LINE UNLESS OTHERWISE SPECIFIED.
 2. ALL UTILITIES SHALL BE DEPTH TO THE CENTER OF THE UTILITY LINE UNLESS OTHERWISE SPECIFIED.

NOTES:
 1. ALL UTILITIES SHALL BE DEPTH TO THE CENTER OF THE UTILITY LINE UNLESS OTHERWISE SPECIFIED.
 2. ALL UTILITIES SHALL BE DEPTH TO THE CENTER OF THE UTILITY LINE UNLESS OTHERWISE SPECIFIED.

NOTES:
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NOTES:
 1. ALL UTILITIES SHALL BE DEPTH TO THE CENTER OF THE UTILITY LINE UNLESS OTHERWISE SPECIFIED.
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NOTES:
 1. ALL UTILITIES SHALL BE DEPTH TO THE CENTER OF THE UTILITY LINE UNLESS OTHERWISE SPECIFIED.
 2. ALL UTILITIES SHALL BE DEPTH TO THE CENTER OF THE UTILITY LINE UNLESS OTHERWISE SPECIFIED.

**BLACK DIAMOND
 MOUNTAIN VIEW
 SUBDIVISION
 A TWO LOT SUBDIVISION**

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST
 SALT LAKE BASIN AND MERRILLAN
 PARK CITY, MOUNTAIN COUNTY, UTAH

RECEIVED
 MAR 23 2000
 PARK CITY
 PLANNING DEPT.

<p>CITY COUNCIL</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL AT A REGULAR MEETING HELD ON THE _____ DAY OF _____ 20__</p> <p>CITY ENGINEER</p>	<p>CITY ENGINEER</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THE _____ DAY OF _____ 20__</p> <p>CITY ENGINEER</p>	<p>CITY PLANNING COMMISSION</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THE _____ DAY OF _____ 20__</p> <p>CHAIRMAN</p>	<p>SEWER DISTRICT</p> <p>APPROVED FOR COMPLIANCE TO MINERALS AND WATER RESOURCES DEPARTMENT STANDARDS ON THE _____ DAY OF _____ 20__</p> <p>SEWER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM ON THE _____ DAY OF _____ 20__</p> <p>CITY ATTORNEY</p>	<p>RECORDED</p> <p>BOOK _____ PAGE _____</p> <p>DATE _____ COUNTY OF _____</p> <p>RECORDED AND FILED IN THE OFFICE OF THE COUNTY CLERK</p> <p>COUNTY RECORDS</p>
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1775 East Park Blvd. • Park City, Utah 84302
 (435) 764-2200 • Fax: (435) 764-2200



Ordinance No. 00-29

AN ORDINANCE APPROVING AN AMENDMENT TO THE PARK CITY PLAT TO COMBINE ALL OF ONE LOT AND A PORTION OF ANOTHER INTO ONE LOT OF RECORD AT 317 MAIN LOT 4 AND PART OF LOT 5, BLOCK 11 OF THE PARK CITY SURVEY, PARK CITY, UTAH

WHEREAS, the owner, F.A.B. Inc., of the property known as 317 Main, The Eating Establishment, have petitioned the City Council for approval of a subdivision plat; and

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

WHEREAS, on April 12, 2000 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to consolidate one lot and a portion of another into one lot of record; and

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

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

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

1. The Planning Commission forwarded a positive recommendation for the subdivision plat to the City Council on April 12, 2000.
2. The property is located in the HCB District.
3. The Eating Establishment Restaurant exists on the site, and was constructed across lot lines.
4. The proposed Plat Amendment will combine 1 lot and part of another into 1 lot to bring the existing building into conformance.
5. The proposed action does not require the applicant to provide additional parking.
6. Several trees exist on the site.

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

1. There is good cause for the subdivision plat amendment as it will allow for one platted lot of record.
2. Neither the public nor any person will be materially injured by the proposed subdivision plat.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15.

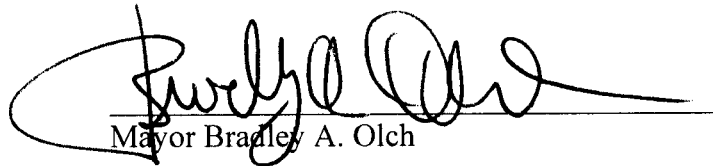
SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recording
2. The trees in front of the building will not be removed.
3. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

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

PASSED AND ADOPTED this 20th day of March, 2000.

PARK CITY MUNICIPAL CORPORATION

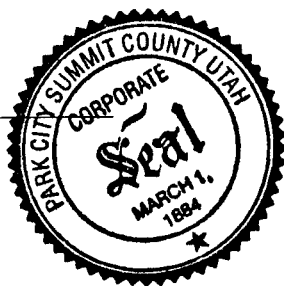


Mayor Bradley A. Olch

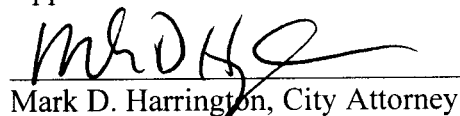
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

SURVEYOR'S CERTIFICATE

I, John J. Anderson, Surveyor, do hereby certify that the foregoing plat was prepared by me or under my supervision and that the same is a true and correct copy of the original plat as the same appears in my office and that the same is a true and correct copy of the original plat as the same appears in my office and that the same is a true and correct copy of the original plat as the same appears in my office.

Date _____

BOUNDARY DESCRIPTION

Lot 4 and the South 20 feet of Lot 5, Block 11, containing 1/2 acre, more or less, situated in the City of Park City, Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

I, the undersigned, do hereby certify that the foregoing plat is a true and correct copy of the original plat as the same appears in my office and that the same is a true and correct copy of the original plat as the same appears in my office.

By _____
 City of _____

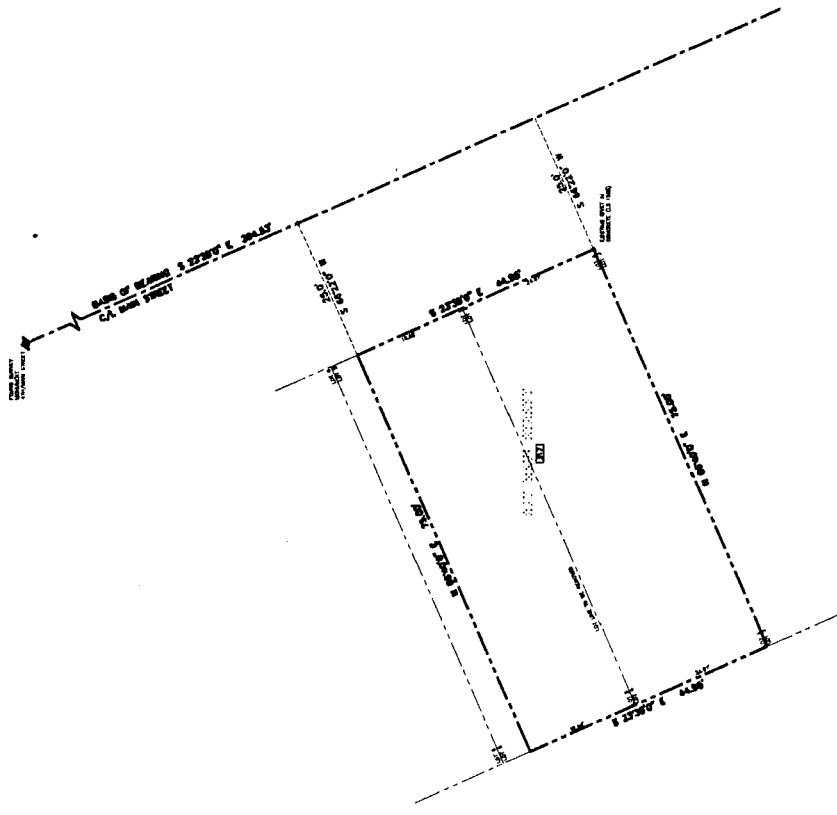
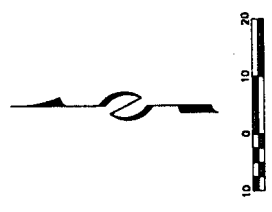
ACKNOWLEDGEMENT

I, the undersigned, do hereby certify that the foregoing plat is a true and correct copy of the original plat as the same appears in my office and that the same is a true and correct copy of the original plat as the same appears in my office.

By _____
 My commission expires _____

NOTE

See back of this plat for additional information.



RECEIVED
 FEB 1 - 2000
 PARK CITY
 PLANNING DEPT.

RECORD OF SURVEY PLAT
317 MAIN STREET
 (A LOT COMBINATION PLAT)
 LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH,
 RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REC'D. TIME BOOK PAGE

DATE _____

FILE NO. 7-1-00 FILE NO. 2000-000000000

RECORDED

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2000 A.D.

BY _____ MAYOR

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY WAS FILED BY ME IN MY OFFICE ON THIS _____ DAY OF _____ 2000 A.D.

BY _____ PARK CITY RECORDER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ 2000 A.D.

BY _____ PARK CITY ATTORNEY

ENGINEER'S CERTIFICATE

I AND THIS PLAT TO BE IN ACCORDANCE WITH THE INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2000 A.D.

BY _____ PARK CITY ENGINEER

PLANNING COMMISSION

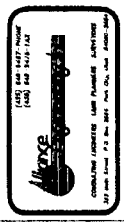
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2000 A.D.

BY _____ CHAIRMAN

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2000 A.D.

BY _____ S.B.S.-ID.



SURVEYOR'S CERTIFICATE

I, ROBERT B. JONES, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 1525, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND I HAVE SUPERVISED A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

ALL OF LOT 4 AND THE SOUTH 20.0 FEET OF LOT 3, BLOCK 11, AMENDED PLAT OF PARK CITY, UTAH.

I FURTHER CERTIFY THAT THE VISIBLE IMPROVEMENTS AFFECTING THE BOUNDARIES OF THE ABOVE DESCRIBED PROPERTY, ARE AS SHOWN ON THIS PLAT.

DATE March 1, 1987

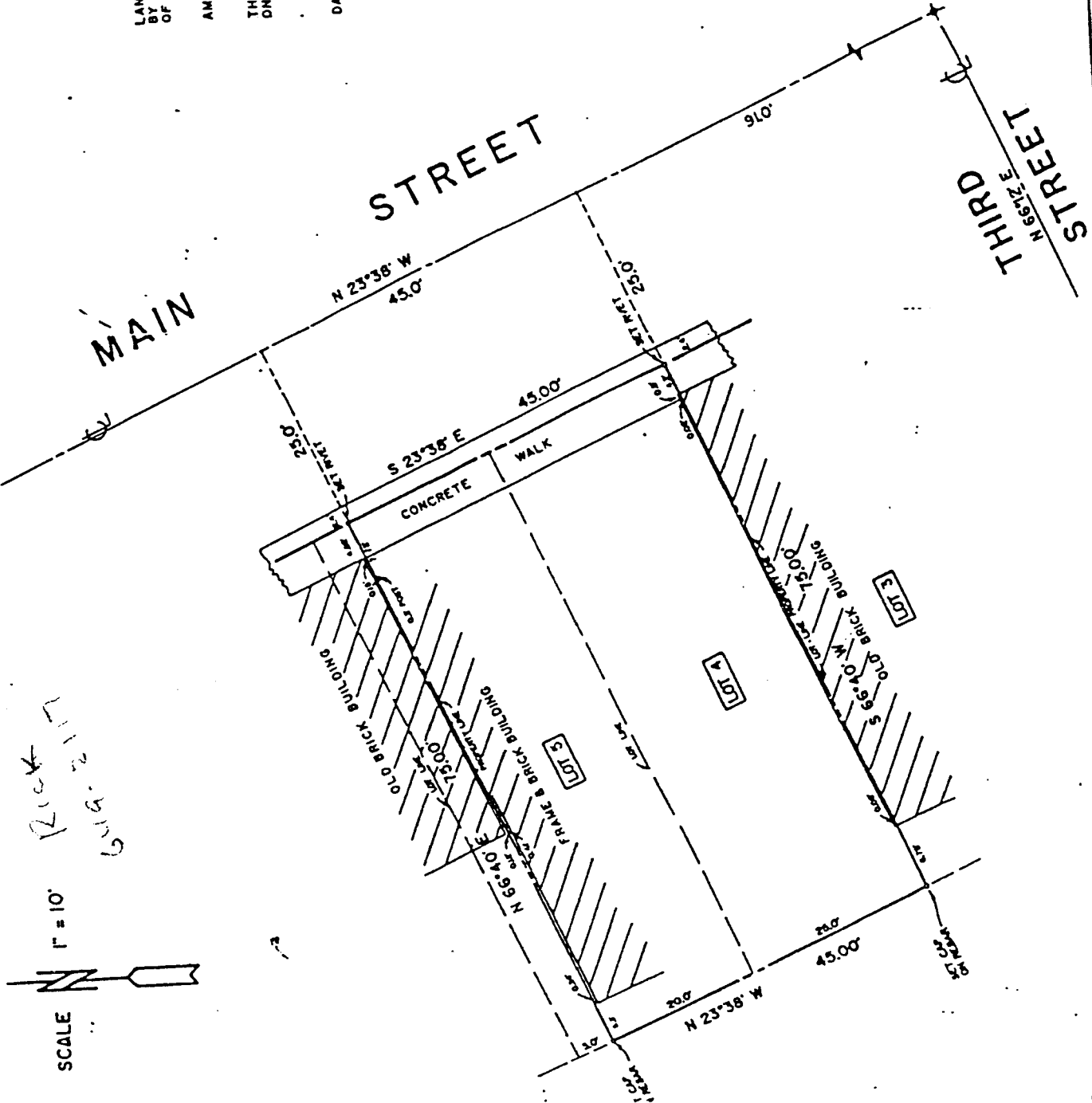
[Signature]
 ROBERT B. JONES
 UTAH LAND SURVEYOR
 LICENSE NO. 1525



RECEIVED
 FEB 1 - 2000
 PARK CITY
 PLANNING DEPT.

BOUNDARY SURVEY
LOCATION-BLOCK 11, AMENDED PLAT OF MAP
PREPARED FOR
EATING ESTABLISHMENT REST
BUSH & GUDGELL IN
PLANNING DEPT. PARK CITY, UTAH
DATE: MARCH 1987
SCALE: 1" = 10'
PROJECT NO. 8-40453

SCALE
 1" = 10'



Handwritten: Brick Building 619-2117

THIRD STREET
 N 63°40' E



Ordinance No. 00-28

AN ORDINANCE APPROVING THE 1887 GOLD DUST PLAZA CONDOMINIUM CONVERSION TO THE FUEGI OFFICE BUILDING LOCATED AT 1887 GOLD DUST LANE , PARK CITY, UTAH

WHEREAS, the owner, Hans and Sally Fuegi of the property known as 1887 Gold Dust Lane, have petitioned the City Council for approval of a Condominium Conversion to the Fuegi office building; and

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

WHEREAS, on March 22, 2000, the Planning Commission held a public hearing to receive public input on the proposed Condominium Conversion and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner; and

WHEREAS, on April 20, 2000, the City Council held a public hearing to receive input on the proposed Condominium Conversion; and

WHEREAS, the proposed plat changes the type of ownership of this property to condominium ownership; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Condominium Conversion.

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

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

1. The property is within the General Commercial Zone.
2. The proposed plat changes the type of ownership of this property to condominium ownership.

3. Both the Park City Land Management Code and the General Plan allow condominium conversions to commercial buildings in the GC zone when all minimum code requirements are met.
4. The office building will have a floor area of 10,670 square feet.
5. Parking requirements for the existing building are satisfied by the existing common parking provided in the Prospector Square development.
6. As part of the approved building plans, the property owner has provided ten on-site parking spaces.
7. The applicant has agreed to the conditions of approval.

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

1. There is good cause for this condominium plat.
2. Neither the public nor any person will be materially injured by the proposed condominium plat.
3. The plat is consistent with the Park City Land Management Code and applicable State Law regarding condominiums plats.

SECTION 3. CONDITIONS OF APPROVAL. The proposed plat amendment attached as Exhibit A is hereby adopted with the following Conditions of Approval:

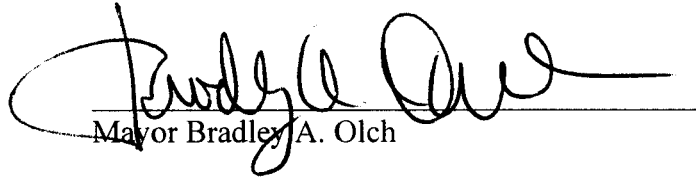
1. The City Attorney and City Engineer's review and approval of the condominium plat and CCR'S for compliance with the Land Management Code and conditions of approval, is a condition precedent to recording the plat.
2. All standard project conditions shall apply.
3. A financial guarantee in an amount acceptable to the City Engineer for the value of all public improvements to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City Standards and accepted by the City Engineer prior to release of this guarantee.
4. The developer shall repair, if necessary, any adjacent sidewalk or street improvements damaged during the construction of the office building located at 1887 Gold Dust Lane.

5. The developer shall submit a landscape plan to the City's Landscape Architect for review and approval for compliance with the Land Management Code prior to issuance of a Certificate of Occupancy.
6. The final condominium plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year of City Council's approval, this approval and the plat shall be void.

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

PASSED AND ADOPTED this 20th day of April, 2000.

PARK CITY MUNICIPAL CORPORATION

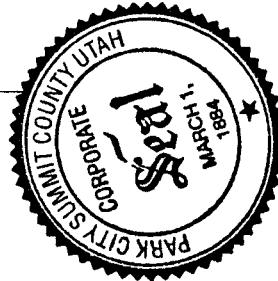


Mayor Bradley A. Olch

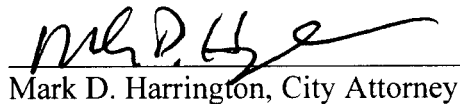
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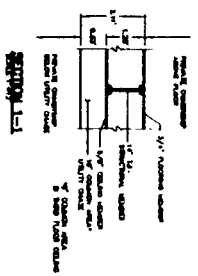
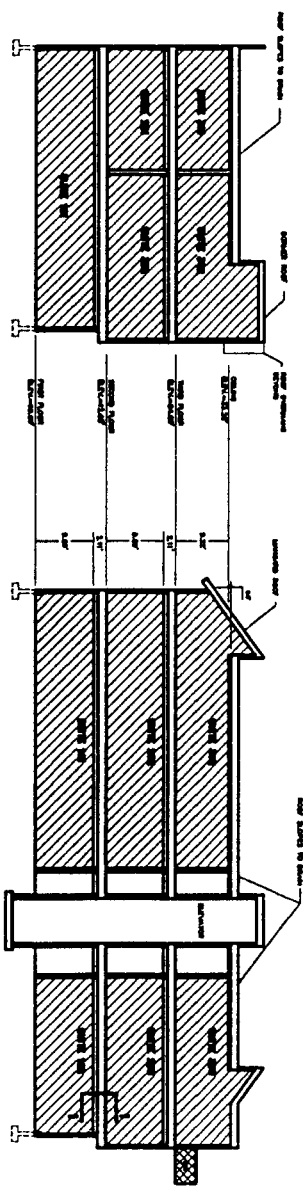
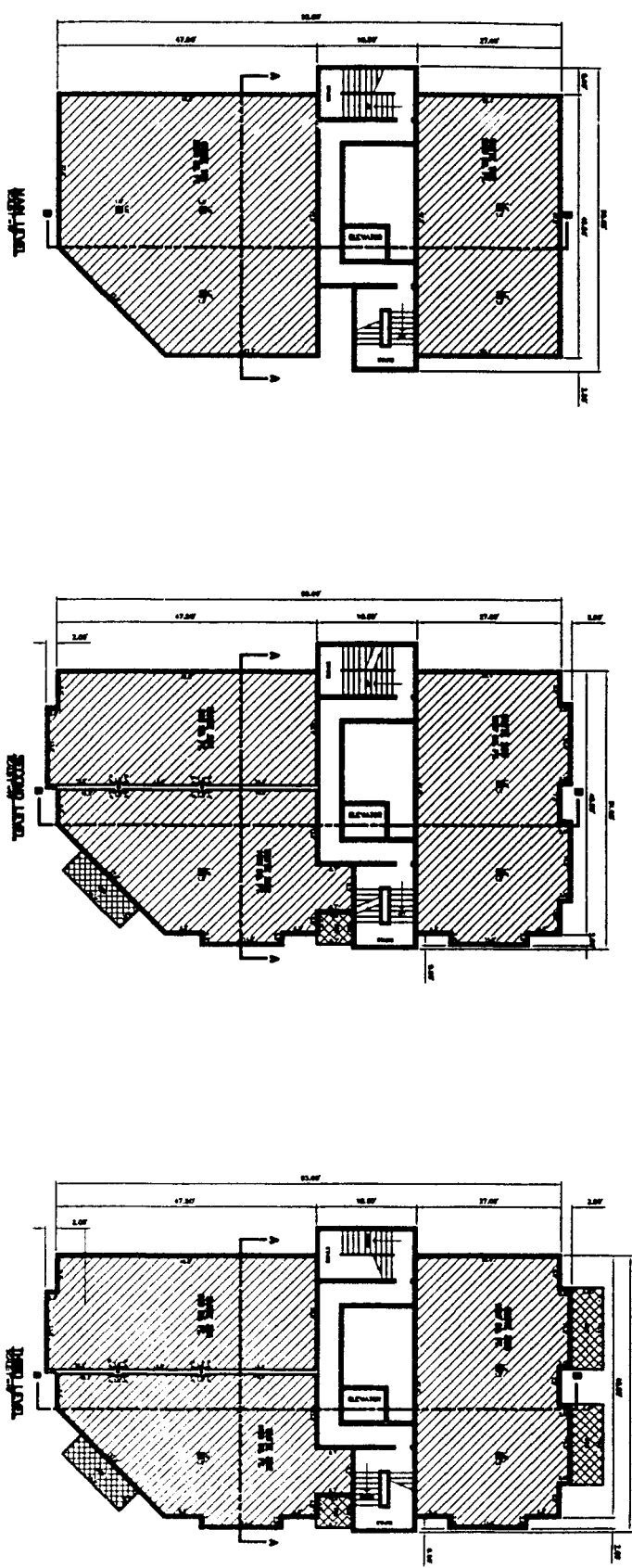
Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



- COMMON AREAS AND INCLUDES
- UNIT COMMON AREAS
- PRIVATE COMMERCIAL AREAS

1887 GOLD DUST PLAZA CONDOMINIUMS

RECORD OF SURVEY MAP
 A COMMERCIAL CONDOMINIUM PROJECT

LOCATED IN THE UNINCORPORATED QUARTERS OF SECTION 8
 TOWNSHIP 30S RANGE 07E, SHERIDAN COUNTY, MONTANA

JOB NO. 7-11-87 A/DATA/DRWG/SP/CA/UTM/11-73

RECORDED
 PAGE 3 OF 8

STATE OF MONTANA COUNTY OF SHERIDAN AND FILED
 DATE _____ TIME _____ BOOK _____ PAGE _____

REC'D _____

DEC 30 1999



Ordinance 00-27

**AN ORDINANCE APPROVING THE FINAL
SUBDIVISION PLAT FOR THE HIDDEN HOLLOW
SUBDIVISION LOCATED IN PARK CITY, UTAH**

WHEREAS, pursuant to a Settlement Agreement between Park City Consolidated Mines Company, Inc., a Utah corporation, Trans-Wasatch Company, LLC, a Utah limited liability company and Park City dated December 29, 1995, the parties made reciprocal promises affecting, among other parcels, the parcel of land known as Hidden Hollow; and

WHEREAS, Hidden Hollow owns the Hidden Hollow Property and is the successor in interest to all of the rights and obligations in the Hidden Hollow Property which resulted from the Telemark Park Settlement Agreement and the First Amendment; and

WHEREAS, upon Hidden Hollow's application to Park City to subdivide the property, the Planning Commission and Hidden Hollow mutually agreed to redesign the subdivision to better fit the land. Several of the more visible building sites referred to in the Settlement Agreement were eliminated, and Park City agreed to allow five (5) single family estate lots on the property with building size, design and envelope restrictions; and

WHEREAS, a properly noticed public hearing was held before the Planning Commission on September 22, 1999 and forwarded a positive recommendation to the Planning Commission on February 9, 2000;

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

SECTION 1. The final plat for Hidden Hollow is approved as shown on the attached exhibit and subject to the following findings of fact, conclusions of law and conditions of approval:

FINDINGS OF FACT:

1. The subject property is included in the 1995 Settlement Agreement which entitled the settling property owners to 4 single family parcels in Hidden Hollow. An exhibit included in the Settlement Agreement showed a preliminary subdivision layout depicting 4 parcels with numerous potential building envelopes.
2. Several of the building envelopes shown on the 1995 exhibit were highly visible from Highway 248 and slightly visible from Park City.

3. The 1995 Settlement Agreement exempted this subdivision from the provisions of the Sensitive Lands Ordinance.
4. The property was annexed to Park City on December 17, 1998. The annexation specified that the subdivision required review and approval by Park City, but that it was not subject to application of the Sensitive Lands Provisions of the Land Management Code.
5. The project is uniquely located so that it is not visible from Park City and is visible from few vantage points.
6. The property is unique in that primary access is through the Deer Crest Development and the subdivision will receive water and sewer service by the Jordanelle Special Service District (JSSD) and is a part of the Deer Crest Homeowners' Association.
7. The Community Development Staff, applicant and the Planning Commission carefully analyzed the site and made numerous site visits to evaluate the application for subdivision. The applicant was willing to redesign the subdivision based upon input from the staff and Planning Commission. Several of the more visible building envelopes were eliminated, thereby decreasing opportunities for building sites. In exchange for this concession, the Planning Commission was willing to consider a fifth lot to be located in the non-visible portion of the property.
8. Deer Crest, LLC does not object to a 5 lot subdivision and has agreed to execute an amendment to the Settlement Agreement prior to plat recordation.
9. The project was noticed and public hearings held in compliance with the Park City Land Management Code.
10. A 50 foot wide access easement to adjacent properties is being shown on the plat because it is a requirement of the Settlement Agreement. That road is not being proposed to be built at this time. The inclusion of that easement on the plat does not constitute City approval or support of any plans or development on those adjacent parcels.
11. The Planning Commission discussed sizes of homes and concluded that large homes may create more employees and therefore more of an impact on traffic and affordable housing. Large homes use a significant amount of valuable natural resources and have a significant impact on the environment. Large homes also contribute significant property taxes.

CONCLUSIONS OF LAW:

1. The final plat, as conditioned, would be consistent with the 1995 Settlement Agreement, as amended.
2. The plat contains numerous notes which are necessary due to the unique location and

circumstances relating to this property and project.

3. Building envelope designation, dwelling size restrictions and limits of disturbance are necessary for better compliance with the Land Management Code and General Plan.
4. The final plat, as conditioned, will not be detrimental to the health, safety and general welfare of the citizens of Park City.
5. The proposed 5-lot subdivision is consistent with the subdivision criteria set forth in section 15.1.3 of the Park City Land Management Code.

CONDITIONS OF APPROVAL:

1. Prior to plat recordation, the plat must gain the approval of the City Engineer, City Attorney and City Council.
2. Prior to, or concurrent with, plat recordation, an amendment to the 1995 Settlement Agreement must be executed by all affected parties to the Settlement Agreement to allow a 5 lot subdivision.
3. Building Envelope and House Size requirements are specified on the final plat. A property owner can choose to use only 1 building envelope for the primary dwelling. The maximum house sizes allowed shall be:

Lot 1	Envelope A	10,000 sf (the average in Snowtop is about 9800 sf)
	Envelope B	19,000 sf
Lot 2	Envelope A	19,000 sf
	Envelope B	eliminated
Lot 3		19,000 sf
Lot 4	Envelope A	10,000 sf
	Envelope B	19,000 sf
Lot 5		19,000 sf

The square footage would be measured according to the definition in the Land Management Code at the time a building permit is applied for.

All single family residences in Hidden Hollow would be subject to the Deer Crest Architectural Guidelines which regulate the siting and design of structures to decrease the apparent mass. The homes would also be subject to the Park City Design Guidelines which are in effect at the time of building permit application.

4. Horses are subject to an Administrative CUP on lots 1,4 and 5, subject to the locations designated on the plat. In reviewing the administrative CUP, the following criteria should be evaluated:

- Slope of area proposed for the horses to be kept - horses may only be kept in areas with less than 15% slope. Significant grading will not be allowed.
- Proximity to adjacent building pads
- Vegetation type - existing open areas should be used and significant vegetation removal will not be allowed.
- Animal Management Plan - this should address, at a minimum, erosion control, waste disposal, and odor control.

5. Sewer and Water will be provided by Jordanelle Special Services District. Lot 5 is being permitted to have a septic tank, subject to Summit County approval. Road maintenance, including snow removal, will be the responsibility of the homeowners.

6. The plat shall contain language that indicates that due to the remote location of Hidden Hollow and the access through Deer Crest and Wasatch County, the subdivision may not be able to receive customary services such as garbage pick up and school bus access.

7. Final language on the dedication of the trail will have to meet the requirements of the City Attorney.

8. All notes on the 1/6/2000 draft plat shall appear on the recorded plat.

9. A note shall be added to the plat which states that "No exterior wall may exceed 23 feet in height when measured from the overhang eave line to the lesser in elevation of either natural grade or finished grade. No single, continuous exterior wall plane shall measure more than 30 feet in length before a change in depth of at least 3 feet."

10. The Standard Project Conditions shall apply.

SECTION 2. This ordinance shall take effect upon publication.

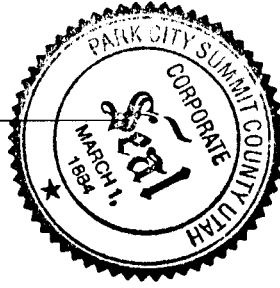
DATED this 13th day of April, 2000.

PARK CITY MUNICIPAL CORPORATION


BRADLEY A. OLCH, MAYOR

ATTEST:

Janet M. Scott
Janet M. Scott, City Recorder



APPROVED AS TO FORM:

Mark D. Harrington
Mark D. Harrington, City Attorney

SECOND AMENDMENT TO THE TELEMAR PARK SETTLEMENT AGREEMENT

This Second Amendment to the Telemark Park Settlement Agreement (this "Second Amendment") is entered into this 6th day of April, 2001 by and between Hidden Hollow Associates, LLC, a Utah limited liability company ("Hidden Hollow"), Deer Crest Associates I, L.C., a Utah liability company ("Deer Crest") and Park City Municipal Corporation, a political subdivision of the State of Utah ("Park City").

Recitals

A. Pursuant to a Settlement Agreement between Park City Consolidated Mines Company, Inc., a Utah corporation ("Consolidated Mines"), Trans-Wasatch Company, L.L.C., a Utah limited liability company ("Trans-Wasatch"), and Park City dated December 29, 1995 (the "Settlement Agreement"), the parties thereto made reciprocal promises affecting, among other parcels, the parcel of land described in Exhibit "A" (the "Hidden Hollow Property").

B. The parties to the Settlement Agreement agreed that four (4) single family Estate lots would be permitted on the Hidden Hollow Property, with building envelopes, configurations, and other features further specified within the Settlement Agreement and its Exhibits.

C. Pursuant to a First Amendment to the Settlement Agreement between Deer Crest, the successor in interest to Consolidated Mines and Trans-Wasatch with respect to a portion of the subject property, and Park City dated April 8, 1997 (the "First Amendment"), the parties thereto made certain revisions of and clarifications to the Settlement Agreement.

D. Deer Crest and Park City approved additional revisions of and clarifications to the Settlement Agreement in December of 1998, but never recorded said amendments in written form. The parties now wish to include those revisions in this Second Amendment (Paragraph 5, below).

E. Hidden Hollow owns the Hidden Hollow Property and is the successor in interest to all of the rights and obligations in the Hidden Hollow Property which resulted from the Settlement Agreement and the First Amendment.

F. Upon Hidden Hollow's application to Park City to subdivide the property, Hidden Hollow expressed its willingness to redesign the subdivision based upon input from the Park City Community Development staff and the Park City Planning Commission. Several of the more visible building envelopes were eliminated, thereby decreasing opportunities for building sites. In exchange for this concession, Park City agreed to allow five (5) single family Estate lots on the Hidden Hollow Property with the building envelopes, configurations, and other features further specified in this Second Amendment.

G. The parties to this Second Amendment wish to amend the Settlement Agreement and the First Amendment to reflect Park City's decision to allow five (5) single family Estate lots on the Hidden Hollow Property with the building envelopes, configurations, and other features further specified in this Second Amendment. Park City wishes to do so without decreasing the total number of lots permitted to the owners of other real property parcels which were subject to the Settlement Agreement.

Agreement

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties to this Second Amendment, intending to be legally bound, hereby agree as follows:

1. The following paragraphs in the Settlement Agreement and the First Amendment are hereby amended to delete references to four (4) single family Estate lots on the Hidden Hollow Property, and references to five (5) single family Estate lots on the Hidden Hollow Property are hereby inserted in place of the deleted references:

Settlement Agreement	First Amendment
Paragraphs 5.2 to 5.2.1.5, inclusive; Exhibit B, "Develop. Density Table"	Paragraphs 2 and 3

2. The following paragraphs in the Settlement Agreement and the First Amendment are hereby amended to delete references to one hundred fifty (150) total single family units lying West of the East Perimeter Gate, and references to one hundred fifty-one (151) total single family units lying West of the East Perimeter Gate are hereby inserted in place of the deleted references:

Settlement Agreement	First Amendment
Paragraph 5.2(e)	Paragraph 2

3. The following paragraphs in the Settlement Agreement and the First Amendment are hereby amended to delete references to five hundred forty-five (545) units, and references to five hundred forty-six (546) units are hereby inserted in place of the deleted references:

Settlement Agreement	First Amendment
Paragraph 5.2	Paragraph 2

Any other references in the Settlement Agreement and First Amendment to unit numbers which should be increased by virtue of the increase in total single family units from one hundred fifty (150) to one hundred fifty-one (151) shall be deemed so increased.

4. The map attached hereto as Exhibit "B" supersedes any inconsistent exhibits contained in the Settlement Agreement and First Amendment for the Hidden Hollow and Snow Top property, including, but not limited to, Settlement Agreement Exhibits "B", "D", "N" and "U" and First Amendment Exhibits "B", "D", "N" and "U". Accordingly, for purposes of the Settlement Agreement, as amended, and development of the Hidden Hollow and Snow Top properties, Exhibit "B" controls over other plats and maps.

5. Paragraph 5.2.2.5 of the Settlement Agreement is hereby deleted, and replaced by the following amended Paragraph 5.2.2.5, approved by the City Council of Park City in December of 1998:


5.2.2.5 Annexation Agreement for Alternative A for the Roosevelt Gap/Snow Park Hotel Area. If the Roosevelt Gap/Snow Park Development Area is annexed into Park City under Alternative A, then the following conditions of development shall bind the parties: (a) the density of the Roosevelt Gap Lodge shall not exceed 105 Park City Unit equivalents; (b) the funicular tramway shall be installed at the earliest opportunity; (c) Property Owners shall make offers of dedication of conservation easements, and shall designate development envelopes, all as depicted in Exhibit "N" attached hereto; (d) the remainder of the Roosevelt Gap/Snow Park Development Area shall be dedicated open space to Park City as depicted in Exhibit "N" attached hereto; and (e) there shall be no overnight parking at Roosevelt Gap Lodge unless the Planning Commission approves overnight parking at Roosevelt Gap Lodge in conjunction with a Master Planned Development of a luxury resort hotel, upon Property Owner's demonstration that the remainder of the Project has been modified to result in no net increase of traffic on the Keetley Road as a consequence of the provision of overnight parking at Roosevelt Gap. The Planning Commission may approve up to 105 overnight parking spaces at Roosevelt Gap without further Council action.


6. Any references within the Settlement Agreement or the First Amendment which are inconsistent with the intent of the parties to this Second Amendment, as set forth in paragraph "G" in the "Recitals" section and paragraphs 1, 2, and 3, above of this Second Amendment, are hereby reformed and shall be construed to be consistent with this Second Amendment.

IN WITNESS WHEREOF, the parties have executed this Second Amendment as of the date first written above.

APPROVED AS TO FORM:

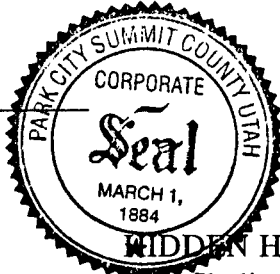
PARK CITY MUNICIPAL CORPORATION


Mark Harrington, City Attorney

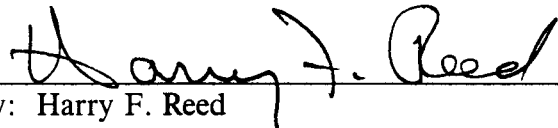

By: Bradley A. Olch, Mayor

ATTEST:



Jan Scott, City Recorder



HIDDEN HOLLOW ASSOCIATES, LLC
By: Skyline Land Company, Inc.
Its: Manager


By: Harry F. Reed
Its: President

DEER CREST ASSOCIATES I, L.C.
By: Grand Harvest Venture, LLC
Its: Manager


By: Angela C. Sabella
Its: Manager

**EXHIBIT "A" To Second Amendment to
Telemark Park Settlement Agreement**

Beginning at a point on the Summit-Wasatch County line, said point being South 0°30'11" West 529.16 feet along the section line and East 5719.73 feet from the East quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 4°33'29" East 142.89 feet; thence North 12°19'16" East 761.76 feet; thence North 0°40'51" West 620.11 feet more or less; thence along the South line of the Republican Mining Claim (MS 4980) South 68°19'00" East 310.72 feet more or less; thence along the East line of the Republican Mining Claim North 31°00'00" East 1281.41 feet more or less; thence along the North line of the Queen Esther No. 5 Mining Claim (MS 6979) South 66°45'00" East 1350.12 feet more or less; thence along the East line of the Queen Esther No. 4 and the Queen Esther No. 5 Mining Claims South 18°45'00" West 1174.00 feet more or less; thence along the North line of the Queen Esther No. 3 Mining Claim South 66°45'00" East 251.90 feet more or less; thence along the East line of the Queen Esther No. 3 Mining Claim South 18°31'58" West 799.74 feet; thence along the Summit-Wasatch County line the following 4 courses: 1) North 43°00'37" West 488.15 feet; thence 2) North 85°09'01" West 382.13 feet; thence 3) South 73°11'51" West 485.08 feet; thence 4) South 73°02'55" West 812.81 feet to the point of beginning.

TOGETHER WITH all rights-of-way and easements appurtenant to such real property set forth in the Declaration of Easements, Covenants and Restrictions, recorded July 1, 1996 as Entry No. 457356 in Book 975 at Page 335 of the official records of the Summit County Recorder.

TOGETHER WITH Water Right No. 35-8833, Certificate No. 3006, as such right is more particularly defined in the records of the Utah Division of Water Rights.



Ordinance No. 00-26

AN ORDINANCE APPROVING THE AMENDED RECORD OF SURVEY PLAT OF THE ASPEN WOOD CONDOMINIUM, 1305-1570 DEER VALLEY DRIVE SOUTH, PARK CITY, UTAH.

WHEREAS, the Homeowner's Association of Aspen Wood condominiums located at 1303-1570 Deer Valley Drive South, have petitioned the City Council for approval of an amended 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 March 8, 2000, to receive input on the proposed amended record of survey plat;

WHEREAS, the Planning Commission, on March 8, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 13, 2000, the City Council held a public hearing to receive input on the proposed amended record of survey plat; and

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

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

SECTION 1. APPROVAL. The First Amended Aspen Wood record of survey plat is hereby approved as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The condominium project known as the Aspen Wood Condominiums is located at 1305 through 1570 Deer Valley Drive South and is zoned RD-MPD.
2. The proposed amended record of survey adds private space to the garages of "A" units and

- the lower level of "B" units and changes limited common decks to convertible space.
3. The Condominium Association agrees to this change.
 4. The building footprint does not increase in size.
 5. A Memorandum of Understanding has been signed by the City and the Condominium Association.
 6. The Planning Commission held a public hearing on this application at its regular meeting of March 8, 2000 and forwarded a positive recommendation to the City Council.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Amended Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. All other conditions of approval of the Aspen Wood Condominiums project continue to apply.

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

PASSED AND ADOPTED this 13th day of April, 2000.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

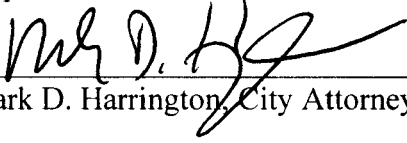
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 00-25

**AN ORDINANCE APPROVING A COMPREHENSIVE
AND SUBSTANTIVE RE-WRITE OF THE LAND MANAGEMENT CODE
OF PARK CITY, UTAH, SPECIFICALLY FOR:
CHAPTER 1- GENERAL PROVISIONS AND PROCEDURES,
CHAPTER 2- DEFINITIONS,
CHAPTER 12- NON-CONFORMING USES, AND
CHAPTER 13- OFF-STREET PARKING AS
RENUMBERED AND INCLUDED IN THE BODY OF THE
MUNICIPAL CODE AS FOLLOWS:
CHAPTER 1 BECOMES TITLE 15, CHAPTER 1
CHAPTER 2 BECOMES TITLE 15, CHAPTER 15
CHAPTER 12 BECOMES TITLE 15, CHAPTER 9
CHAPTER 13 BECOMES TITLE 15, CHAPTER 3.**

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

WHEREAS, in January of 1998 the City Council directed staff to undertake a comprehensive and substantive re-write of the Land Management Code;

WHEREAS, the City is in the process of a comprehensive rewrite of the entire Land Management Code to reorganize the document's structure, clarify and resolve inconsistencies, update regulations to be consistent with the General Plan, provide self-contained (user-friendly) Chapters, and add illustrations;

WHEREAS, the Planning Commission duly noticed and conducted several public hearings at its regularly scheduled meetings, on September 16 and December 2, 1998 and forwarded to City Council a positive recommendation on Phase I;

WHEREAS, on February 25, 1999 the City Council duly noticed and conducted a public hearing on Phase I and remanded portions of the draft back to the Planning Commission for additional revisions;

WHEREAS, the Planning Commission duly noticed and conducted several public hearings at its regularly scheduled meetings, on September 22, 1999 and February 23, 2000, to receive input on the proposed revisions;

WHEREAS, the Planning Commission forwarded a recommendation to the City Council on Chapter 1- Provisions and Procedures, Chapter 2- Definitions, Chapter 12- Non-conforming Uses, Chapter 13- Off-street Parking, and the HR-1 and HRL Zoning District sections to review the minutes and consider Commissioner's and the public's comments from the February 23, 2000 meeting;

WHEREAS, the City Council duly noticed and conducted public hearings at its regularly scheduled meetings on March 2, 2000 and March 16, 2000 and

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

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

SECTION 1. AMENDMENT TO CHAPTER 1 OF THE LAND MANAGEMENT CODE. Chapter 1 is hereby deleted and replaced by LMC Title 15, Chapter 1 attached hereto as Exhibit A. Any conflicts or cross-references from other provisions of the LMC to Chapter 1 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 1 shall be defined in accordance with the LMC, Title 15, Chapter 15.

SECTION 2. AMENDMENT TO CHAPTER 2 OF THE LAND MANAGEMENT CODE. Chapter 2 is hereby deleted and replaced by LMC Title 15, Chapter 15 attached hereto as Exhibit B. Any conflicts or cross-references from other provisions of the LMC to Chapter 2 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 2 shall be defined in accordance with the LMC, Title 15, Chapter 15.

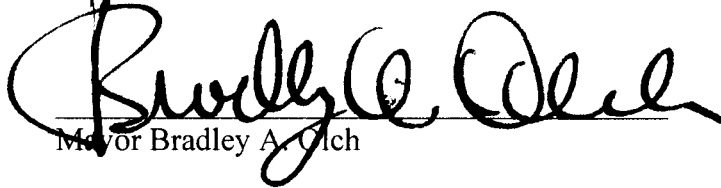
SECTION 3. AMENDMENT TO CHAPTER 12 OF THE LAND MANAGEMENT CODE. Chapter 12 is hereby deleted and replaced by LMC Title 15, Chapter 9 attached hereto as Exhibit C. Any conflicts or cross-references from other provisions of the LMC to Chapter 12 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 9 shall be defined in accordance with the LMC, Title 15, Chapter 15.

SECTION 4. AMENDMENT TO CHAPTER 13 OF THE LAND MANAGEMENT CODE. Chapter 13 is hereby deleted and replaced by LMC Title 15, Chapter 3 attached hereto as Exhibit D. Any conflicts or cross-references from other provisions of the LMC to Chapter 13 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 3 shall be defined in accordance with the LMC, Title 15, Chapter 15.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 30th day of March, 2000

PARK CITY MUNICIPAL CORPORATION

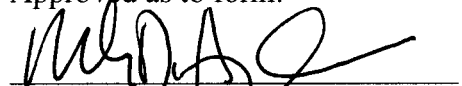

Mayor Bradley A. Cich

Attest:


Janet M. Scott, City Recorder



Approved as to form:


Mark D. Harrington, City Attorney



Ordinance No. 00-24

AN ORDINANCE APPROVING THE 42 ½ ONTARIO CANYON ROAD SUBDIVISION TO COMBINE ONE METES AND BOUNDS PARCEL IN SECTION 21, T2S R4E, OF THE SALT LAKE BASE AND MERIDIAN, INTO ONE (1) PLATTED LOT LOCATED AT 42 ½ ONTARIO CANYON ROAD, PARK CITY, UTAH

WHEREAS, the owner of one metes and bounds parcel of the Amended Plat of the Park City Survey, Section 21, T2S R4E, of the Salt Lake Base and Meridian, have petitioned the City Council for approval of a revision to the final 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 March 8, 2000, to receive input on the proposed subdivision;

WHEREAS, the Planning Commission, on March 8, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed subdivision; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will to consolidate one (1) metes and bound parcel in Section 21, Township 2 South, Range 4 East of the Salt Lake Base and Meridian into one (1) platted lot to allow for the construction of a single-family dwelling.
3. The subdivision and CUP applications were approved and forwarded to the City Council with a positive recommendation on March 8, 2000.

4. The subdivision will not increase density on the lot.
5. The snow storage along Ontario Canyon Road is very important, as are utilities.
6. The road carries very heavy vehicular traffic and the traffic will get heavier in the future as a result of future development south of this site. Traffic is a concern in the neighborhood.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision, that neither the public nor any person will be materially injured by the proposed subdivision and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

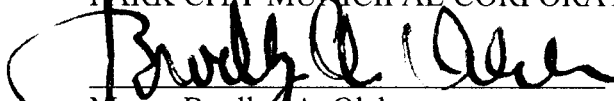
SECTION 3. SUBDIVISION APPROVAL. The subdivision to combine one metes and bounds parcel of the Amended Plat of the Park City Survey, Section 21, T2S R4E, of the Salt Lake Base and Meridian, known as the 42 ½ Ontario Canyon Road Subdivision, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the subdivision for compliance with the Land Management Code and conditions of approval is a condition precedent to recordation.
2. No remnant lot created is separately developable
3. A note shall be added to the plat stating that no accessory apartment shall be permitted. Only one (1) single-family dwelling may be constructed.
4. A ten foot (10') non-exclusive utility and snow storage easement shall be incorporated in the first ten feet off of Ontario Canyon Road.
5. Only one (1) driveway is allowed; a means of turning a car around on site is required.
6. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
7. This approval shall expire one year from the date of City Council approval, unless this Subdivision is recorded prior to that date.

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

PASSED AND ADOPTED this 30th day of March, 2000.

PARK CITY MUNICIPAL CORPORATION

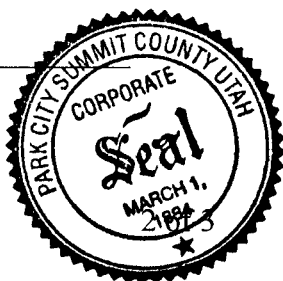


Mayor Bradley A. Olch

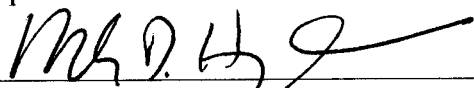
Attest:



Janet M. Scott, City Recorder



Approved as to form:

A handwritten signature in black ink, appearing to read 'M.D.H.' followed by a stylized flourish.

Mark D. Harrington, City Attorney

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.

9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.



Ordinance No. 00-23

**AN ORDINANCE APPROVING THE WALK TO SLOPES PLAT AMENDMENT
PHASE 1 TO COMBINE ALL OF LOT 1 IN BLOCK 26 OF THE SNYDER'S
ADDITION TO THE PARK CITY SURVEY, WITH A PORTION OF THE VACATED
12TH STREET RIGHT-OF-WAY, INTO A SINGLE PLATTED LOT, LOCATED AT
1203 EMPIRE AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of all of Lot 1 and 11.25 feet of the adjacent vacated 12th Street right-of-way, in Block 26 of the Snyder's Addition to Park City Survey, have petitioned the City Council for approval of a revision to the final 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 March 8, 2000, to receive input on the proposed plat;

WHEREAS, the Planning Commission, on March 8, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Recreational Commercial (RC) zone.
2. The amendment will to combine all of Lot 1 in Block 26 of the Snyder's Addition to Park City Survey, with 11.25 feet of the adjacent vacated 12th Street right-of-way, into a single lot.
3. The lot is currently vacant.

4. The plat amendment was approved by the Planning Commission and forwarded with a positive recommendation to City Council on March 8, 2000.
5. The plat amendment will increase density on Lot 1 from a maximum building footprint of 844, to 1,200 square feet.
6. The portion of the 12th Street right-of-way in question has been vacated by the City.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine all of Lot 1 and 11.25 feet of the adjacent vacated 12th Street right-of-way, in Block 26 of the Snyder's Addition to Park City Survey, known as Walk to Slopes Plat Amendment Phase 1, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. This approval shall expire one year from the date of Planning Commission approval, unless this Plat Amendment is recorded prior to that date.
3. No remnant lot created is separately developable.
4. A note shall be added to the plat stating that no accessory apartment shall be permitted as part of any new construction.
5. A ten foot (10') non-exclusive utility and snow storage easement shall be dedicated to the City in the first ten feet off of Empire Avenue.
6. The City Engineer shall review and approve the slope, configuration and drainage pattern of the proposed driveway fronting Empire Avenue.
7. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
8. This approval shall expire one year from the date of City Council approval, unless this Plat Amendment is recorded prior to that date.

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

PASSED AND ADOPTED this 30th day of March, 2000.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

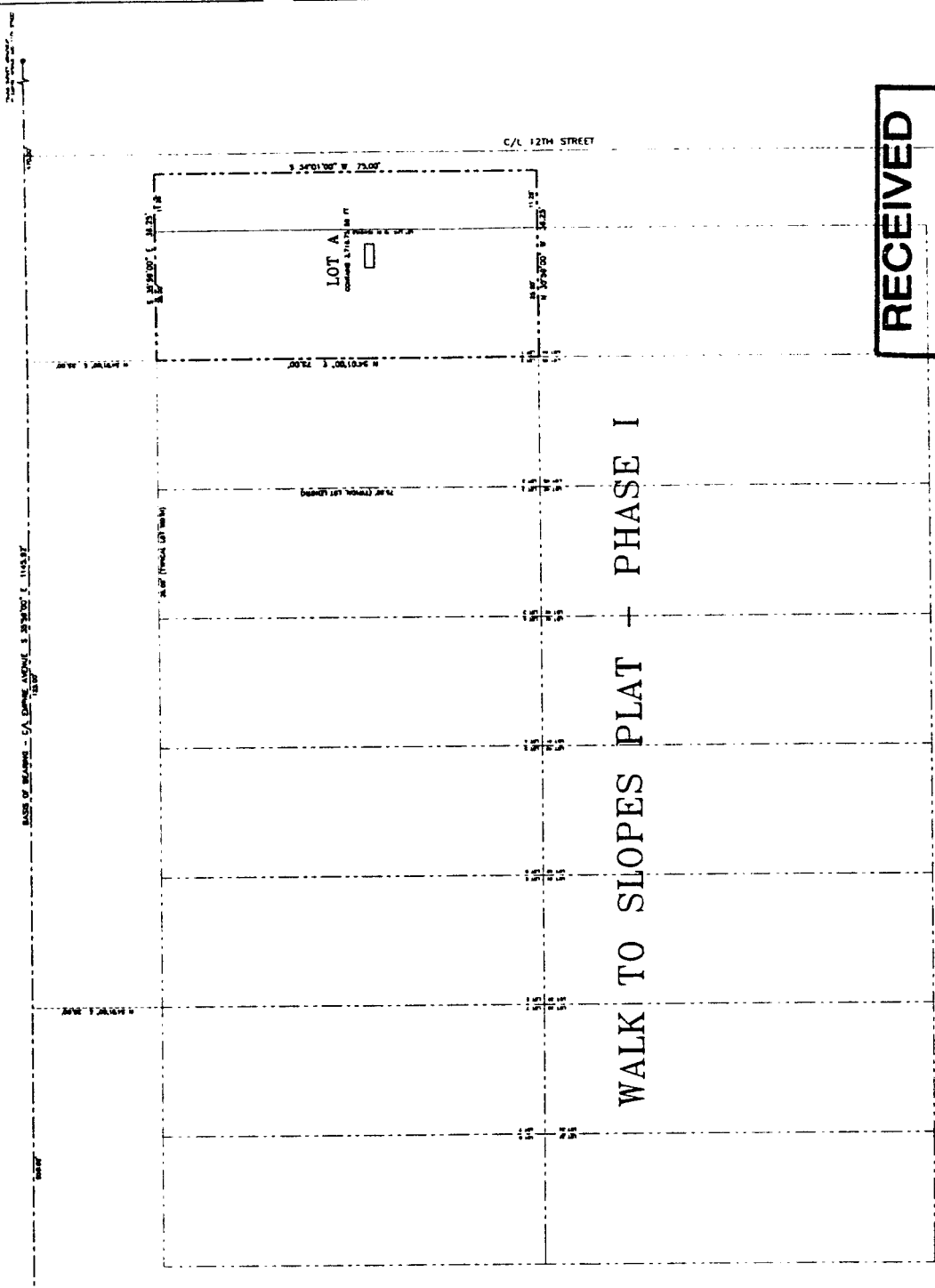
Attest:

Janet M. Scott
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington
Mark D. Harrington, City Attorney





RECEIVED
 JAN 13 2000
 PARK CITY
 PLANNING DEPT.

LOT LINE AMENDMENT PLAT
WALK TO SLOPES PLAT - PHASE I

LOCATED IN SECTION 18
 TOWNSHIP 2 SOUTH, RANGE 4, EAST SALT LAKE BASE
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE
 I, the undersigned, being duly qualified and sworn, and being duly sworn, do hereby certify that the foregoing plat is a true and correct copy of the original plat on file in my office, and that the same has been or will be recorded in the proper manner as required by law.

BOUNDARY DESCRIPTION
 The boundary of the subject property is as follows: ... (Detailed description of the lot boundaries and adjacent properties, including bearings and distances.)

OWNER'S NOTIFICATION AND CONSENT TO RECORD
 I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing plat is a true and correct copy of the original plat on file in my office, and that the same has been or will be recorded in the proper manner as required by law.

ACKNOWLEDGMENT
 I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing plat is a true and correct copy of the original plat on file in my office, and that the same has been or will be recorded in the proper manner as required by law.

PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF ... 2000 A.D.

ENGINEER'S CERTIFICATE
 I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing plat is a true and correct copy of the original plat on file in my office, and that the same has been or will be recorded in the proper manner as required by law.

CERTIFICATE OF ATTEST
 I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing plat is a true and correct copy of the original plat on file in my office, and that the same has been or will be recorded in the proper manner as required by law.

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL ON THIS DAY OF ... 2000 A.D.

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FIELD
 AT THE OFFICE OF THE CLERK OF THE COUNTY
 DATE ... 2000 A.D.

BY _____ MAYOR

BY _____ PARK CITY ATTORNEY

BY _____ PARK CITY ENGINEER

BY _____ CHAIRMAN

BY _____

BY _____

BY _____

BY _____

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.

9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.



Ordinance No. 00-22

AN ORDINANCE APPROVING A PLAT AMENDMENT REQUEST 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 AND 44, BLOCK 18, SNYDERS ADDITION TO THE PARK CITY SURVEY INTO ONE (1) LOT FOR 1212 EMPIRE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of Lots 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey located at 1212 Empire Avenue have petitioned the City Council for approval of a final 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 February 23, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on February 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the Recreation Commercial (RC) District.
2. The proposed Plat Amendment will combine twelve (12) lots into one (1) parcel in order to allow for the development of an twelve (12) unit residential structure.
3. The parcel is located on a steep infill parcel in a built out area. Snow storage opportunities

are limited in this area.

4. The applicant stipulates to the conditions of approval

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine Lots 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey also known as the 1212 Empire Avenue, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and these conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along Norfolk Avenue and Empire Avenue shall be dedicated to the City on the plat.
3. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
4. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
5. A Building Permit for 1212 Empire Avenue may not be issued until the Plat Amendment is recorded.


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

PASSED AND ADOPTED this 30th day of March, 2000 .

PARK CITY MUNICIPAL CORPORATION

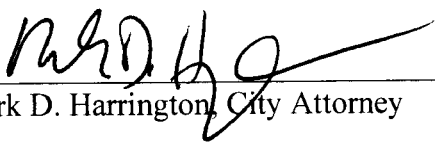

Bradley A. Olson, MAYOR

ATTEST:


Janet M. Scott, City Recorder



APPROVED AS TO FORM:



Mark D. Harrington, City Attorney



Ordinance No. 00-21

**AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY,
A PLAT AMENDMENT TO COMBINE EIGHTEEN LOTS
INTO TWO LOTS OF RECORD LOCATED IN BLOCK 63
OF THE PARK CITY SURVEY, PARK CITY, UTAH**

WHEREAS, the owners of the property known as Tom and Paula Hurd, owners of Lots 1-14 and Lots 18-21, Block 63 of the Park City Survey, have petitioned the City Council for approval of a revision to the final 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 February 23, 2000 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on February 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is in the HR-1 Zone.
2. Deer Valley Loop Road is characterized by single-family dwellings, and multi-family structures.

3. The plat amendment results in combining eighteen lots into two lots of record.
4. The proposed lot combination will create one 27,007 square foot lot and one 12,196 square foot lot. Minimum lot size for a single family dwelling is 1,875 square feet.
5. The applicant is deducting Deer Valley Loop Road through the property as public right-of-way and the remnant parcels to the north as open space.
6. The applicant stipulates to all conditions of approval.

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

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, a plat amendment to Block 63, is approved as shown on Exhibit A, with the following conditions:


1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.
2. All standard Project Conditions shall apply and Land Management Codes shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year time, the approval and the plat shall be considered void.
4. A Construction Management Plan (CMP) shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction related details to the satisfaction of the Community Development Department.
5. The project complies with the fire and emergency access requirements, by virtue of a fire protection plan which addresses alternative methods of code compliance, such as provision of type 13D fire sprinkler systems, alternative access, fire separation of structures, and non-combustible roof materials.

6. A ten (10) foot non-exclusive utility and snow storage easement along Deer Valley Loop Road shall be dedicated to the City on the plat.
7. Construction for Steep Slope Development shall be reviewed by the Planning Commission as provided in the Land Management Code.
8. Design of the proposed homes on all lots require review and approval for compliance with the Historic District Design Guidelines.
9. The Deer Valley Road right-of-way may not be used for maximum building footprint calculation. The remnant lots north of Deer Valley Loop Road may be used as part of the total footprint calculation formula found in the HR-1 zone. The remnant lots north of Deer Valley Loop Road shall be designated as Open Space on the plat.
10. No remnant lot created hereby is separately developable.
11. The remnant parcels to the north shall be revised and shown on the plat as public right-of-way.

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

PASSED AND ADOPTED this 30th day of March, 2000.

PARK CITY MUNICIPAL CORPORATION

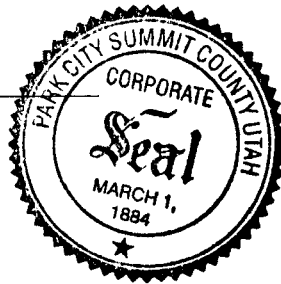


Mayor Bradley A. Olch

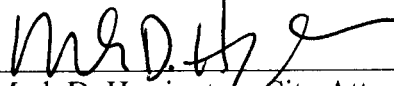
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 00-20

**AN ORDINANCE APPROVING A PLAT AMENDMENT, TO COMBINE THE NORTH
½ OF LOT 4 AND ALL OF LOT 5 , BLOCK 53 OF THE PARK CITY SURVEY,
LOCATED AT 220 MARSAC AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of the north ½ of Lot 4 and all of Lot 5, Block 53 of the Park City Survey, have petitioned the City Council for approval of a revision to the final plat; and

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

WHEREAS, on March 8, 2000 the Planning Commission held a public hearing to receive public input on the proposed final plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on March 30, 2000 the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

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

Findings of Fact:

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will combine the north ½ of lot 4 and all of lot 5, block 53 of the Park City Survey into a single lot to allow for the construction of a garage/carport.
3. The lots are occupied by an existing historic dwelling which currently has access from stairs off Marsac Avenue. The stairs are old and in disrepair. The stairs do not serve the general public but instead serve only a limited number of homes. There is no connection of these stairs to Ontario Avenue via a public easement.

4. The plat amendment will not increase density on the lot.
5. Board of Adjustment approved a variance for reduction of rear yard setback on 12/1/98.
6. Historic District Commission approved the proposed construction on 2/1/99.
7. The Applicant stipulates to all conditions of approval.

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

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed amendment.
3. The proposal is consistent with both the Park City Land Management Code and State Subdivision statutes.

SECTION 3. CONDITIONS OF APPROVAL. The plat amendment to combine the north ½ of Lot 4 and all of Lot 5, Block 53 of the Park City Survey, known as 220 Marsac Avenue, is approved as shown in Exhibit A is hereby adopted with the following Conditions of Approval:

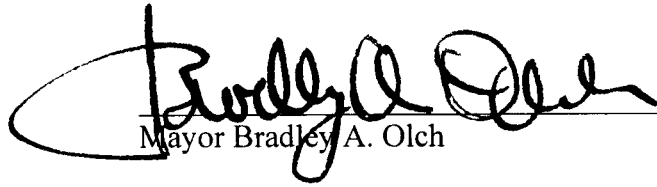
1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. All standard project conditions and Land Management Code criteria for review shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, the approval and plat shall be considered void.
4. No remnant lot created is separately developable.
5. A ten (10) foot non-exclusive snow storage easement along Ontario Avenue shall be dedicated to the City on the plat.
6. Issuance of a building permit will not be issued prior to recordation of the Plat Amendment.
7. The applicant agrees not to object to the removal of the existing stairs fronting Marsac Avenue. Nothing herein shall prohibit access to the owner to the private property, including

applying for an encroachment agreement to build their own stairs. The City shall not remove the stairs until a Certificate of Occupancy is issued on the structure.

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

PASSED AND ADOPTED this 30th day of March, 2000

PARK CITY MUNICIPAL CORPORATION



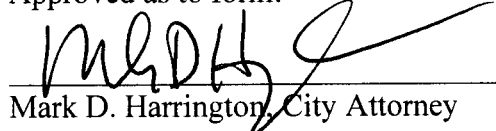
Mayor Bradley A. Olch

Attest:

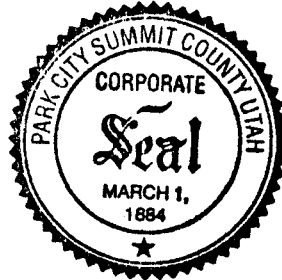


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





Ordinance 00-19

**AN ORDINANCE TO UPDATE THE MUNICIPAL CODE OF PARK CITY, TITLE 8,
CRIMINAL CODE**

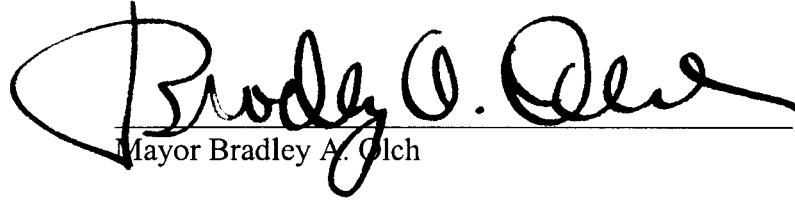
WHEREAS, Utah state criminal law has been updated; and
WHEREAS, Amendments made to the Utah Code Annotated, Title 76 (1999) require an update of Title 8 of the Municipal Code of Park City to ensure compliance with state standards; and
WHEREAS, Text changes to Title 8 are mainly changes to ensure compliance with the updated language in the Utah Code;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

- SECTION I.** Title 8, Chapter 1, Section 14(E) is hereby deleted and replaced by amended Title 8, Chapter 1, Section 14(E) attached hereto as Exhibit A; and
- SECTION II.** Title 8, Chapter 1, Section 26 is hereby deleted and replaced by amended Title 8, Chapter 1, Section 26 attached hereto as Exhibit B; and
- SECTION III.** Title 8, Chapter 4, Section 14 is hereby deleted and replaced by amended Title 8, Chapter 4, Section 14 attached hereto as Exhibit C; and
- SECTION IV.** Exhibit D as attached is hereby enacted as Title 8, Chapter 4, Section 22; and
- SECTION V.** Exhibit E as attached is hereby enacted as Title 8, Chapter 5, Section 5; and
- SECTION VI.** Title 8, Chapter 7, Section 1 is hereby deleted and replaced by amended Title 8, Chapter 7, Section 1 attached hereto as Exhibit F.
- SECTION VII. EFFECTIVE DATE.** This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 23rd day of March, 2000.

PARK CITY MUNICIPAL CORPORATION



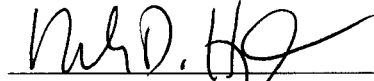
Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



EXHIBIT A

8- 1-14. GENERAL DEFINITIONS.

The provisions of U.C.A. 76-1-601, as amended, are hereby adopted and incorporated. Unless otherwise provided or a different meaning plainly required, the following terms shall be applicable to this Code, in its entirety, and shall have the meanings designated in this section:

- (A) **ACT**. A voluntary bodily movement and includes speech.
- (B) **ACTOR**. A person whose criminal responsibility is in issue in a criminal action.
- (C) **BODILY INJURY**. Physical pain, illness, or any impairment of physical condition.
- (D) **CONDUCT**. An act or omission.
- (E) ~~**DEADLY OR DANGEROUS WEAPON**. Anything that in the manner of its use or intended use is likely to cause death or serious bodily injury.~~

DANGEROUS WEAPON.

- (1) Any item capable of causing death or serious bodily injury; or
- (2) A facsimile or representation of the item; and
 - (a) The actor's use or apparent intended use of the item leads the victim to reasonably believe the item is likely to cause death or serious bodily injury; or
 - (b) The actor represents to the victim verbally or in any other manner that he is in control of such an item.

EXHIBIT B

8- 1-26. FINES OF PERSONS.

A person who has been convicted of an offense may, in addition to any term of imprisonment imposed, be sentenced to pay a fine not to exceed two thousand five hundred dollars (\$2,500) when the conviction is of a Class A misdemeanor, pay a fine not to exceed one thousand dollars (\$1,000) if the conviction is for a Class B misdemeanor and ~~five hundred dollars (\$500.00)~~ seven hundred fifty dollars (\$750.00) when the conviction is for a Class C misdemeanor or infraction.

EXHIBIT C

8- 4-14. DISORDERLY CONDUCT.

A person is guilty of disorderly conduct if:

(A) He A person refuses to comply with the lawful order of the police to move from a public place or knowingly creates a hazardous or physically offensive condition, by any act which serves no legitimate purpose; or

(B) Intending to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, a person;

(1) He Engages in fighting or in violent, tumultuous, or threatening behavior; or

(2) He Makes unreasonable noises in a public place; or

(3) He Makes unreasonable noises in a private place which can be heard in a public place; or

(4) He Engages in abusive or obscene language or makes obscene gestures in a public place; or

(5) He Obstructs vehicular or pedestrian traffic.

(C) "Public place" for the purpose of this section, means any place to which the public or a substantial group of the public has access and includes but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, shops, plazas, parking lots, public parks, cemeteries, and similar areas open to the public or a substantial group of the public.

(D) Disorderly conduct is a Class C misdemeanor if the offense continues after a request by a person to desist. Otherwise it is an infraction.

EXHIBIT D

8- 4-22. PUBLIC URINATION.

A person is guilty of public urination if the person urinates or defecates:

- (1) In a public place, other than a public restroom; and
- (2) Under circumstances which the person should know will likely cause affront or alarm to another.

Public urination is a class C misdemeanor.

EXHIBIT E

8-5-5. UNLAWFUL PURCHASE POSSESSION, OR CONSUMPTION BY MINORS.

- (1) It is unlawful for any person under the age of 21 years to purchase, attempt to purchase, solicit another person to purchase, possess, or consume any alcoholic beverage or product, unless specifically authorized by this title.
- (2) It is unlawful for any person under the age of 21 years to misrepresent his age, or for any other person to misrepresent the age of a minor, for the purpose of purchasing or otherwise obtaining an alcoholic beverage or product for a minor.
- (3) It is unlawful for any person under the age of 21 years to possess or consume any alcoholic beverage while riding in a limousine or chartered bus.
- (4) When a person who is at least 13 years old, but younger than 18 years old, is found by the court to have violated this section, the provisions regarding suspension of the driver's license under Utah Code Annotated Section 78-3a-506 apply to the violation.
- (5) When the court has issued an order suspending a person's driving privileges for a violation of this section, the Utah Driver License Division shall suspend the person's license under the provisions of Utah Code Annotated Section 53-3-219.
- (6) When the Department of Public Safety receives the arrest or conviction record of a person for a driving offense committed while his license is suspended pursuant to this section, the department shall extend the suspension for an additional like period of time.
- (7) A violation of this section is a class B misdemeanor.

EXHIBIT F

8- 7- 1. POSSESSION OF CONTROLLED SUBSTANCES.

No person shall knowingly or consciously possess or use a controlled substance as defined in the Utah Controlled Substances Act, U.C.A. 58-37-1 - 21 ~~Controlled Substances Act of the Utah Code Annotated 1953~~, unless it is obtained pursuant to a valid prescription or order or directly from a practitioner authorized to prescribe such substances, while acting in the course of his professional practice, or except as otherwise authorized by the Controlled Substance Act.



Ordinance No. 00-18

AN ORDINANCE APPROVING A SUBDIVISION PLAT TO COMBINE TWO METES AND BOUNDS PARCELS INTO TWO ONE LOT OF RECORD AT 1508 PARK AVENUE, SE 1/4, SW 1/4 OF SECTION 9, PARK CITY, UTAH

WHEREAS, the owner, US West, of the property known as 1508 Park Avenue, have petitioned the City Council for approval of a subdivision plat; and

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

WHEREAS, on February 23, 2000 the Planning Commission held a public hearing to receive public input on the proposed final subdivision plat and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner; and

WHEREAS, the proposed subdivision plat allows the property owner to consolidate portions of two metes and bounds parcels into one lot of record; and

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

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

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

1. The Planning Commission forwarded a positive recommendation for the subdivision plat to the City Council on February 23, 2000.
2. The proposed dwelling is located within the General Commercial zone and the Frontage Protection Zone.

3. The applicant agrees with the conditions of approval
4. The proposed subdivision plat will combine two (2) metes and bounds parcels into one (1) lot of record to allow for the construction of an addition to an existing commercial structure.

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

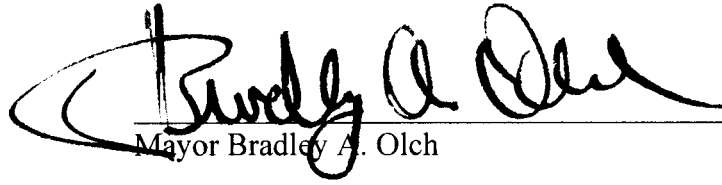
1. There is good cause for the subdivision plat amendment as it will allow for one platted lot of record.
2. Neither the public nor any person will be materially injured by the proposed subdivision plat.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15.

SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Community Development Department is a condition precedent to the issuance of **any** building permit.
2. City Attorney and City Engineer review and approval of the subdivision plat for compliance with the Land Management Code, State of Utah Code and these conditions of approval are a condition precedent to plat recording.
3. This approval shall expire one year from the date of City Council approval, unless this subdivision plat is recorded with Summit County.
4. A building permit for the proposed work may not be issued until the plat is recorded.
5. All standard conditions of approval shall apply.
6. A building permit for the proposed work may not be issued until the subdivision plat is recorded.

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

PARK CITY MUNICIPAL CORPORATION

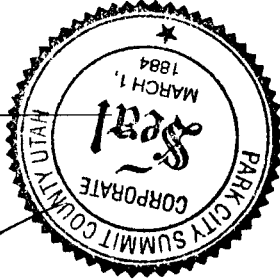


Mayor Bradley A. Olch

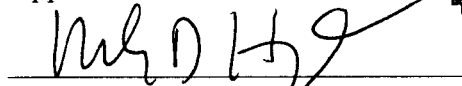
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 00-17

AN ORDINANCE APPROVING A SUBDIVISION PLAT TO COMBINE THE NORTH 23.6 FEET OF LOT 22, BLOCK 24 OF THE PARK CITY SURVEY AND ONE METES AND BOUNDS PARCEL INTO ONE PLATTED LOT FOR 586 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the owners of the north 23.6 fee of Lot 22, Block 24 of the Park City Survey and a metes and bounds parcel located at 586 Main Street have petitioned the City Council for approval of a final subdivision 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 February 9, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on March 8, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 16, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is in the Historic Commercial Business District.
2. The proposed Subdivision will combine one (1) platted lot and a metes and bounds parcel into one (1) lot to accommodate an existing historic structure.
3. The existing structure is historic and contributory to the district.

4. The existing historic structure encroaches into the lot to the north by 0.8'.
5. Utility service is necessary to service new construction and to provide for the health, safety and welfare of the general public.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine the north 23.6 fee of Lot 22, Block 24 of the Park City Survey and a metes and bounds parcel also know as the 586 Main Street Subdivision, is approved as shown on Exhibit A, with the following conditions:

1. Prior to plat recordation the City Attorney and City Engineer shall review and approve the plat amendment for compliance with the Land Management Code and conditions of approval.
2. Any additions or new structures constructed on the newly created lot shall be reviewed for compliance with the Historic District Guidelines, pursuant to the Land Management Code Chapter 4.
3. Any additions or new structures shall meet the Land Management Code requirements for the HCB District, including parking.
4. A facade easement for the west elevation shall be recorded prior to the recordation of the Subdivision.
5. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
6. Any public utilities existing on, over, or under the property shall be relocated by the applicant as deemed necessary by the City Engineer.
7. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).

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

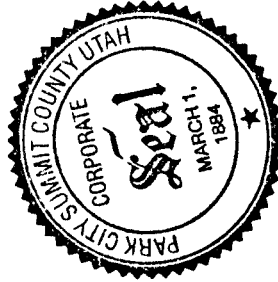
PASSED AND ADOPTED this 16th day of March, 2000 .

PARK CITY MUNICIPAL CORPORATION


Bradley A. Orr, MAYOR

ATTEST:


Janet M. Scott, City Recorder



APPROVED AS TO FORM:


Mark D. Harrington, City Attorney

SUBMITTER'S CERTIFICATE

I, the undersigned, hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that the same has been prepared in accordance with the provisions of the laws of the State of Utah, and that the same is a true and correct copy of the original as the same appears on the records of the County of Salt Lake, State of Utah.

Name _____ Date _____

LEGAL DESCRIPTION

Parcel 1 is that certain lot or parcel of land, to-wit: the _____ block of _____ street, _____ ward, _____ city and county of Salt Lake, State of Utah, as the same appears on the records of the County of Salt Lake, State of Utah.

Parcel 2 is that certain lot or parcel of land, to-wit: the _____ block of _____ street, _____ ward, _____ city and county of Salt Lake, State of Utah, as the same appears on the records of the County of Salt Lake, State of Utah.

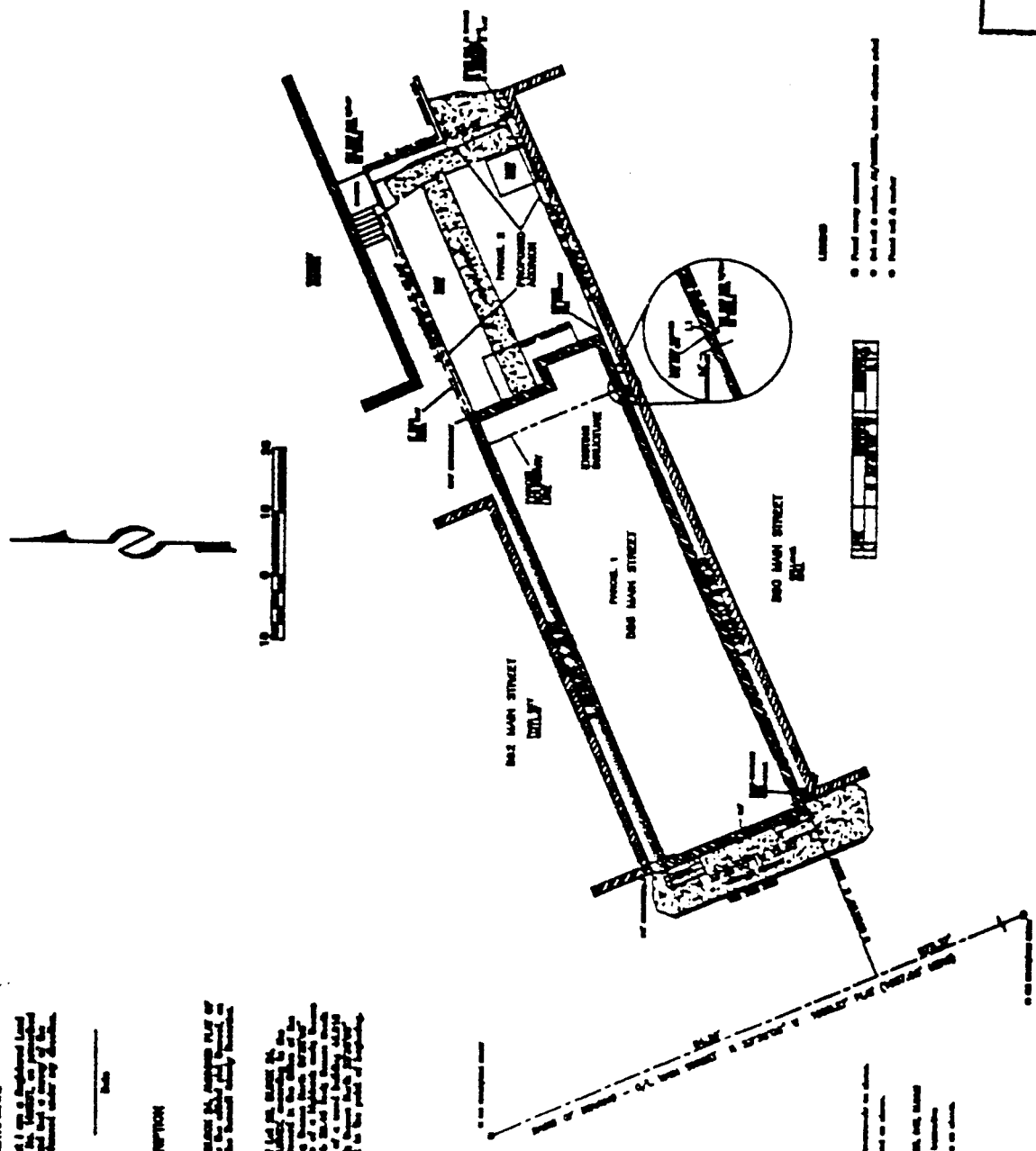


Exhibit A - Proposed Subdivision



Ordinance No. 00-16

AN ORDINANCE APPROVING A PLAT AMENDMENT REQUEST COMBINE LOT 17 AND LOT 18, AND THE NORTH HALF OF LOT 19, BLOCK 3, OF THE PARK CITY SURVEY INTO ONE (1) LOT FOR 364 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of Lot 17 and Lot 18, and the north half of Lot 19, Block 3, of the Park City Survey located at 364 Woodside Avenue have petitioned the City Council for approval of a final 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 February 23, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on February 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 16, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The proposed Plat Amendment will combine two and a half (2½) lots into one (1) lot in order to allow for construction of a single family residence.
2. The property is located in the HR-1 District.
3. The applicant agrees with the conditions of approval

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park

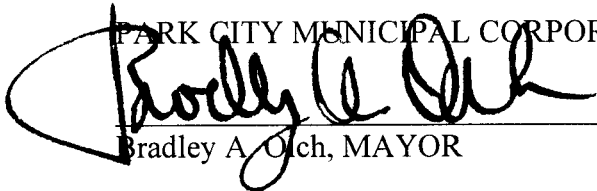
City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine Lot 17 and Lot 18, and the north half of Lot 19, Block 3, of the Park City Survey also know as the 364 Woodside Avenue, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. The remnant half of Lot 19 is not separately developable.
3. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
4. A Building Permit may not be issued for 364 Woodside Avenue until the Plat Amendment is recorded.
5. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).

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


PASSED AND ADOPTED this 16th day of March, 2000 .

PARK CITY MUNICIPAL CORPORATION

Bradley A. Oich, MAYOR

ATTEST:


Janet M. Scott, City Recorder

APPROVED AS TO FORM:


Mark D. Harrington, City Attorney



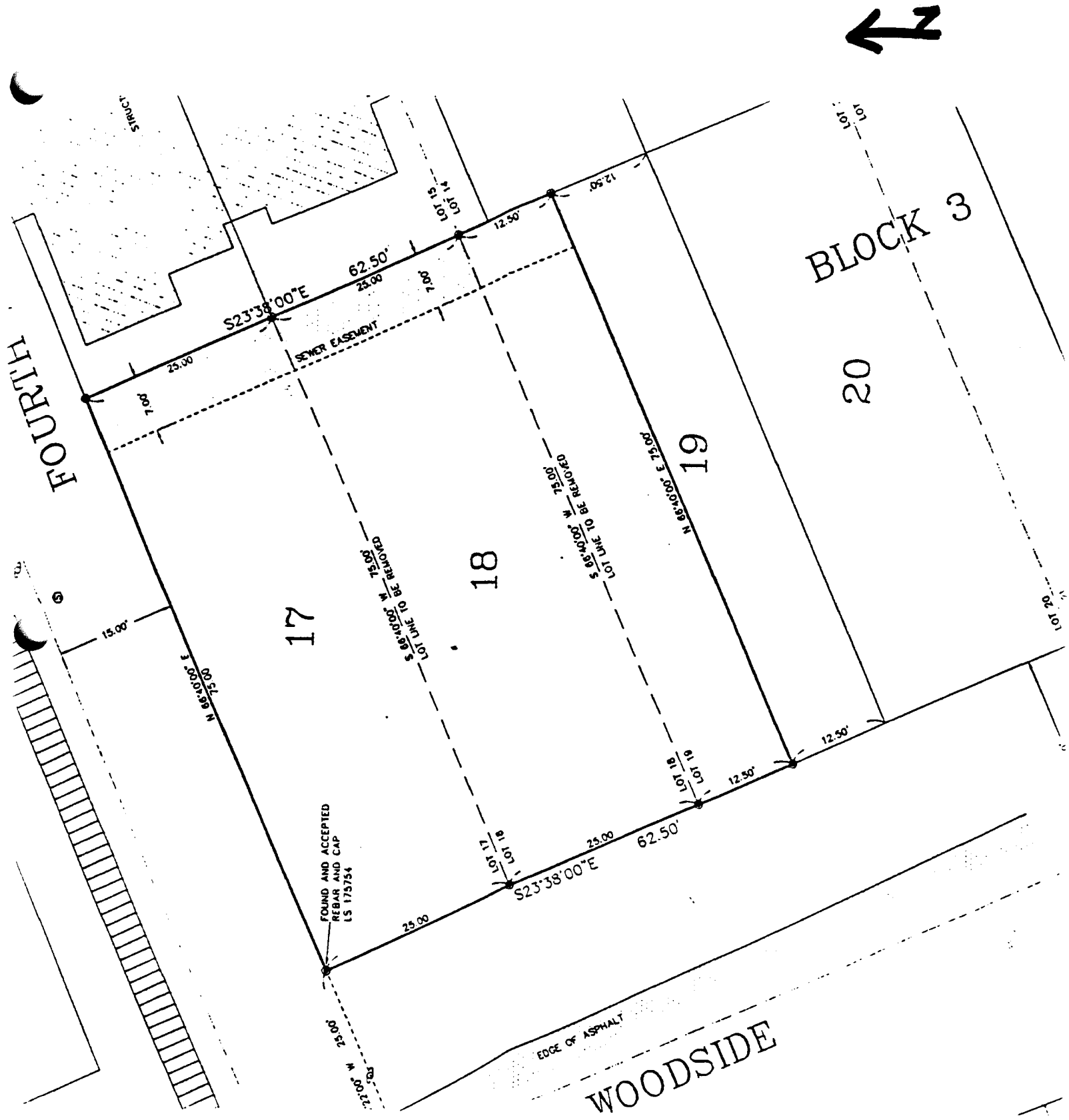


Exhibit A - Proposed Plat



Ordinance No. 00-15

**AN ORDINANCE APPROVING A COMPREHENSIVE AND SUBSTANTIVE
REWRITE OF THE LAND MANAGEMENT CODE
OF PARK CITY, UTAH, SPECIFICALLY FOR SECTION 7.1,
HISTORIC RESIDENTIAL (HR-1) DISTRICT, AND SECTION 7.14, HISTORIC
RESIDENTIAL DEVELOPMENT LOW-DENSITY (HRL),
TO ADDRESS DEVELOPMENT ON STEEP SLOPES,
LOT AND SITE REQUIREMENTS FOR NEW CONSTRUCTION
AND ADDITIONS, BUILDING HEIGHT MEASUREMENTS,
PERMITTED AND CONDITIONAL LAND USES, AND
VEGETATION PROTECTION. AS PART OF THE COMPREHENSIVE
REWRITE OF THE LAND MANAGEMENT CODE
THESE SECTIONS ARE RENUMBERED AND INCLUDED IN THE
BODY OF THE MUNICIPAL CODE AS FOLLOWS:
THE HRL SECTION BECOMES TITLE 15, CHAPTER 2.1
AND THE HR-1 SECTION BECOMES TITLE 15, CHAPTER 2.2.**

WHEREAS, protecting the health and safety and preserving the historic integrity in residential areas of the Historic District are values of the community and identified goals of the City Council; and

WHEREAS, the City Council enacted amendments to the Land Management Code dealing with height and floor area ratios in December 1995, but further directed staff, the Historic District Commission, and Planning Commission to explore solutions to mitigate the mass and scale of new development in the Historic District and to develop regulations to ensure compatibility with existing historic structures; and

WHEREAS, the City is in the process of a comprehensive rewrite of the entire Land Management Code to clarify and resolve existing inconsistencies; update regulations to be consistent with the General Plan; add graphics and illustrations; render the LMC document more user friendly; and, specifically in the HR-1 and HRL Districts, address development on steep slopes in the Historic District, review lot and site requirements for new construction and additions, review building height measurements, review permitted and conditional land uses, and add regulations related to protection of significant vegetation; and

WHEREAS, on September 9, 1999 the City Council adopted a temporary zoning ordinance to establish interim zoning standards for the HRL and HR-1 Districts; and

WHEREAS, the temporary zoning ordinance will expire on March 9, 2000; and

WHEREAS, the Planning Commission duly noticed and conducted several public hearings at its regularly scheduled meetings, including one on September 22, 1999 and the latest on February 23, 2000; and

WHEREAS, the Planning Commission forwarded a recommendation to the City Council on Chapter 1- Provisions and Procedures, Chapter 2- Definitions, Chapter 12- Non-conforming Uses, Chapter 13- Off-street Parking, and the HR-1 and HRL Zoning District sections to review the minutes and consider Commissioners' and the public's comments from the February 23, 2000 meeting, including a concern about parking lots in the HR-1 and additional language specifying that additions to Historic Structures be subordinate to the original structure in design, mass, and scale; and

WHEREAS, the City Council duly noticed and conducted public hearings at its regularly scheduled meetings on February 25, 1999 and March 2, 2000 and finds it in the best interest of the residents of Park City, Utah to amend the Land Management Code with regulations that maintain the essence of the Historic District while safeguarding quality of life for its residents;

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

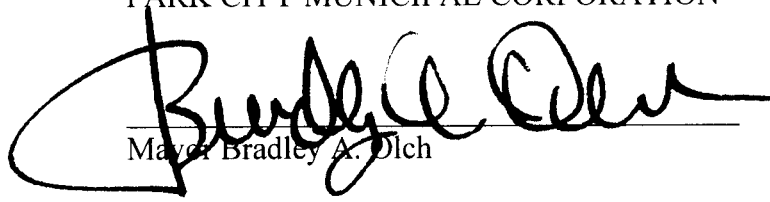
SECTION 1. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.1 is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.2 attached hereto as Exhibit A. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.1 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 2.2 shall be defined in accordance with the pending revisions to the LMC, Title 15, Chapter 15.

SECTION 2. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.14 is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.1 attached hereto as Exhibit B. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.14 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 2.1 shall be defined in accordance with the pending revisions to the LMC, Title 15, Chapter 15.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication or March 9, whichever occurs first.

PASSED AND ADOPTED this 2nd day of March, 2000

PARK CITY MUNICIPAL CORPORATION

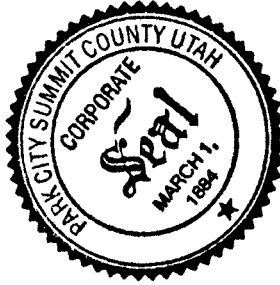


Mayor Bradley A. Olch

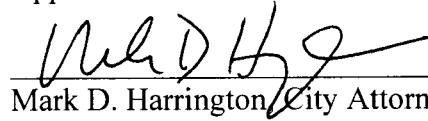
Attest:



Jan Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

**PARK CITY MUNICIPAL CODE
TABLE OF CONTENTS
TITLE 15 LAND MANAGMENT CODE - CHAPTER 2.1**

TITLE 15 - LAND MANAGEMENT CODE

CHAPTER 2.1 - HISTORIC RESIDENTIAL-LOW DENSITY (HRL) DISTRICT 1

15-2.1- 1.	PURPOSE.	1
15-2.1- 2	USES.	1
15-2.1- 3.	LOT AND SITE REQUIREMENTS.	2
15-2.1- 4.	EXISTING HISTORIC STRUCTURES	8
15-2.1- 5.	BUILDING HEIGHT.	9
15-2.1- 6.	DEVELOPMENT ON STEEP SLOPES.	10
15-2.1- 7.	PARKING REGULATIONS.	13
15-2.1- 8.	ARCHITECTURAL REVIEW.	13
15-2.1- 9.	VEGETATION PROTECTION	14
15-2.1-10	SIGNS.	14
15-2.1-11.	RELATED PROVISIONS.	14



TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.1 - HISTORIC RESIDENTIAL-LOW DENSITY (HRL) DISTRICT

15-2.1-1. PURPOSE.

The purpose of the Historic Residential Low-Density (HRL) District is to:

- (A) reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- (B) provide an area of lower density residential use within the old portion of Park City,
- (C) preserve the character of Historic residential Development in Park City,
- (D) encourage the preservation of Historic Structures,
- (E) encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- (F) establish Development review criteria for new Development on Steep Slopes, and

(G) define Development parameters that are consistent with the General Plan policies for the Historic core.

15-2.1-2. USES.

(A) **ALLOWED USES.**

- (1) Single-Family Dwelling
- (2) Home Occupation
- (3) Child Care, In-Home Babysitting
- (4) Child Care, Family
- (5) Child Care, Family Group¹
- (6) Accessory Building and Use
- (7) Conservation Activity
- (8) Agriculture
- (9) Residential Parking Area or Structure with four (4) or fewer spaces

(B) **CONDITIONAL USES.**

- (1) Nightly Rentals
- (2) Lockout Room
- (3) Accessory Apartment²

¹See Chapter 15-14, Child Care Regulations

²See Chapter 15-8, Supplementary Regulations for Accessory Apartments

- (4) Child Care Center
- (5) Essential Municipal and Public Utility use, facility, service, and Building
- (6) Telecommunication Antenna, roof or wall mounted³
- (7) Satellite dish greater than thirty-nine inches (39") in diameter⁴
- (8) Residential Parking Area or Structure five (5) or more spaces
- (9) Temporary Improvement⁵
- (10) Passenger Tramway Station and Ski Base Facility
- (11) Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
- (12) Recreation Facility, Private
- (13) Fence over six feet (6') in Height.

(C) **PROHIBITED USES.** Any use not listed above as an allowed or conditional use is a prohibited use.

15-2.1-3. 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 a City Street on the Streets Master Plan, or on a private easement

³See Chapter 8.30, Telecommunications Facilities

⁴See Chapter 8.25, Satellite Receiving Antennas

⁵Subject to Admin. CUP, see Sect. 8.

connecting the Lot to a Street shown on the Streets Master Plan.

Minimum Lot and Site requirements are as follows:

(A) **LOT SIZE.** The minimum Lot Area is 3,750 square feet. The minimum width of a Lot is thirty-five feet (35'), measured fifteen feet (15') back from the Front Lot Line.

(B) **BUILDING ENVELOPE (HRL DISTRICT).** The Building Pad, Building Footprint, and Height restrictions define the maximum Building Envelope in which all Development must occur.

(C) **BUILDING PAD (HRL DISTRICT).** The Building Pad is the Lot Area minus required Front, Rear and Side Yard areas.

(1) The Building Footprint must be within the Building Pad. The Building Pad must be open and free of any other Structure except:

- (a) Porches or decks (with or without roofs);
- (b) At Grade patios;
- (c) Upper level decks (with or without roofs);
- (d) Bay Windows;
- (e) Chimneys;

(f) Sidewalks, pathways,
and steps;

(g) Screened hot tubs;
and

(h) Landscaping.

(2) Exceptions to the Building Pad area are subject to Community Development Department approval based on a determination that the proposed exceptions result in a design that:

(a) provides increased architectural interest consistent with the Historic District Guidelines;

(b) maintains the intent of this section to provide horizontal and vertical Building articulation.

(D) **BUILDING FOOTPRINT (HRL DISTRICT)**. The maximum Building Footprint of any Structure shall be calculated as follows:

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

Where FP= maximum Building Footprint and A= Lot Area.

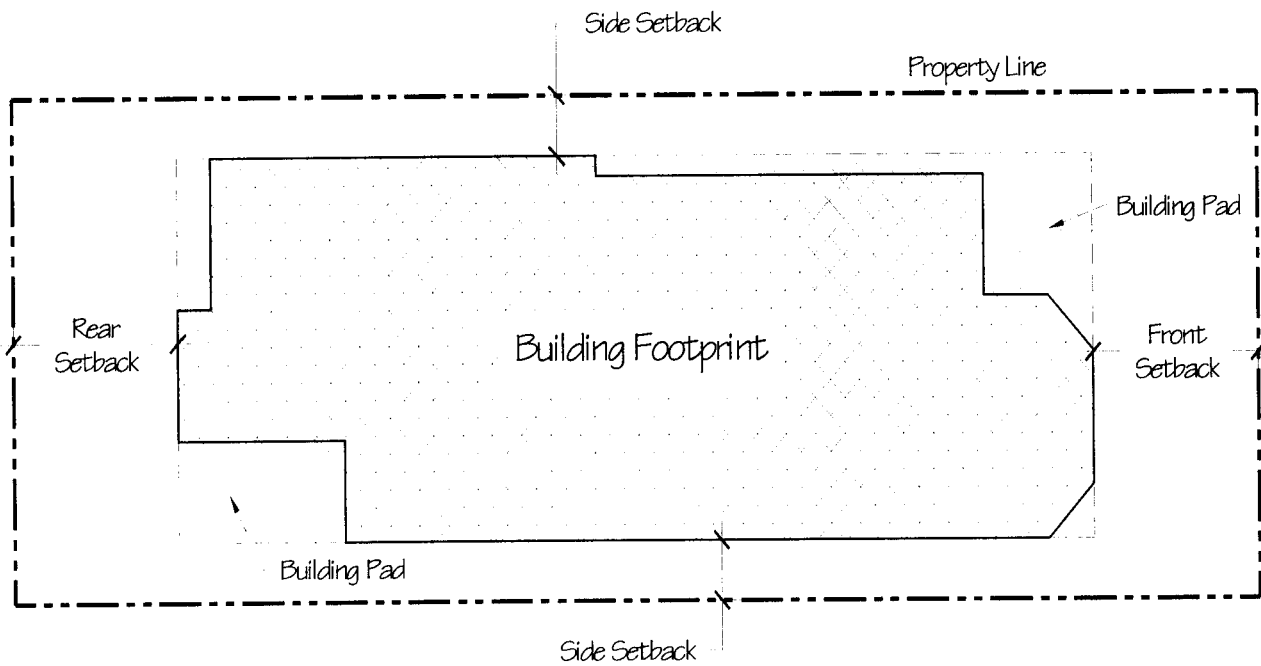
Example: 3,750 sq. ft. Lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = \underline{1,519 \text{ sq. ft.}}$

See the following Table 15-2.1. for a schedule equivalent of this formula.

TABLE 15-2.1.

Lot Depth <= ft.	Lot Width, ft. Up to:	Side Yards Min. Total		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	37.5*	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 7,500	Per Setbacks and Lot Area	Per Formula

* for existing 25' wide lots, use HR-1 standards.



(E) **FRONT, REAR AND SIDE YARDS.**

(1) **FRONT AND REAR YARDS** are as follows:

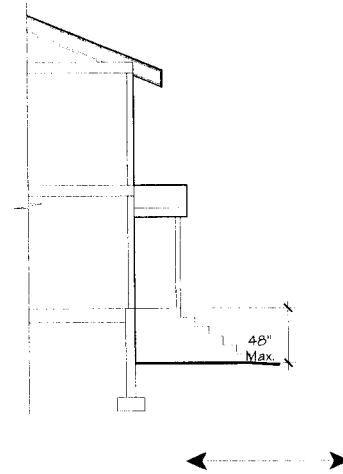
Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

(2) **FRONT YARD**

EXCEPTIONS. The Front Yard must be open and free of any Structure except:

(a) A Fence or wall not more than four feet (4') in Height. On Corner Lots, fences more than three feet (3') in Height are prohibited within twenty-five feet (25') of the intersection at back of curb.

(b) Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in Height from Final Grade (not including any required handrail) and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.



(c) A cantilevered deck, porch, or Bay Window not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.

(d) A roof overhang, eave, or cornice projecting not more than two feet (2') into the Front Yard.

(e) Sidewalks and pathways.

(f) A driveway leading to a garage or Parking Area. No portion of a Front Yard, except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

(3) REAR YARD

EXCEPTIONS. The Rear Yard must be open and free of any Structure except:

(a) A Bay Window not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.

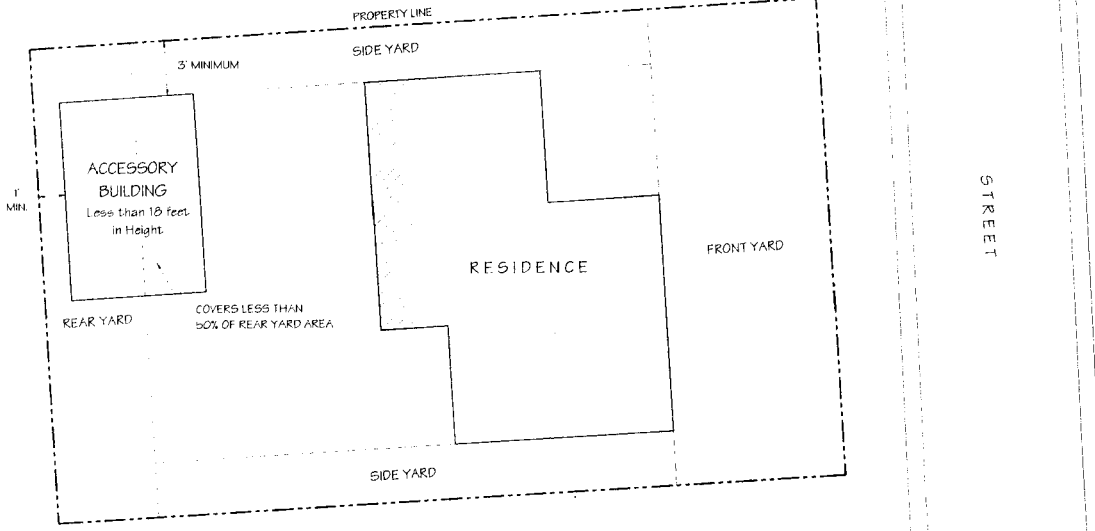
(b) A chimney not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.

(c) A window well extending not more than four feet (4') into the Rear Yard.

(d) A roof overhang, eave, or cornice projecting not more than two feet (2') into the Rear Yard.

(e) A detached Accessory Building less than eighteen feet (18') in Height and maintaining a minimum Rear Yard Setback of one foot (1'). Such Structure must not

cover over fifty percent (50%) of the Rear Yard. (See the following illustration.)



(f) A Hard-Surfaced Parking Area subject to the same location requirements as a Detached Accessory Building.

(g) Screened mechanical equipment and hot tubs, located at least five feet (5') from the Rear Yard property line.

(h) A Fence, wall, or retaining wall not over six feet (6') in Height.⁶

(i) A patio, deck steps or similar Structure not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Yard Property Line.

(j) Pathways or Steps connecting to a City staircase or pathway.

(4) SIDE YARDS.

(a) The minimum Side Yard is three feet (3') but increases for Lots greater than thirty seven and one-half feet (37.5') in Width as per **Table 15-2.1.** above.

(b) Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

(c) On Corner Lots, any Yard which faces a Street may not have a Side Yard less than five feet (5').

⁶A Fence over six feet (6') in Height requires a Conditional Use Permit.

(5) SIDE YARD

EXCEPTIONS. The Side Yard must be open and free of any Structure except:

- (a) A window sill, belt course, trim, cornice, or other ornamental feature projecting not more than six inches (6") into the Side Yard.
- (b) A roof overhang or eave projecting not more than two feet (2') into the Side Yard. **(Applies only to Lots with a Side Yard of five feet (5') or greater.)**
- (c) Decks, patios, pathways or steps not over thirty inches (30") in Height from Final Grade, provided there is at least a one foot (1') setback to the property line. **(Applies only to Lots with a Side Yard of five feet (5') or greater.)**
- (d) A fence, wall, or retaining wall not more than six feet (6') in Height.⁷
- (e) A driveway leading to a garage or Parking Area.
- (f) Pathway or steps connecting to a City staircase or pathway.

⁷A Fence over six feet (6') in Height requires a Conditional Use Permit.

(g) A detached Accessory Building, less than eighteen feet (18') in Height, located a minimum of five feet (5') behind the front Facade of the Main Building, maintaining a minimum Side Yard setback of three feet (3').

(h) Screened mechanical equipment and hot tubs, located a minimum of five feet (5') from the Side Property Line.

(F) CLEAR VIEW OF

INTERSECTION. No visual obstruction in excess of two feet (2') in Height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the site.

15-2.1-4. EXISTING HISTORIC STRUCTURES.

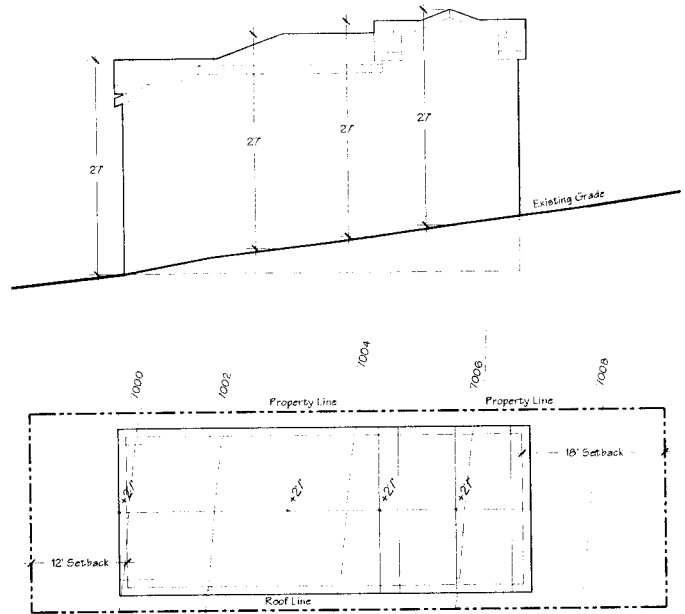
Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

(A) **EXCEPTION:** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings upon:

- (1) Approval of a Conditional Use Permit,
- (2) When the scale of the addition or driveway is Compatible with the Historic Structure,
- (3) When the addition complies with all other provisions of this Chapter, and
- (4) The addition complies with the Uniform Building and Fire Codes.

15-2.1-5. BUILDING HEIGHT.

No Structure shall be erected to a Height greater than twenty-seven feet (27'). In cases where due to excavation, Final Grade is lower than the Existing Grade, Building Height shall be measured from Final Grade. This measurement shall not include window wells or Basements.



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

- (1) An antenna, chimney, flue, vent, or similar structure may extend up to five feet (5') above the highest point of the Building to comply with Uniform Building Code (UBC) requirements.
- (2) Mechanical equipment, when Screened or enclosed, may extend up to five feet (5') above the maximum Height.
- (3) To accommodate a roof form consistent with the Historic District Design Guidelines, the Community Development Department may grant additional Building Height provided

that no more than twenty percent (20%) of the roof ridge line exceeds the Height requirement.

15-2.1-6. DEVELOPMENT ON STEEP SLOPES.

Development on Steep Slopes must be environmentally sensitive to hillside areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Historic District Design Guidelines.

(A) **ALLOWED USE.** An allowed residential Structure and/or Access to said Structure located upon an existing Slope of thirty percent (30%) or greater must not exceed a total square footage of one thousand square feet (1000 sq. ft.) including the garage.

(B) **CONDITIONAL USE.** A Conditional Use Permit is required for any Structure in excess of one thousand square feet (1000 sq. ft.) if said Structure and/or Access is located upon any existing Slope of thirty percent (30%) or greater.

The Community Development Department shall review all Conditional Use Permit applications and forward a recommendation to the Planning Commission. The Planning Commission shall review all Conditional Use Permit applications as Consent Calendar items, unless the Planning Commission removes the item from the Consent Agenda and sets the matter for a Public Hearing. Conditional Use Permit applications shall be subject to the following criteria:

(1) **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.

(2) **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:

(a) To determine potential impacts of the proposed Access, and Building mass and design; and

(b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.

(3) **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged.

(4) **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.

(5) **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived

natural topography of the site. The site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.

(6) **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Community Development Director and/or Planning Commission may require a garage separate from the main Structure or no garage.

(7) **SETBACKS.** The Community Development Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the rear Property Line. The Setback variation will be a function of the site constraints, proposed Building scale, and Setbacks on adjacent Structures.

(8) **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Community Development Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.

(9) **BUILDING HEIGHT (STEEP SLOPE).** The maximum Building Height in the HRL District is twenty-seven feet (27'). The Community Development Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures.

(10) **HEIGHT EXCEPTIONS (STEEP SLOPE).** The Community Development Department and/or Planning Commission may grant a Building Height exception for a portion or portions of a proposed Structure if the Applicant proves compliance with each of the following criteria:

(a) The Height exception does not result in a Height in excess of forty feet (40').

(b) The Lot width is greater than twenty-five feet (25').

(c) The proposed Building includes horizontal and vertical step backs to achieve increased Building articulation and Compatibility. The Planning Commission may refer the proposal to the Historic District Commission, prior to taking action, for a recommendation on the extent to which the proposed articulation and design are consistent with the Historic District Design Guidelines.

(d) The proposed design and articulation of the Building mass mitigates the project's visual impacts and differences in scale between the proposed Structure and nearby residential Structures.

(e) Snow release issues are resolved to the satisfaction of the Chief Building Official.

(f) A Height reduction in other portions of the Building and/or increased Setbacks are incorporated.

(g) The Height exception is not granted primarily to

create additional Building area.

(h) The Height exception enhances the Building's Compatibility with residential Structures by adding architectural interest to the garage element, front facade, porch, or other Building element.

(i) The Height exception is Compatible with good planning practices and good site design.

(j) The Height increase will result in a superior plan and project.

(k) The project conforms with Chapter 15-1.10 (Conditional Use Review.)

(C) **EXCEPTION.** In conjunction with a Subdivision or Plat Amendment, several Property Owners have undergone a review process comparable to that listed in the Conditional Use Section B above and the City does not seek to subject those Owners to additional Planning Commission review. Therefore, at the request of the Owner, the Community Development Director may exempt an allowed residential Structure in excess of one thousand square feet (1,000 sq. ft.) from the Conditional Use process upon finding the following:

- (1) The Lot resulted from a Subdivision or Plat Amendment after January 1, 1995;
- (2) The conditions of approval or required Plat notes reflect a maximum house size or Building Footprint; and
- (3) The conditions of approval or required Plat notes include a requirement for Community Development Department review of grading, excavation, erosion, or similar criteria as found in the foregoing Section B, prior to Building Permit issuance.

The findings shall be in writing, filed with the Owner and City Planning Department, and shall state that the maximum house size and all other applicable regulations continue to apply (the Owner is not vested for the maximum).

15-2.1-7. PARKING REGULATIONS.

- (A) Tandem Parking is allowed for Dwellings in the Historic District.
- (B) Common driveways are allowed along shared Side Yard Property Lines to provide Access to Parking in the rear of the Main Building or below Grade if both properties are deed restricted to allow for the perpetual use of the shared drive.
- (C) Common Parking Structures are allowed as a Conditional Use where it facilitates:

- (1) the Development of individual Buildings that more closely conform to the scale of Historic Structures in the District; and
 - (2) the reduction, mitigation or elimination of garage doors at the Street edge.
- (D) A Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use Permit are subject to a Conditional Use review (Chapter 15.1.10)
- (E) Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved areas, provided the driveway leads to an approved garage or Parking Area.
- (F) Turning radii are subject to review by the Community Development Department as to function and design.

15-2.1-8. ARCHITECTURAL REVIEW.

- (A) **REVIEW.** Prior to the issuance of a Building Permit (including footing and foundation) for any Conditional or Allowed Use within this District, the Community Development Department shall review the proposed plans for compliance with Historic District Design Guidelines.

(B) **NOTICE TO ADJACENT PROPERTY OWNERS.** When the Community Development Department (CDD) determines that proposed Development plans comply with the Historic District Design Guidelines, the Staff shall post the Property and provide written notice to Owners immediately adjacent to the Property (directly abutting the Property and across Public Streets and/or Rights-of-Way).

The notice shall state that the Community Development Department staff has made a preliminary determination finding that the proposed plans comply with the Historic District Design Guidelines.

(C) **APPEALS.** The posting and notice shall include the location and description of the proposed project and shall establish a ten (10) day period to appeal the Staff's determination of compliance to the Historic District Commission. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and the Design Guidelines or Code provisions violated by the Staff determination.

15-2.1-9. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development Activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all such trees within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all Significant Vegetation through a certified arborist. The Community Development Director shall determine the Limits of Disturbance of any Development Activity and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Chapter 9.

15-2.1-10. SIGNS.

Signs are allowed in the HRL District as provided in the Park City Sign Code (Title 12).

15-2.1-11. RELATED PROVISIONS.

- Fences and Walls. Chapter 8-7.
- Accessory Apartment. Chapter 8.19.
- Satellite Receiving Antenna. Chapter 8.25.
- Telecommunication Facility. Chapter 8.30.
- Parking. See Chapter 15-3.
- Landscaping. Chapter 9 and 15-3.3(D).
- Lighting. Chapter 9 and Chapter 15-3.3.(C).
- Historic District Commission. Chapter 4.
- Park City Sign Code. Title 12.
- Architectural Design. Chapter 9.
- Snow Storage. Chapter 15-3.3.(E)
- Parking Ratio Requirements. Chapter 15-3.6.(A)(B).

**PARK CITY MUNICIPAL CODE
TABLE OF CONTENTS
TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.2**

TITLE 15 - LAND MANAGEMENT CODE

CHAPTER 2.2 - HISTORIC RESIDENTIAL (HR-1) DISTRICT

15-2.2-1.	PURPOSE	1
15-2.2-2.	USES	1
15-2.2-3.	LOT AND SITE REQUIREMENTS	2
15-2.2-4.	EXISTING HISTORIC STRUCTURES	9
15-2.2-5.	BUILDING HEIGHT	9
15-2.2-6.	DEVELOPMENT ON STEEP SLOPES	10
15-2.2-7.	PARKING REGULATIONS	13
15-2.2-8.	ARCHITECTURAL REVIEW	14
15-2.2-9.	CRITERIA FOR BED AND BREAKFAST INNS	14
15-2.2-10.	VEGETATION PROTECTION	15
15-2.2-11.	SIGNS	15
15-2.2-12.	RELATED PROVISIONS	15



TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.2 - HISTORIC RESIDENTIAL (HR-1) DISTRICT

15-2.2-1. 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 sites.

15-2.2-2. USES.

Uses in the HR-1 District are limited to the following:

(A) **ALLOWED USES.**

- (1) Single-Family Dwelling
- (2) Lockout Room¹
- (3) Nightly Rental
- (4) Home Occupation
- (5) Child Care, In-Home Babysitting
- (6) Child Care, Family
- (7) Child Care, Family Group²
- (8) Accessory Building and Use
- (9) Conservation Activity
- (10) Agriculture
- (11) Residential Parking Area or Structure, with four (4) or fewer spaces

(B) **CONDITIONAL USES.**

- (1) Duplex Dwelling
- (2) Guest House on Lots one (1) acre or greater
- (3) Secondary Living Quarters

¹Nightly rental requires a CUP

²See Chapt. 14 for Child Care Regulations

- (4) Accessory Apartment³
- (5) Group Care Facility
- (6) Child Care Center
- (7) Public and Quasi-Public Institution, church and school
- (8) Essential Municipal Public Utility Use, Facility, Service, and Structure
- (9) Telecommunication Antenna, roof or wall mounted⁴
- (10) Satellite Dish, greater than thirty-nine inches (39") diameter⁵
- (11) Bed and Breakfast Inn⁶
- (12) Boarding House, hostel⁶
- (13) Hotel, Minor, (fewer than sixteen (16) rooms)⁶
- (14) Residential Parking Area or Structure with five (5) or more spaces.
- (15) Temporary Improvement⁷
- (16) Passenger Tramway Station and Ski Base Facility
- (17) Ski Tow, Ski Lift, Ski Run, and Ski Bridge
- (18) Recreation Facility, Private
- (19) Fence over six feet (6') in Height.

³See Chapt. 8.19, Supplemental Regulations for Accessory Apartments

⁴See Chapt. 8.30, Supplemental Regs. for Telecommunication Facilities

⁵See Chapt. 8.25, Supplemental Regs. for Satellite Receiving Antennas

⁶In Historic Structures only

⁷Subject to Admin. CUP, see Section

(C) **PROHIBITED USES.** Any use not listed above as an allowed or conditional use is a prohibited use.

15-2.2-3 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 Area, Width, and Depth as required, and Frontage on a Street shown as a City 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:

(A) **LOT SIZE.** The minimum Lot area is 1,875 square feet for a Single Family Dwelling, and 3,750 square feet for a Duplex. The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line.

(B) **BUILDING ENVELOPE (HR-1 DISTRICT).** The Building Pad, Building Footprint and Height Restrictions define the maximum Building envelope within which all Development must occur.

(C) **BUILDING PAD (HR-1 DISTRICT).** The Building Pad is the Lot Area minus required Front, Rear, and Side Yard areas.

- (1) The Building Footprint must be within the Building Pad. The Building Pad must be open and free of any other Structure except:

- (a) Porches or decks (with or without roofs);
- (b) At Grade patios;
- (c) Upper level decks (with or without roofs);
- (d) Bay Windows;
- (e) Chimneys;
- (f) Sidewalks, pathways, and steps;
- (g) Screened hot tubs; and
- (h) Landscaping.

(2) Exceptions to the Building Pad area are subject to Community Development Department approval based on a determination that the proposed exceptions result in a design that:

- (a) provides increased architectural interest consistent with the Historic District Guidelines;
- (b) maintains the intent of this section to provide horizontal and vertical Building articulation.

(D) **BUILDING FOOTPRINT (HR-1 DISTRICT)**. The maximum Building Footprint of any Structure shall be calculated as follows:

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

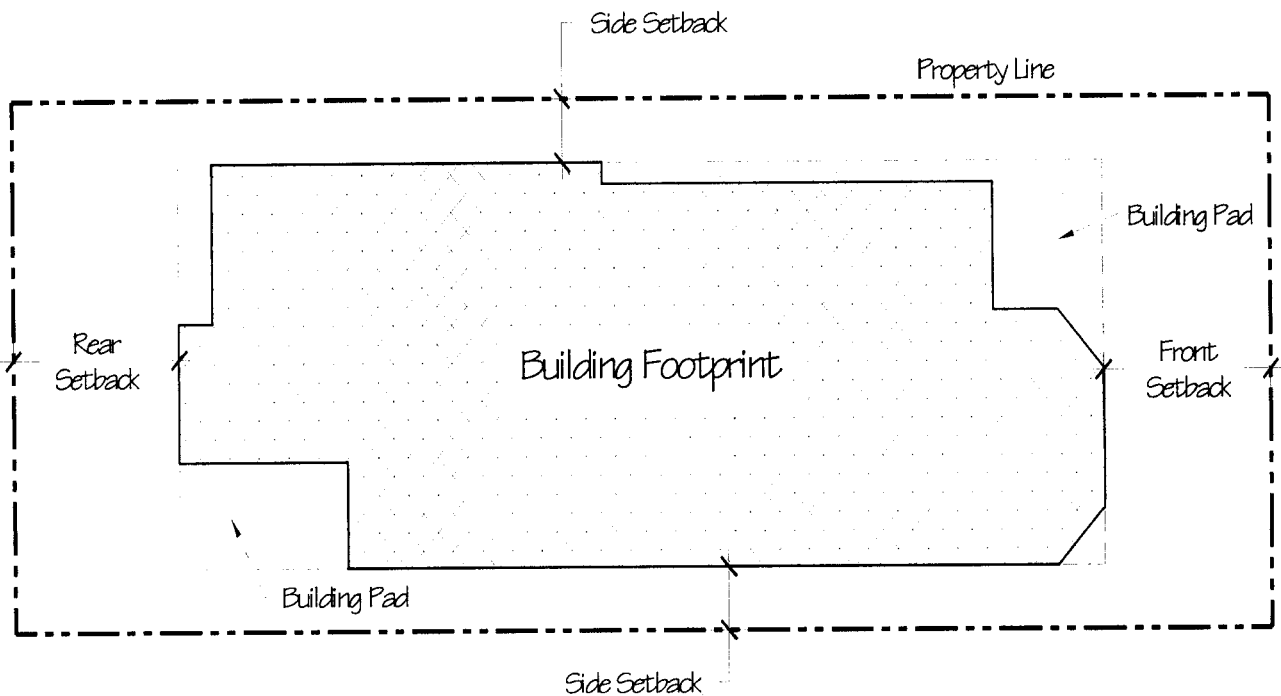
Where FP= maximum Building Footprint and A= Lot Area.

Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = \underline{1,519 \text{ sq. ft.}}$

See Table 15-2.2. below for a schedule equivalent of this formula.

TABLE 15-2.2.

Lot Depth, \leq ft.	Lot Width, ft. Up to:	Side Yards Min. Total, ft.		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 75 ft.	Per Setbacks and Lot Area	Per formula



(E) **FRONT, REAR AND SIDE YARDS.**

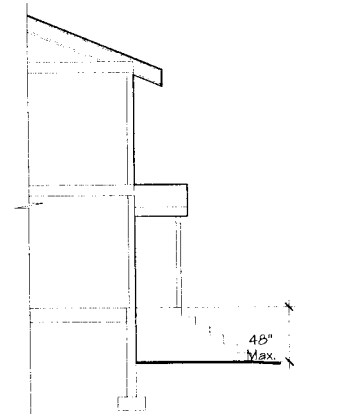
(1) **FRONT AND REAR YARDS** are as follows:

Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

(2) **FRONT YARD EXCEPTIONS.** The Front Yard must be open and free of any Structure except:

(a) A Fence or wall not more than four feet (4') in Height. On Corner Lots, Fences more than three feet (3') in Height are prohibited within twenty-five feet (25') of the intersection at back of curb.

(b) Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in Height from Final Grade (not including any required handrail) and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.



Front Yard

(c) A cantilevered deck, porch or Bay Window not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.

(d) A roof overhang, eave or cornice projecting not more than two feet (2') into the Front Yard.

(e) Sidewalks and pathways.

(f) A driveway leading to a Garage or Parking Area. No portion of a Front Yard, except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

(3) REAR YARD

EXCEPTIONS. The Rear Yard must be open and free of any Structure except:

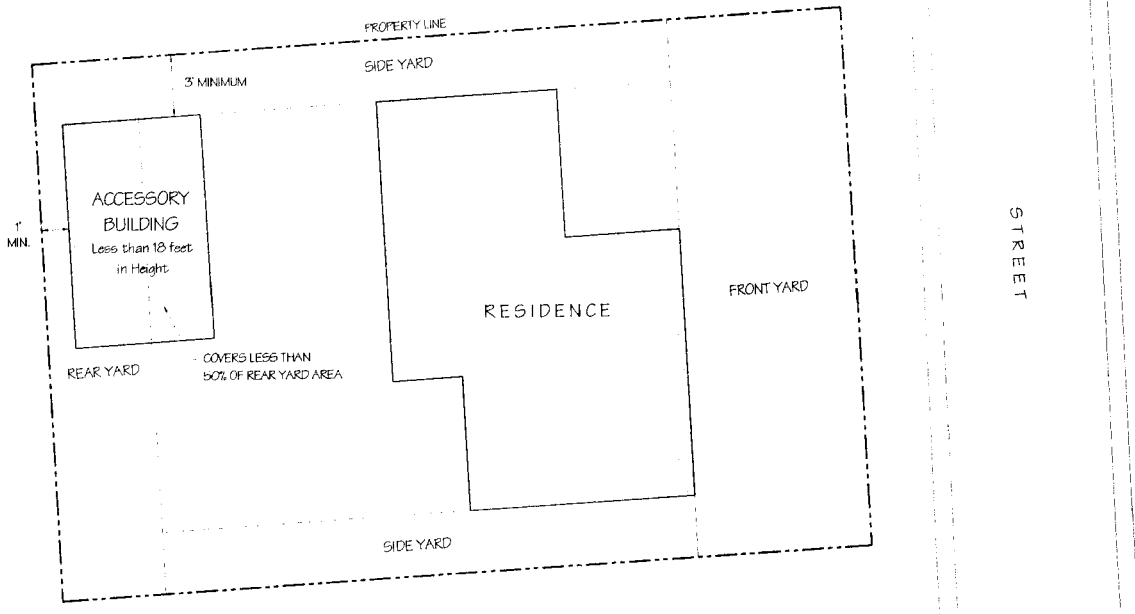
(a) A Bay Window not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.

(b) A chimney not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.

(c) A window well extending not more than four feet (4') into the Rear Yard.

(d) A roof overhang, eave or cornice projecting not more than two feet (2') into the Rear Yard.

(e) A detached Accessory Building less than eighteen feet (18') in Height and maintaining a minimum Rear Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. (See the following illustration.)



(f) A Hard-Surfaced Parking Area subject to the same location requirements as a Detached Accessory Building.

(g) Screened mechanical equipment and hot tubs located at least five feet (5') from the Rear Yard property line.

(h) A Fence, wall, or retaining wall not over six feet (6') in Height.⁸

(i) A patio, deck, steps, or similar Structure not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Yard Property Line.

(j) Pathways or steps connecting to a City staircase or pathway.

(4) SIDE YARD.

(a) The minimum Side Yard is three feet (3'), but increases for Lots greater than thirty seven and one-half feet (37.5') in Width, as per **Table 15-2.2.** above.

⁸A Fence over six feet (6') in Height requires a Conditional Use Permit.

(b) Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

(c) On Corner Lots, any Yard which faces a Street may not have a Side Yard less than five feet (5').

(5) **SIDE YARD EXCEPTIONS.** The Side Yard must be open and free of any Structure except:

(a) A window sill, belt course, trim, cornice, or other ornamental feature projecting not more than six inches (6") into the Side Yard.

(b) A roof overhang or eave projecting not more than two feet (2') into the Side Yard. **(Applies only to Lots with a Side Yard of five feet (5') or greater.)**

(c) Decks, patios, pathways, or steps not over thirty inches (30") in Height from Final Grade, provided there is at least a one foot (1') setback to the Side Property Line. **(Applies only to Lots with a Side Yard of five feet (5') or greater.)**

(d) A Fence, wall, or retaining wall not more than six feet (6') in Height.⁹

(e) A driveway leading to a garage or Parking Area.

(f) Pathway or steps connecting to a City staircase or pathway.

(g) A detached Accessory Building less than eighteen feet (18') in Height, located a minimum of five feet (5') behind the Front facade of the Main Building, maintaining a minimum Side Yard setback of three feet (3').

(h) Screened mechanical equipment and hot tubs located a minimum of five feet (5') from the Side Property Line.

(F) **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in Height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the site.

⁹A Fence over six feet (6') in Height requires a Conditional Use Permit.

15-2.2-4. EXISTING HISTORIC STRUCTURES.

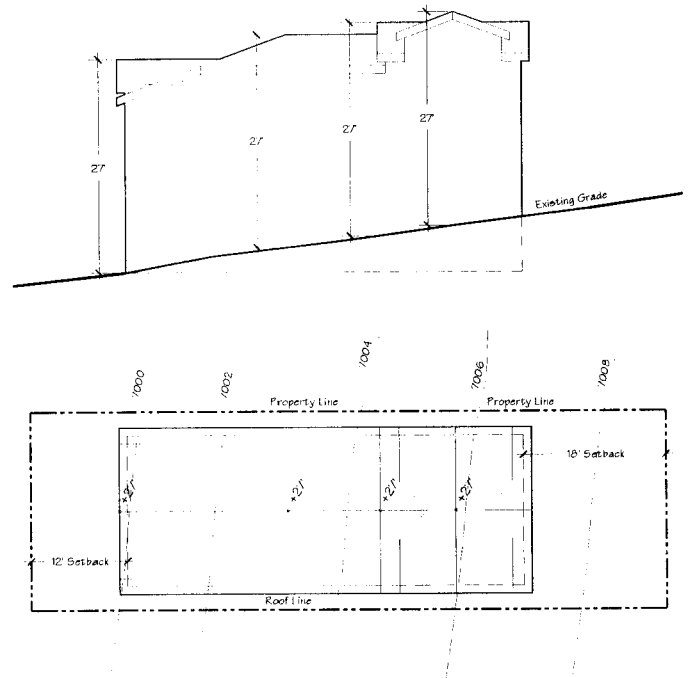
Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

(A) **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings upon:

- (1) Approval of a Conditional Use Permit,
- (2) When the scale of the addition or driveway is Compatible with the Historic Structure,
- (3) When the addition complies with all other provisions of this Chapter, and
- (4) The addition complies with the Uniform Building and Fire Codes.

15-2.2-5. BUILDING HEIGHT.

No Structure shall be erected to a Height greater than twenty-seven feet (27'). In cases where due to excavation Final Grade is lower than Existing Grade, Building Height shall be measured from Final Grade. This measure shall not include window wells or Basements.



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

- (1) An antenna, chimney, flue, vent, or similar Structure, may extend up to five feet (5') above the highest point of the Building to comply with Uniform Building Code (UBC) requirements.

(2) Mechanical equipment, when Screened or enclosed, may extend up to five feet (5') above the maximum Height.

(3) To accommodate a roof form consistent with the Historic District Design Guidelines, the Community Development Department may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the Height requirement.

15-2.2-6. DEVELOPMENT ON STEEP SLOPES.

Development on Steep Slopes must be environmentally sensitive to hillside areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Historic District Design Guidelines.

(A) **ALLOWED USE.** An allowed residential Structure and/or Access to said Structure located upon an existing Slope of thirty percent (30%) or greater must not exceed a total square footage of one thousand square feet (1000 sq. ft.) including the garage.

(B) **CONDITIONAL USE.** A Conditional Use Permit is required for any Structure in excess of one thousand square feet (1000 sq. ft.) if said Structure and/or Access is located upon any existing Slope of thirty percent (30%) or greater.

The Community Development Department shall review all Conditional Use Permit

applications and forward a recommendation to the Planning Commission. The Planning Commission shall review all Conditional Use Permit applications as Consent Calendar items, unless the Planning Commission removes the item from the Consent Agenda and sets the matter for a Public Hearing. Conditional Use Permit applications shall be subject to the following criteria:

(1) **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.

(2) **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:

(a) To determine potential impacts of the proposed Access, and Building mass and design; and

(b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.

(3) **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways

and Parking Areas, and side Access to garages are strongly encouraged.

(4) **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.

(5) **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the site. The site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.

(6) **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Community Development Director and/or Planning Commission may require a garage separate from the main Structure or no garage.

(7) **SETBACKS.** The Community Development Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the rear Property Line. The Setback variation will be a function of the site constraints, proposed Building scale, and Setbacks on adjacent Structures.

(8) **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Community Development Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.

(9) **BUILDING HEIGHT (STEEP SLOPE).** The maximum Building Height in the HR-1 District is twenty-seven feet (27'). The Community Development Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures.

(10) **HEIGHT EXCEPTIONS (STEEP SLOPE).** The Community Development Department and/or Planning Commission may grant a Building Height exception for a portion or portions of a proposed Structure if the Applicant proves compliance with each of the following criteria:

- (a) The Height exception does not result in a Height in excess of forty feet (40').
- (b) The Lot width is greater than twenty-five feet (25').
- (c) The proposed Building includes horizontal and vertical step backs to achieve increased Building articulation and Compatibility. The Planning Commission may refer the proposal to the Historic District Commission, prior to taking action, for a recommendation on the extent to which the proposed articulation and design are consistent with the Historic District Design Guidelines.
- (d) The proposed design and articulation of the Building mass mitigates the project's visual impacts and differences in scale between the proposed Structure and nearby residential Structures.

- (e) Snow release issues are resolved to the satisfaction of the Chief Building Official.
- (f) A Height reduction in other portions of the Building and/or increased Setbacks are incorporated.
- (g) The Height exception is not granted primarily to create additional Building area.
- (h) The Height exception enhances the Building's Compatibility with residential Structures by adding architectural interest to the garage element, front facade, porch, or other Building element.
- (i) The Height exception is Compatible with good planning practices and good site design.
- (j) The Height increase will result in a superior plan and project.
- (k) The project conforms with Chapter 15-1.10 (Conditional Use Review).

(C) **EXCEPTION.** In conjunction with a Subdivision or Plat Amendment, several Property Owners have undergone a review process comparable to that listed in the

Conditional Use Section B above and the City does not seek to subject those Owners to additional Planning Commission review. Therefore, at the request of the Owner, the Community Development Director may exempt an allowed residential Structure in excess of one thousand square feet (1,000 sq. ft.) from the Conditional Use process upon finding the following:

- (1) The Lot resulted from a Subdivision or Plat Amendment after January 1, 1995;
- (2) The conditions of approval or required Plat notes reflect a maximum house size or Building Footprint; and
- (3) The conditions of approval or required Plat notes include a requirement for Community Development Department review of grading, excavation, erosion, or similar criteria as found in the foregoing Section B, prior to Building Permit issuance.

The findings shall be in writing, filed with the Owner and City Planning Department, and shall state that the maximum house size and all other applicable regulations continue to apply (the Owner is not vested for the maximum).

15-2.2-7. PARKING REGULATIONS.

(A) Tandem Parking is allowed for Dwellings in the Historic District.

(B) Common driveways are allowed along shared Side Yard Property Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual use of the shared drive.

(C) Common Parking Structures are allowed as a Conditional Use Permit where it facilities:

(1) the Development of individual Buildings that more closely conform to the scale of Historic Structures in the District; and

(2) the reduction, mitigation or elimination of garage doors at the Street edge.

(D) A Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use Permit are subject to a Conditional Use review (Chapter 15-1-10)

(E) Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved areas, provided the driveway leads to an approved garage or Parking Area.

(F) Turning radii are subject to review by the Community Development Department as to function and design.

15-2.2-8. ARCHITECTURAL REVIEW.

(A) **REVIEW.** Prior to the issuance of a Building Permit (including footing and foundation) for any Conditional or Allowed Use within this District, the Community Development Department shall review the proposed plans for compliance with Historic District Design Guidelines.

(B) **NOTICE TO ADJACENT PROPERTY OWNERS.** When the Community Development Department (CDD) determines that proposed Development plans comply with the Historic District Design Guidelines, the Staff shall post the Property and provide written notice to Owners immediately adjacent to the Property (directly abutting the Property and across Public Streets and/or Rights-of-Way).

The notice shall state that the Community Development Department staff has made a preliminary determination finding that the proposed plans comply with the Historic District Design Guidelines.

(C) **APPEALS.** The posting and notice shall include the location and description of the proposed Development project and shall establish a ten (10) day period to appeal Staff's determination of compliance to the Historic District Commission. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and the Design Guidelines or Code provisions violated by the Staff determination.

15-2.2-9. CRITERIA FOR BED AND BREAKFAST INNS.

A Bed and Breakfast Inn is a Conditional Use. No permit may be issued unless the following criteria are met:

(A) The use is in an Historic Structure, or an addition thereto.

(B) The Applicant will make every attempt to rehabilitate the Historic portion of the Structure to its original condition.

(C) The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.

(D) The size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.

(E) The rooms are available for Nightly Rental only.

(F) An Owner/manager is living on-site, or at a minimum, there is twenty-four (24) hour on-Site management and check in.¹⁰

(G) Food service is for the benefit of overnight guests only.

(H) No Kitchen is permitted within rental room(s).

¹⁰ The check-in facility may be Off-Site if it is within close proximity of the Bed and Breakfast Inn.

(I) Parking on-site is required at a rate of one (1) space per rentable room. If no on-Site parking is possible, the Applicant must provide parking in close proximity to the Inn. The Planning Commission may waive the parking requirement if the Applicant proves that:

(1) no on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and

(2) the Structure is not economically feasible to restore or maintain without the adaptive use.

(J) The use complies with Chapter 15-1-10 Conditional Use Review Process.

15-2.2-10. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development Activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an area fifty square feet (50 sq. ft.) or more measured at the drip line. Development plans must show all such trees within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all Significant Vegetation through a certified arborist. The Community Development

Director shall determine the Limits of Disturbance of any Development Activity and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Chapter 9.

15-2.2-11. SIGNS.

Signs are allowed in the HR-1 District as provided in the Park City Sign Code (Title 12).

15-2.2-12. RELATED PROVISIONS.

- Fences and Walls. Chapter 8-7.
- Accessory Apartment. Chapter 8.19.
- Satellite Receiving Antenna. Chapter 8.25.
- Telecommunication Facility. Chapter 8.30.
- Parking. See Chapter 15-3.
- Landscaping. Chapter 9 and 15-3.3(D).
- Lighting. Chapter 9 and Chapter 15-3.3.(C).
- Historic District Commission. Chapter 4.
- Park City Sign Code. Title 12.
- Architectural Design. Chapter 9.
- Snow Storage. Chapter 15-3.3.(E)
- Parking Ratio Requirements. Chapter 15-3.6.(A)(B).



Ordinance No. 00-14

AN ORDINANCE APPROVING THE SECOND AMENDED PLAT OF THE HEARTHSTONE SUBDIVISION TO RELOCATE THE DRIVEWAY LOCATION FOR LOT 2, 950 AERIE DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of lot 2 of the Hearthstone subdivision located at 950 Aerie Drive, have petitioned the City Council for approval of a second amended subdivision 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 February 9, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on February 9, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 2, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. APPROVAL. The Second Amended Hearthstone subdivision plat is hereby approved as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The proposal is for lot 2 of the Hearthstone subdivision and is zoned Estate.
2. A drainage easement is located on the front (south) of the lot and will remain.
3. Driveways and building pads are platted on each lot.
4. The proposed plat relocates the driveway from the southwest corner to the southeast corner of the lot.

5. The new driveway will be less visually intrusive.

Conclusions of Law

1. There is good cause for this plat amendment as the new driveway will be less visually intrusive.
2. The plat amendment is consistent with the Park City Land Management Code, the Hearthstone subdivision and applicable State law regarding subdivision plats.
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.

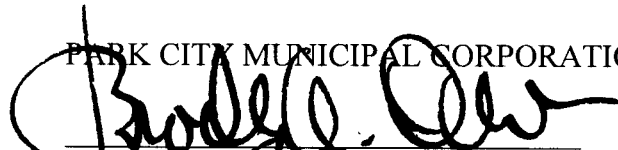
Conditions of Approval

1. The City 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 recordation of the plat is required prior to the issuance of a building permit.
3. The drainage retention basin must be reconfigured to the satisfaction of the City Engineer.
4. A revegetation plan is required in conjunction with the reconfiguration of the drainage retention basin.
5. 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 year's time, this approval and the plat will be void.
6. All other conditions of approval of the Hearthstone subdivision are in full force and effect.

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


PASSED AND ADOPTED this 2nd day of March, 2000 .

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

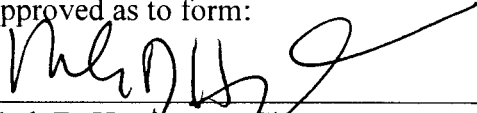
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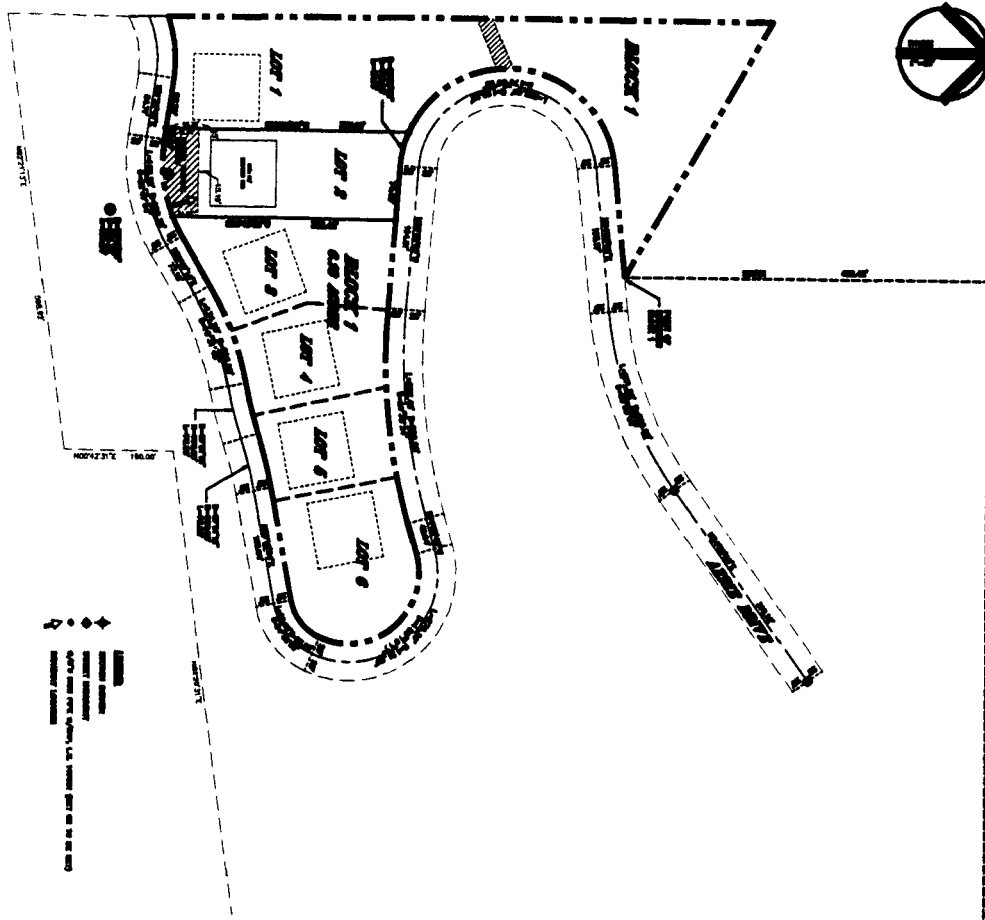
Janet M. Scott, City Recorder



Approved as to form:

A handwritten signature in black ink, appearing to read 'Mark D. Harrington', written over a horizontal line.

Mark D. Harrington, City Attorney



- ◆ EXISTING LOT
- ◆ EXISTING STREET
- ◆ EXISTING SIDEWALK
- ◆ EXISTING CURB
- ◆ EXISTING DRIVE
- ◆ EXISTING UTILITY
- ◆ EXISTING SIGN
- ◆ EXISTING LIGHT
- ◆ EXISTING TREE
- ◆ EXISTING FENCE
- ◆ EXISTING WALL
- ◆ EXISTING POLE
- ◆ EXISTING SIGN
- ◆ EXISTING LIGHT
- ◆ EXISTING TREE
- ◆ EXISTING FENCE
- ◆ EXISTING WALL
- ◆ EXISTING POLE

RECEIVED
 FEB 15 2000
 PARK CITY
 PLANNING DEPT.

**AMENDED PLAN - LOT 8
 THE OVERLOOK AT OLD TOWN
 (PROPOSED SIGNAGE AND
 LANDSCAPING IMPROVEMENTS)
 AMENDED ANNUAL/AT DISCRETION
 FOR LOT 8, BLOCK 1
 LOCATED IN SECTION 16, T4 S R4 E
 PARCELS 2 AND 3, ALBERTA & 1800
 EAST 1400 WEST AND SOUTHWEST
 PARK CITY, SHERIDAN COUNTY, UTAH**

CITY COUNCIL
 REFERRED TO THE PARK CITY COUNCIL
 FOR THE CITY OF PARK CITY, UTAH
 AT THEIR REGULAR MEETING ON
 DATE _____

CITY ENGINEER
 APPROVED AND ACCEPTED BY THE
 CITY ENGINEER ON THIS DATE OF _____
 CITY NUMBER _____

CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE
 CITY PLANNING COMMISSION ON THIS
 DATE OF _____

SHERIDAN DISTRICT
 REFERRED TO THE SHERIDAN DISTRICT
 PLANNING COMMISSION ON THIS
 DATE OF _____

APPROVAL AS TO FORM
 APPROVED AS TO FORM ON THIS
 DATE OF _____

RECORDED
 THIS PLAN HAS BEEN RECORDED IN THE
 COUNTY OF _____ AND FILED AT THE CLERK'S OFFICE
 ON DATE _____



REMARKS
 1. THE PLAN IS SUBJECT TO THE CITY ENGINEER'S REVIEW AND APPROVAL.
 2. THE PLAN IS SUBJECT TO THE CITY PLANNING COMMISSION'S REVIEW AND APPROVAL.
 3. THE PLAN IS SUBJECT TO THE SHERIDAN DISTRICT PLANNING COMMISSION'S REVIEW AND APPROVAL.
 4. THE PLAN IS SUBJECT TO THE CITY COUNCIL'S REVIEW AND APPROVAL.
 5. THE PLAN IS SUBJECT TO THE CITY ENGINEER'S REVIEW AND APPROVAL.
 6. THE PLAN IS SUBJECT TO THE CITY PLANNING COMMISSION'S REVIEW AND APPROVAL.
 7. THE PLAN IS SUBJECT TO THE SHERIDAN DISTRICT PLANNING COMMISSION'S REVIEW AND APPROVAL.
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 9. THE PLAN IS SUBJECT TO THE CITY ENGINEER'S REVIEW AND APPROVAL.
 10. THE PLAN IS SUBJECT TO THE CITY PLANNING COMMISSION'S REVIEW AND APPROVAL.
 11. THE PLAN IS SUBJECT TO THE SHERIDAN DISTRICT PLANNING COMMISSION'S REVIEW AND APPROVAL.
 12. THE PLAN IS SUBJECT TO THE CITY COUNCIL'S REVIEW AND APPROVAL.

Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P. O. Box 1480, Park City, UT 84060



Fee Exempt per Utah Code
Annotated 1953 21-7-2

Ordinance No. 00-13

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT CANYON CROSSING CONDOMINIUMS**

WHEREAS, Canyon Crossing Condominiums was approved by the Park City City Council on August 27, 1998; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including storm drains, a water distribution system, fire hydrants, and trail connections; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Canyon Crossing were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

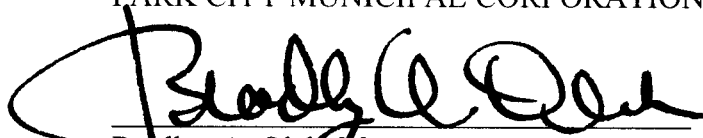
SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Canyon Crossing which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE. To guarantee the public improvements, Park City shall hold the remaining financial guarantee of \$18,112.50 for a period of one year. Separate financial guarantees for grading disturbance and for landscaping will be handled per City ordinance.

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

PASSED AND ADOPTED THIS 2nd day of March, 2000.

PARK CITY MUNICIPAL CORPORATION



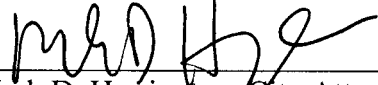
Bradley A. Olch, Mayor

Attest:



Janet M. Scott, City Recorder

Approved as to Form:



Mark D. Harrington, City Attorney



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mailed 3/7

Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P. O. Box 1480, Park City, UT 84060



Fee Exempt per Utah Code
Annotated 1953 21-7-2

Ordinance No. 00-13

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT CANYON CROSSING CONDOMINIUMS**

WHEREAS, Canyon Crossing Condominiums was approved by the Park City City Council on August 27, 1998; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including storm drains, a water distribution system, fire hydrants, and trail connections; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Canyon Crossing were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

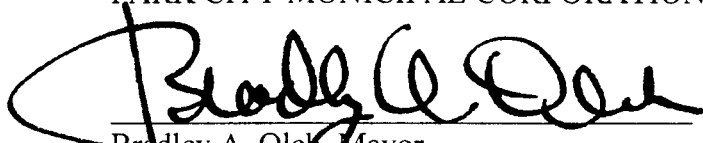
SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Canyon Crossing which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE. To guarantee the public improvements, Park City shall hold the remaining financial guarantee of \$18,112.50 for a period of one year. Separate financial guarantees for grading disturbance and for landscaping will be handled per City ordinance.

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

PASSED AND ADOPTED THIS 2nd day of March, 2000.

PARK CITY MUNICIPAL CORPORATION



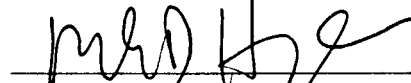
Bradley A. Olch, Mayor

Attest:

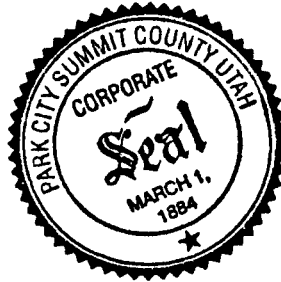


Janet M. Scott, City Recorder

Approved as to Form:



Mark D. Harrington, City Attorney



Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P. O. Box 1480, Park City, UT 84060



Fee Exempt per Utah Code
Annotated 1953 21-7-2

Ordinance No. 00-12

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT EAGLE POINTE SUBDIVISION PHASES 1 AND 2**

WHEREAS, Eagle Pointe Subdivision Phases 1 and 2 were approved by the Park City City Council on September 14, 1995, and July 18, 1996, respectively; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including the streets known as Meadows Drive, Mountain Top Lane, Eagle Pointe Court, and Eagle View Court; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Eagle Pointe Subdivision Phases 1 and 2 were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Eagle Pointe Subdivision Phases 1 and 2 which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. SNOWPLOWING. Park City is not yet accepting snowplowing responsibilities pending construction and legal occupation of homes on 50% of the lots within each subdivision plat. Until such level of occupancy occurs, the responsibility for snowplowing rests with the developer.

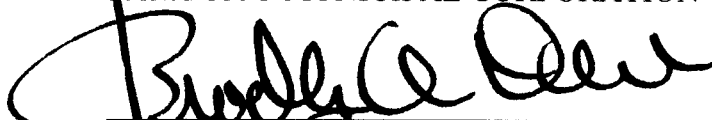
SECTION 3. FINANCIAL GUARANTEE. To guarantee the improvements, Park City shall hold the remaining guarantee of \$184,360.50 (Phase 1) and \$203,222.50 (Phase 2) for a period of one year after the adoption of this Ordinance.

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3-12-96
ALAN SPRIGGS, SUMMIT CO RECORDER
2000 MAR 10 11:01 AM FEE \$.00 BY CJW
REQUEST: PARK CITY MUNICIPAL CORP

SECTION 4. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED this 2nd day of March, 2000.

PARK CITY MUNICIPAL CORPORATION



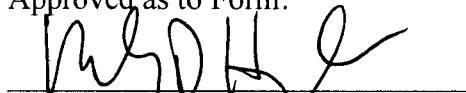
Bradley A. Olch, Mayor

Attest:

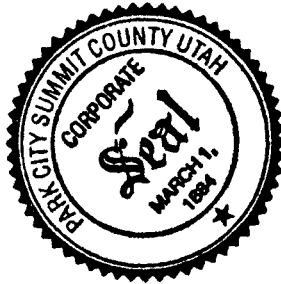


Janet M. Scott, City Recorder

Approved as to Form:



Mark D. Harrington, City Attorney



00560893 Bk01310 Pg00912

Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P. O. Box 1480, Park City, UT 84060



Fee Exempt per Utah Code
Annotated 1953 21-7-2

Mailed 3/7

Ordinance No. 00-12

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT EAGLE POINTE SUBDIVISION PHASES 1 AND 2**

WHEREAS, Eagle Pointe Subdivision Phases 1 and 2 were approved by the Park City City Council on September 14, 1995, and July 18, 1996, respectively; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including the streets known as Meadows Drive, Mountain Top Lane, Eagle Pointe Court, and Eagle View Court; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Eagle Pointe Subdivision Phases 1 and 2 were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Eagle Pointe Subdivision Phases 1 and 2 which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

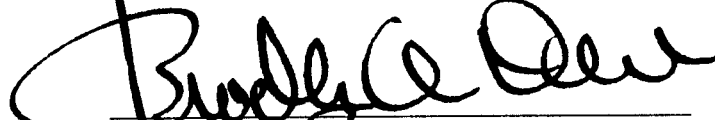
SECTION 2. SNOWPLOWING. Park City is not yet accepting snowplowing responsibilities pending construction and legal occupation of homes on 50% of the lots within each subdivision plat. Until such level of occupancy occurs, the responsibility for snowplowing rests with the developer.

SECTION 3. FINANCIAL GUARANTEE. To guarantee the improvements, Park City shall hold the remaining guarantee of \$184,360.50 (Phase 1) and \$203,222.50 (Phase 2) for a period of one year after the adoption of this Ordinance.

SECTION 4. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED this 2nd day of March, 2000.

PARK CITY MUNICIPAL CORPORATION



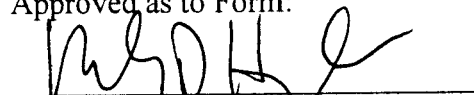
Bradley A. Olch, Mayor

Attest:

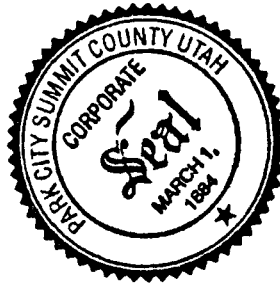


Janet M. Scott, City Recorder

Approved as to Form:



Mark D. Harrington, City Attorney



Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P. O. Box 1480, Park City, UT 84060



Fee Exempt per Utah Code
Annotated 1953 21-7-2

Ordinance No. 00-11

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT THE COVE AT EAGLE MOUNTAIN
PLANNED UNIT DEVELOPMENT (P.U.D.) PHASE 1**

WHEREAS, The Cove at Eagle Mountain Planned Unit Development (P.U.D.), Phase 1, was approved by the Park City City Council in 1997, with an amendment in 1998; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including a portion of Meadows Drive, sidewalks, storm drains, and a water distribution system; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within The Cove at Eagle Mountain P.U.D. Phase 1 were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at The Cove at Eagle Mountain P.U.D. Phase 1 which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE. To guarantee the improvements, Park City shall hold the remaining guarantee of \$82,047.50 for a period of one year.

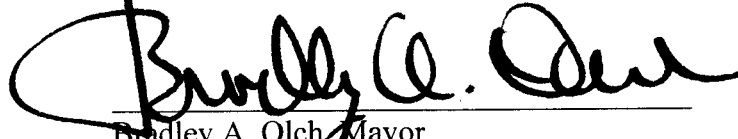
SECTION 3. SNOWPLOWING AND LANDSCAPE MAINTENANCE. The City street known as Meadows Drive is accepted for purposes of snowplowing because it is a main collector road serving other neighborhoods. Park City accepts no responsibility for landscape maintenance of any type at The Cove at Eagle Mountain P.U.D. Phase 1.

00560892 Br01310 Pg00909-00910
3-12-00
ALAN SPRIGGS, SUMMIT CO RECORDER
2000 MAR 10 11:00 AM FEE \$.00 BY CJW
REQUEST: PARK CITY MUNICIPAL CORP

SECTION 4. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 2nd day of March, 2000

PARK CITY MUNICIPAL CORPORATION



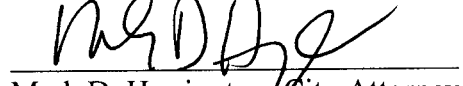
Bradley A. Olch, Mayor

Attest:

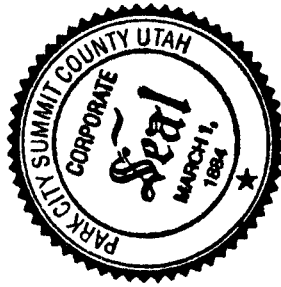


Janet M. Scott, City Recorder

Approved as to Form:



Mark D. Harrington, City Attorney



00560892 Bk01310 Pg00910



Ordinance No. 00-10

AN ORDINANCE APPROVING A TWO LOT SUBDIVISION PLAT FOR 1550 LOWER IRON HORSE LOOP, PARK CITY, UTAH.

WHEREAS, the owners of the metes and bounds parcel located at 1550 Lower Iron Horse Loop have petitioned the City Council for approval of a final 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 February 9, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on February 9, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 24, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. APPROVAL. The Bonanza Place subdivision plat is hereby approved as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The subdivision project known as the Bonanza Place is located on the east side of Bonanza Drive at Iron Horse Loop and is zoned both Light Industrial and Estate with the Sensitive Lands Overlay on the Estate portion.
2. The property is a metes and bounds parcel. The proposed subdivision consists of 2 lots.
3. A Master Planned Development for the parcel was approved by the City Council on December 16, 1999.

4. The useable office space will be no more than 3,600 square feet on one floor.
5. Parking for 18 spaces is provided under the building.
6. The building height is less than the maximum building height of 35 feet from natural grade allowed in the LI zone.
7. Front setbacks of 20 feet apply along Bonanza Drive and to the exposed building face along Upper Iron Horse Loop. The increased setback from Upper Iron Horse to the building face is a change from the proposal seen by the Planning Commission.
8. A sideyard setback of 10 feet applies along Lower Iron Horse Loop.
9. The Planning Commission reviewed the subdivision application and forwarded a positive recommendation at their regular meeting of February 9, 2000.

Conclusions of Law

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

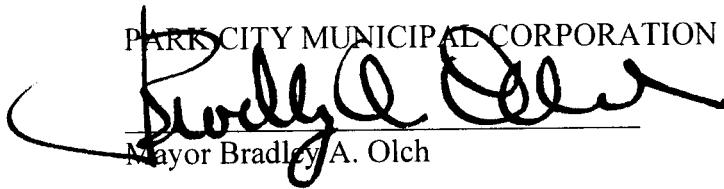
Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. All Standard Project Conditions of Approval apply to this project.
3. The recordation of a subdivision plat for the project site is required prior to the issuance of a building permit.
4. The subdivision plat will denote lot 2 as unbuildable open space.
5. A plat note stating that the MPD approval is for 3600 square feet of net leasable area only is required. Any deviations from this figure will require an amendment to the MPD.
6. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
7. All other conditions of approval of the Bonanza Place MPD are in full force and effect.

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


PASSED AND ADOPTED this 24th day of February, 2000 .

PARK CITY MUNICIPAL CORPORATION

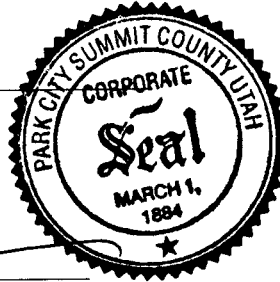


Mayor Bradley A. Olch

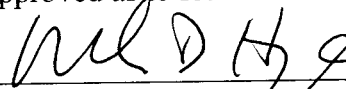
Attest:



Janet M. Scott, City Recorder

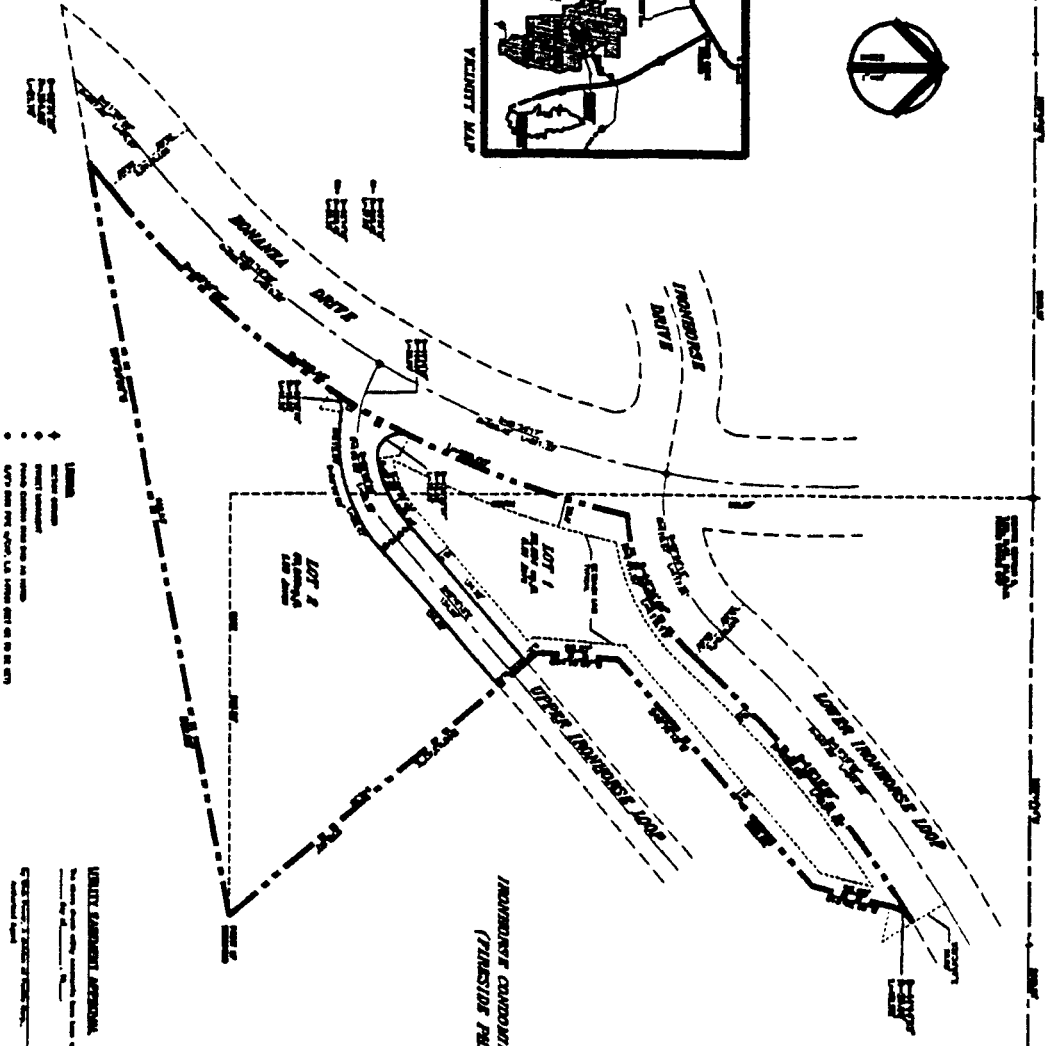
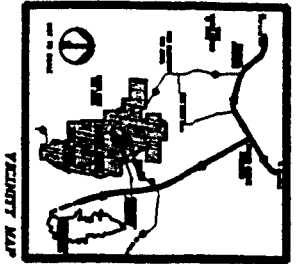


Approved as to form:



Mark D. Harrington, City Attorney

PLAT



- LOT BOUNDARY
- - - - - EASEMENT
- UTILITY EASEMENT
- SEWER DISTRICT BOUNDARY
- LOT 1
- LOT 2

UTILITY EASEMENT AREA
 The Utility Easement Area is the area shown on this plan which is reserved for the use of the utility companies for the installation and maintenance of their utility lines.

IMPROVEMENTS (PROPOSED)
 The improvements shown on this plan are those proposed by the applicant for the lots shown on this plan.

MANLAND PLACE
 A TWO LOT SUBDIVISION
 LOCATED IN THE SOUTH HALF OF SECTION 8,
 TOWNSHIP 3 SOUTH, RANGE 4 EAST,
 SALT LAKE BASE AND MERIDIAN,
 PINE CITY, SWAIN COUNTY, NORTH CAROLINA

DEED
 The Deed is recorded in the Public Records of Swain County, North Carolina, in Book _____, Page _____.

DEED
 The Deed is recorded in the Public Records of Swain County, North Carolina, in Book _____, Page _____.

DEED
 The Deed is recorded in the Public Records of Swain County, North Carolina, in Book _____, Page _____.

DEED
 The Deed is recorded in the Public Records of Swain County, North Carolina, in Book _____, Page _____.

DEED
 The Deed is recorded in the Public Records of Swain County, North Carolina, in Book _____, Page _____.

DEED
 The Deed is recorded in the Public Records of Swain County, North Carolina, in Book _____, Page _____.

<p>CITY COUNCIL</p> <p>APPROVED BY THE PINE CITY COUNCIL THIS _____ DAY OF _____ 19____ AT WHICH TIME THIS PLAT WAS APPROVED.</p> <p>BY: _____</p>	<p>CITY ENGINEER</p> <p>APPROVED AND ACCEPTED BY THE PINE CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ 19____.</p> <p>CITY ENGINEER: _____</p>	<p>CITY PLANNING COMMISSION</p> <p>APPROVED AND ACCEPTED BY THE PINE CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ 19____.</p> <p>CHAIRMAN: _____</p>	<p>SEWER DISTRICT</p> <p>REVIEWING FOR COMPLIANCE TO SEWER/DISTRICT PLAT WITH SEWER APPROVED DISTRICT STRUCKLINE ON THIS _____ DAY OF _____ 19____.</p> <p>SEWER: _____</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM ON THIS _____ DAY OF _____ 19____.</p> <p>CITY ATTORNEY: _____</p>	<p>RECORDED</p> <p>THIS PLAT WAS RECORDED AND FILED AT THE REGISTER'S OFFICE ON THIS _____ DAY OF _____ 19____.</p> <p>REGISTER: _____</p>	<p>THE JACK JOHNSON COMPANY</p> <p>1772 Pine City Road, Pine City, NC 28769 (704) 735-2200</p>
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EXHIBIT A

When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

Fee Exempt per Utah Code
Annotated 1953 21-7-2



00559942 Bk01308 Pg01313-01314
3-3aw
ALAN SPRIGGS, SUMMIT CO RECORDER
2000 FEB 28 10:04 AM FEE \$1.00 BY DMC
REQUEST: PARK CITY MUNICIPAL CORP

Ordinance No. 00-9

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT SANDSTONE COVE SUBDIVISION**

WHEREAS, Sandstone Cove subdivision was approved by the Park City City Council in 1997; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including the street known as Sandstone Cove, trails, storm drains, and a water distribution system; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Sandstone Cove subdivision were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Sandstone Cove Subdivision which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE. To guarantee the improvements, Park City shall hold the remaining guarantee of \$142,384.37 for a period of one year.

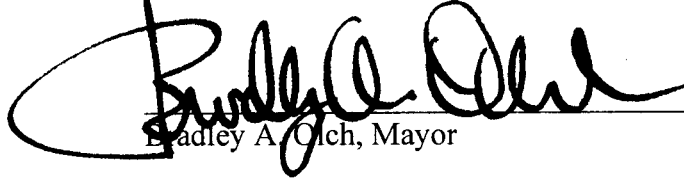
SECTION 3. SNOWPLOWING AND LANDSCAPE MAINTENANCE. The City street known as Sandstone Cove is not yet accepted for purposes of snowplowing because fewer than 50% of the buildable lots within Sandstone Cove are built out or are in progress. Park

City accepts no responsibility for landscape maintenance of any type at Sandstone Cove, especially near the entry building.

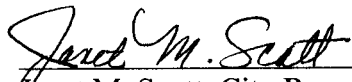
SECTION 4. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED this 10th day of February, 2000.

PARK CITY MUNICIPAL CORPORATION



Bradley A. Cich, Mayor

ATTEST:


Janet M. Scott, City Recorder



Approved as to Form:


Mark D. Harrington, City Attorney

00559942 Bk01308 Pg01314

When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

Fee Exempt per Utah Code
Annotated 1953 21-7-2



00559943 Bk01308 Pg01315-01316
3-3cw
ALAN SPRIGGS, SUMMIT CO RECORDER
2000 FEB 28 10:05 AM FEE \$1.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

Ordinance No. 00-8

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT SILVER POINTE CONDOMINIUMS**

WHEREAS, Silver Pointe Condominiums was approved by the Park City City Council; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including portions of Rossie Hill Drive, storm drains, and a water distribution system; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Silver Pointe Condominiums were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

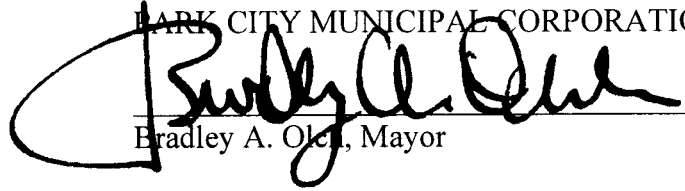
SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Silver Pointe Condominiums which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE To guarantee the improvements, Park City shall hold the remaining financial guarantee of \$37,399.50 for a period of one year.

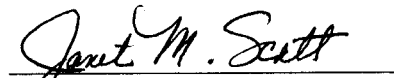
SECTION 3. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED this 10th day of February, 2000.

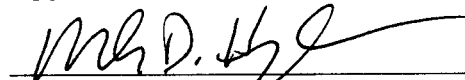
PARK CITY MUNICIPAL CORPORATION

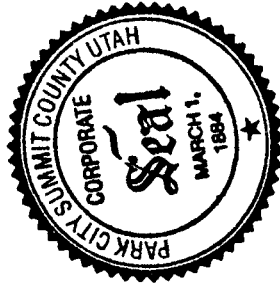

Bradley A. Olsen, Mayor

Attest


Janet M. Scott, City Recorder

Approved as to Form:


Mark D. Harrington, City Attorney



00559943 Bx01308 Pg01316

When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

**Fee Exempt per Utah Code
Annotated 1953 21-7-2**



00559944 Bk01308 Pg01317-01318
3-30w
ALAN SPRIGGS, SUMMIT CO RECORDER
2000 FEB 28 10:05 AM FEE \$1.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

Ordinance No. 00-7

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT GALLACHER B-31 REPLAT**

WHEREAS, Gallacher B-31 Replat subdivision was approved by the Park City City Council on September 25, 1997; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including portions of a water distribution system; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Gallacher B31 Replat subdivision were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

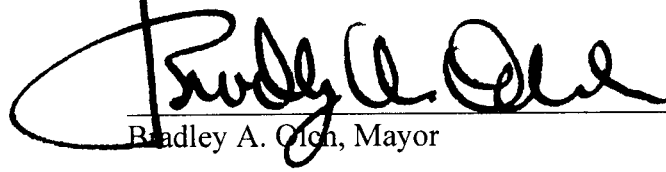
SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Gallacher B31 Replat Subdivision which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE. To guarantee the improvements, Park City shall hold the remaining guarantee of \$3,000.00 for a period of one year.

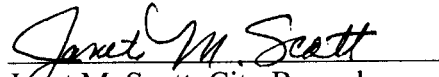
SECTION 3. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED this 10th day of February, 2000.

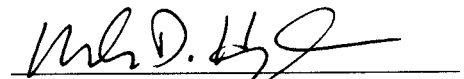
PARK CITY MUNICIPAL CORPORATION


Bradley A. Olch, Mayor

Attest:


Janet M. Scott, City Recorder

Approved as to Form:


Mark D. Harrington, City Attorney



00559944 8K01308 Pg01318



Ordinance No. 00-6

**AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY,
A PLAT AMENDMENT LOCATED IN BLOCK 53 AND BLOCK 60 OF THE PARK
CITY SURVEY, PARK CITY, UTAH**

WHEREAS, the owners of the property known as James and Sandra Ivers, owners of Lots 1-5, Block 60 and Lots 27-32, Block 53 of the Park City Survey, have petitioned the City Council for approval of a revision to the final 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 November 10, 1999 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on November 10, 1999, forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 10, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The properties are within the HR-1 & HR-L District. The applicant is applying the HR-L zoning standards to the newly created lots.
2. The plat amendment combines 7 full lots and 5 partial lots into four lots ranging in size from 3,750 square feet to 6,800 square feet.
3. The proposed lot size is consistent with some existing lot sizes in the surrounding area.
4. The majority of this project is on Ontario Avenue with dense residential uses. Minimal construction staging area is available along Ontario Avenue.

5. The site is currently undeveloped.
6. The property owner is applying for a plat amendment to combine 7 full lots & 5 partial lots to construct four single-family dwellings.
7. The applicant is requesting the City vacate approximately 5,600 square feet of platted Ontario Avenue. The applicant is proposing to dedicate 2,385 square feet Right of Way to the city.
8. The right-of-way vacation criteria of Resolution 8-98 includes:
 - (A) There is no increase in density as a result of the vacation of the Ontario Avenue right-of-way;
 - (B) Compensation for the loss of the right-of-way shall be addressed at City Council; and
 - (C) The area of the vacated right-of-way is not currently used for public utilities nor planned for such use in the future.
9. As currently platted, a density of up to five single family dwellings could be constructed through an administrative lot line adjustment hearing, and, or Board of Adjustment.
10. Each lot that exceeds 30% slope will be reviewed under a conditional use permit.
11. Resolution 8-98 street vacation policy, Sensitive Lands Ordinance is used as a guide to achieve neighborhood compatibility.
12. Trails along the Virginia Mining Claim and Thrill Hill rail bed currently exist and will be accessible for public use.
13. Signed affidavits have been provided from adjacent property owners in Block 52 stating they are not opposed to the street vacation of Ontario Avenue.
14. The neighborhood has built out incrementally over time with structures of varying sizes dispersed across the hill.
15. Based upon development patterns of the neighborhood, development under the proposed plat amendment would not increase density based on the currently platted HR-1/HR-L Lots.
16. Dedication of a ten foot (10'-0") nonexclusive snow storage easement, along Ontario Avenue, is necessary to provide adequate snow removal services.
17. The applicant proposed to dedicate right-of-way off existing Ontario to Second Street. The proposed dedication does not meet City right-of-way standards and therefore is not acceptable. The City will evaluate subsequent offers of dedication of right-of-way to Block 52 in accordance with City standards in effect at the time of application.
18. The applicant stipulates to all conditions of approval.

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

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements, and the Right-Of-Way Vacation Resolution.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, a plat amendment to Block 53 and Block 60, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along Ontario Avenue shall be dedicated to the City on the plat.
3. A financial guarantee in an amount acceptable to the City Engineer for the value of all public improvements and required landscaping to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
4. Design of the proposed homes on all lots require review and approval for compliance with the Historic District Design Guidelines.
5. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
6. All Standard Project Conditions shall apply (See Exhibit B - Standard Project Conditions).
7. Receipt and approval of a construction mitigation plan (CMP) by the Community Development Department is a condition precedent to the issuance of a building permit. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction-related details to the satisfaction of the Community Development Department.
8. The portion of Ontario Right-Of-Way vacated may not be used for maximum building footprint calculation.
9. Access to Lots 3 and 4 shall be provided by means of a platted maximum 20 foot private driveway easement accommodating a 12 foot wide paved private driveway. The proposed right-of-way dedication shall be eliminated from the plat although the private driveway may at some future time be converted to a public right-of-way or private road to access Block 52 provided

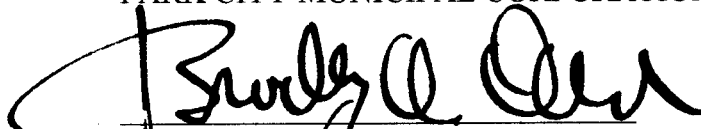
right-of-way standards (currently 40') are met and approval is given by the City Council via formal plat amendment.

10. City Council approval of the proposed vacation of Ontario is a condition precedent to plat recordation.
11. A plat note shall be added to the final plat stating that the private driveway provide access to Lots 3 and 4 only, and is not designed for a through street to Block 52, although such a public extension in the future may be possible. Any future right-of-way dedication or expanded driveway in this area must meet City Standards and must be approved by the City Council via a formal plat amendment.
12. The proposed 20-foot private driveway easement shall remain open for public trail access to the existing rail spur that runs south of existing Thrill Hill via the private driveway. A note on the plat indicating public access to existing trails from the driveway shall be added.
13. During construction of the house on Lot 1, access shall not be blocked from McHenry Avenue to the existing trail that is located on the Virginia Mining Claim parcel. A plat note to this effect shall be added to preserve trail access to the Virginia Mining Claims parcel.
14. Payment of the compensation value determined by the City Council, by the applicant, to the City prior to the recordation of the plat amendment.

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

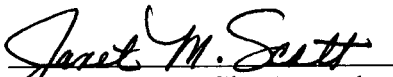
PASSED AND ADOPTED this 10th day of February, 2000.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch


Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

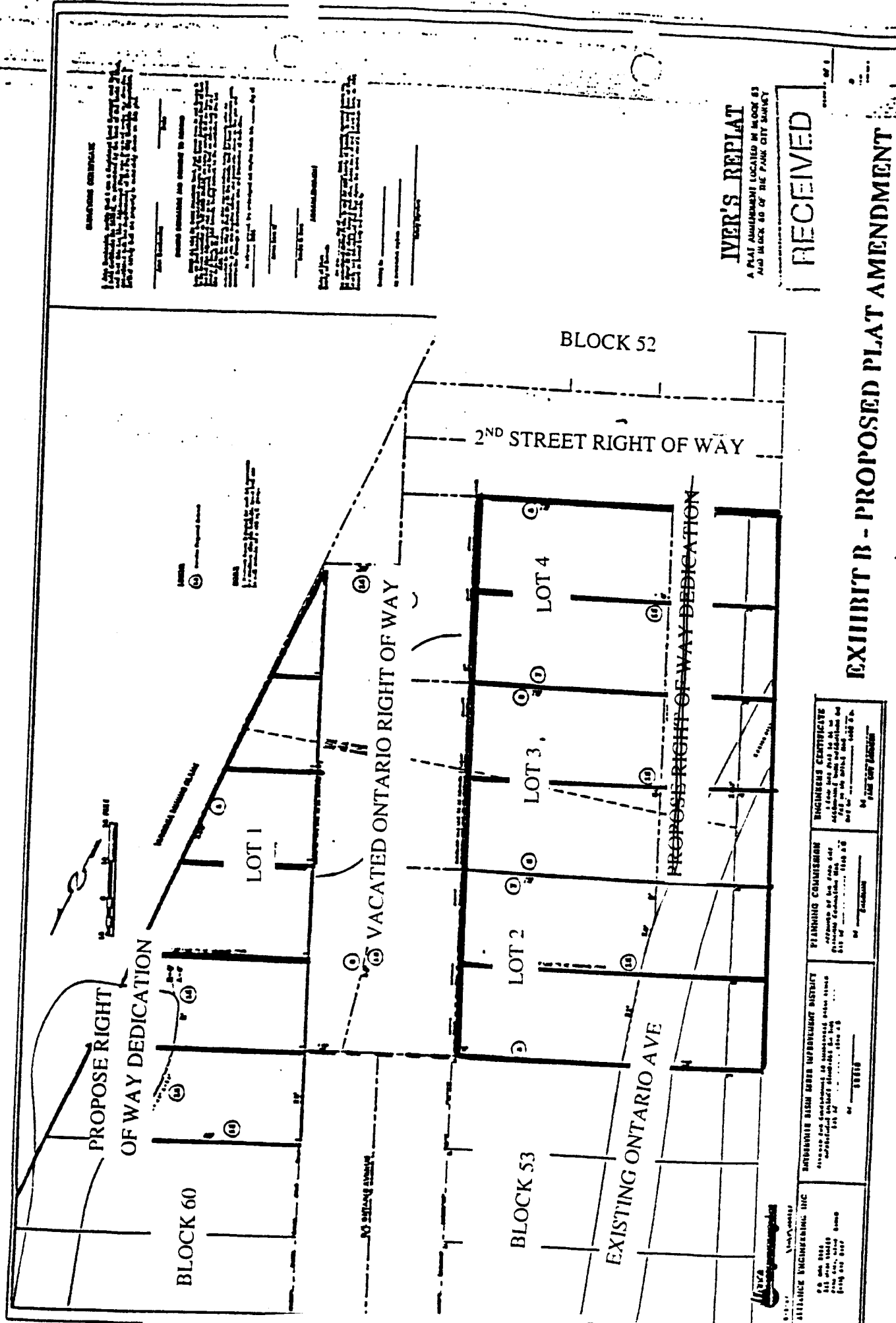


Exhibit A

ENGINEERING CERTIFICATE
 I, the undersigned, being duly licensed as a Professional Engineer in the Province of Ontario, do hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the Province of Ontario.

DATE: _____
NAME: _____
ADDRESS: _____
CITY: _____

IVER'S REPLAT
 A PLAT AMENDMENT LOCATED IN BOOK 83
 AND BLOCK 20 OF THE PARK CITY SURVEY

RECEIVED

EXHIBIT B - PROPOSED PLAT AMENDMENT

<p>ALLIANCE ENGINEERING INC. 100 W. 10th St. Saskatoon, S4N 1C1 (306) 975-1111</p>	<p>PLANNING COMMISSION Approved by the Planning Commission on the _____ day of _____, 2010.</p>	<p>ENGINEERS CERTIFICATE I, the undersigned, being duly licensed as a Professional Engineer in the Province of Ontario, do hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the Province of Ontario.</p>
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Ordinance No. 00-5

**A PORTION OF ONTARIO AVENUE RIGHT-OF-WAY
ADJACENT TO LOTS 1-5, BLOCK 60, PARCK CITY SURVEY AND
LOTS 27-32, BLOCK 53, PARK CITY SURVEY
LOCATED IN THE SOUTHEAST ¼ OF SECTION 16, T2S, R4E, SLB&M**

BEGINNING at the southeast corner of Block 53, Park City Survey, according to the official Plat of record and on file in the office of the Summit County Recorder; and running thence North 66°22'00" East 32.01 feet to a point on the easterly line of the Park City Townsite Boundary and Section Line; thence North 00°05'05" West 20.00 feet along the Section Line to the southernmost corner of Lot 1, Block 60, of said Park City Survey; thence North 23°38'00" West 131.67 feet along the easterly right-of-way line of Ontario Avenue, a public right-of-way; thence South 66°22'00" West 40.00 feet to a point on the westerly right-of-way line of said Ontario Avenue; thence South 23°38'00" East 150.00 feet to the point of beginning.

DESCRIPTION CONTAINS 5927 SQ. FT. more or less.

WHEREAS, the City Council voted on February 10, 2000 to amend the Park City Survey Plat, a plat amendment to the Park City Survey, located at Block 53 and 60 of the Park City Survey, Park City, Utah, and the owners of that plat, James and Sandra Ivers, have petitioned the City Council to vacate portions of the Ontario Avenue Right Of Way; and

WHEREAS, the applicants have compensated the City for the loss of the right-of-way, in the amount of \$ 22,000 ; and

WHEREAS, the vacation request was properly noticed and posted according to the requirements of the State Code of Utah; and

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

WHEREAS, the Planning Commission held a public hearing on November 10, 1999, to receive input on the proposed vacation;

WHEREAS, the Planning Commission, on November 10, 1999, forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 10, 2000, the City Council held a public hearing to receive input on the proposed vacation; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The properties are within the HR-1 & HR-L District. The applicant is applying the HR-L zoning standards to the newly created lots.
2. The plat amendment combines 7 full lots and 5 partial lots into four lots ranging in size from 3,750 square feet to 6,800 square feet.
3. The proposed lot size is consistent with some existing lot sizes in the surrounding area.
4. The majority of this project is on Ontario Avenue with dense residential uses. Minimal construction staging area is available along Ontario Avenue.
5. The site is currently undeveloped.
6. The property owner is applying for a plat amendment to combine 7 full lots & 5 partial lots to construct four single-family dwellings.
7. The applicant is requesting the City vacate approximately 5,600 square feet of platted Ontario Avenue.
8. The right-of-way vacation criteria of Resolution 8-98 includes:
 - (A) There is no increase in density as a result of the vacation of the Ontario Avenue right-of-way;
 - (B) Compensation for the loss of the right-of-way shall be addressed at City Council; and
 - (C) The area of the vacated right-of-way is not currently used for public utilities nor planned for such use in the future.
9. As currently platted, a density of up to five single family dwellings could be constructed through an administrative lot line adjustment hearing, and, or Board of Adjustment.
10. Each lot that exceeds 30% slope will be reviewed under a conditional use permit.
11. Resolution 8-98 street vacation policy, Sensitive Lands Ordinance is used as a guide to achieve neighborhood compatibility.
12. Trails along the Virginia Mining Claim and Thrill Hill rail bed currently exist and will be accessible for public use.

13. Signed affidavits have been provided from adjacent property owners in Block 52 stating they are not opposed to the street vacation of Ontario Avenue.
14. The neighborhood has built out incrementally over time with structures of varying sizes dispersed across the hill.
15. Based upon development patterns of the neighborhood, development under the proposed plat amendment would not increase density based on the currently platted HR-1/HR-L Lots.
16. Dedication of a ten foot (10'-0") nonexclusive snow storage easement, along the built portion of Ontario Avenue, is necessary to provide adequate snow removal services.
17. The applicant proposed to dedicate right-of-way off existing Ontario to Second Street. The proposed dedication does not meet City right-of-way standards and therefor is not accepted. The City will evaluate subsequent offers of dedication of right-of-way to Block 52 in accordance with City standards in effect at the time of application.
18. The applicant stipulates to all conditions of approval.

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

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements, and the Right-Of-Way Vacation Resolution.

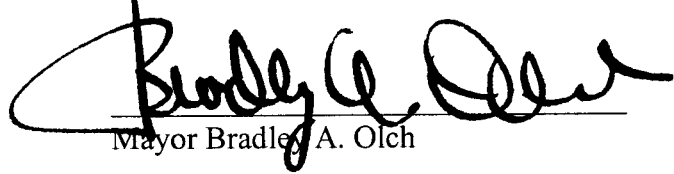
SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, a plat amendment to Block 53 and Block 60, is approved as shown in Ordinance No. 00-6, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
3. The portion of Ontario Right-Of-Way vacated may not be used for maximum building footprint calculation.
4. Payment of the compensation value determined by the City Council, by the applicant, to the City prior to the recordation of the plat amendment.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication. This street Vacation will be effective upon recordation of the plat.

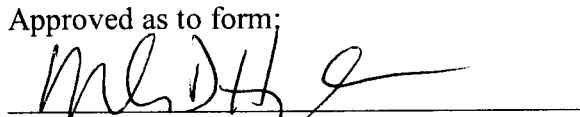
PASSED AND ADOPTED this 10th day of February, 2000.

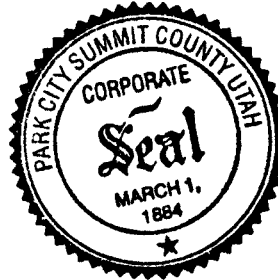
PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



00560295 Bk01309 Pg00747



Ordinance No. 00-04

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF PARK CITY TO ADJUST THE SENSITIVE AREA
OVERLAY ZONE BOUNDARY IN THE VICINITY OF
DEER VALLEY DRIVE EAST,
PARK CITY, SUMMIT COUNTY, UTAH**

WHEREAS, the Sensitive Area Overlay Zone boundary was established in 1992 for the purpose of regulating development on ridgetops, hillsides and in wetlands; and

WHEREAS, the Sensitive Area Overlay boundary was drawn to be inclusive, with the understanding that further evaluation may result in some areas not being identified as "sensitive"; and

WHEREAS, it came to the attention of the Planning Department that the boundary in the vicinity of Deer Valley Drive may more appropriately be placed behind the existing development at the toe of the slope; and

WHEREAS, the Planning Commission held a legally noticed public hearing on a proposed boundary adjustment on December 15, 1999 and forwarded a positive recommendation on the boundary line adjustment to the City Council;

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

SECTION 1. ZONING MAP AMENDED. The Official Zoning Map of Park City as adopted by Section 1.9 of the Park City Land Management Code, is hereby amended to adjust the Sensitive Area Overlay Zone boundary as depicted on Exhibit A, based upon the following findings:

1. The Sensitive Areas Overlay Zone was established in 1992. At that time, a boundary was established.
2. The intent of the Sensitive Area Overlay Zone was to protect ridgelines, hillsides and wetlands.
3. The area to the east of Deer Valley Drive East contains development or disturbed area. Beyond this area, the hillside rises consistently.

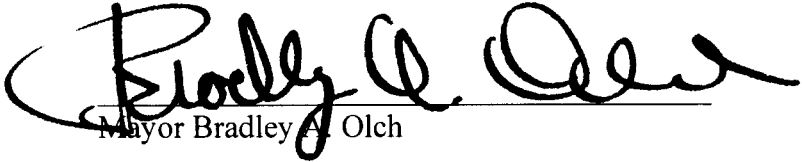
4. Further site specific review of the zone boundary in the vicinity of Deer Valley East demonstrated that an adjustment to the zone boundary to the toe of the consistently rising slope and excluding the disturbed area immediately to the east of the road is appropriate.

5. The amendment is consistent with the General Plan. The Land Use Element specifically directs development to the toe of slopes, preserving ridgelines, meadows and visible hillsides.

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

PASSED AND ADOPTED this 3rd day of February, 2000.

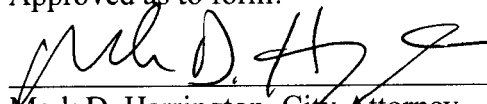
PARK CITY MUNICIPAL CORPORATION

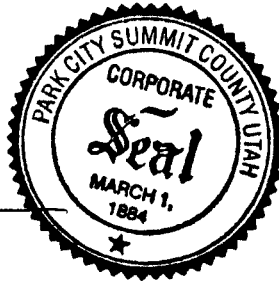

Mayor Bradley A. Olch

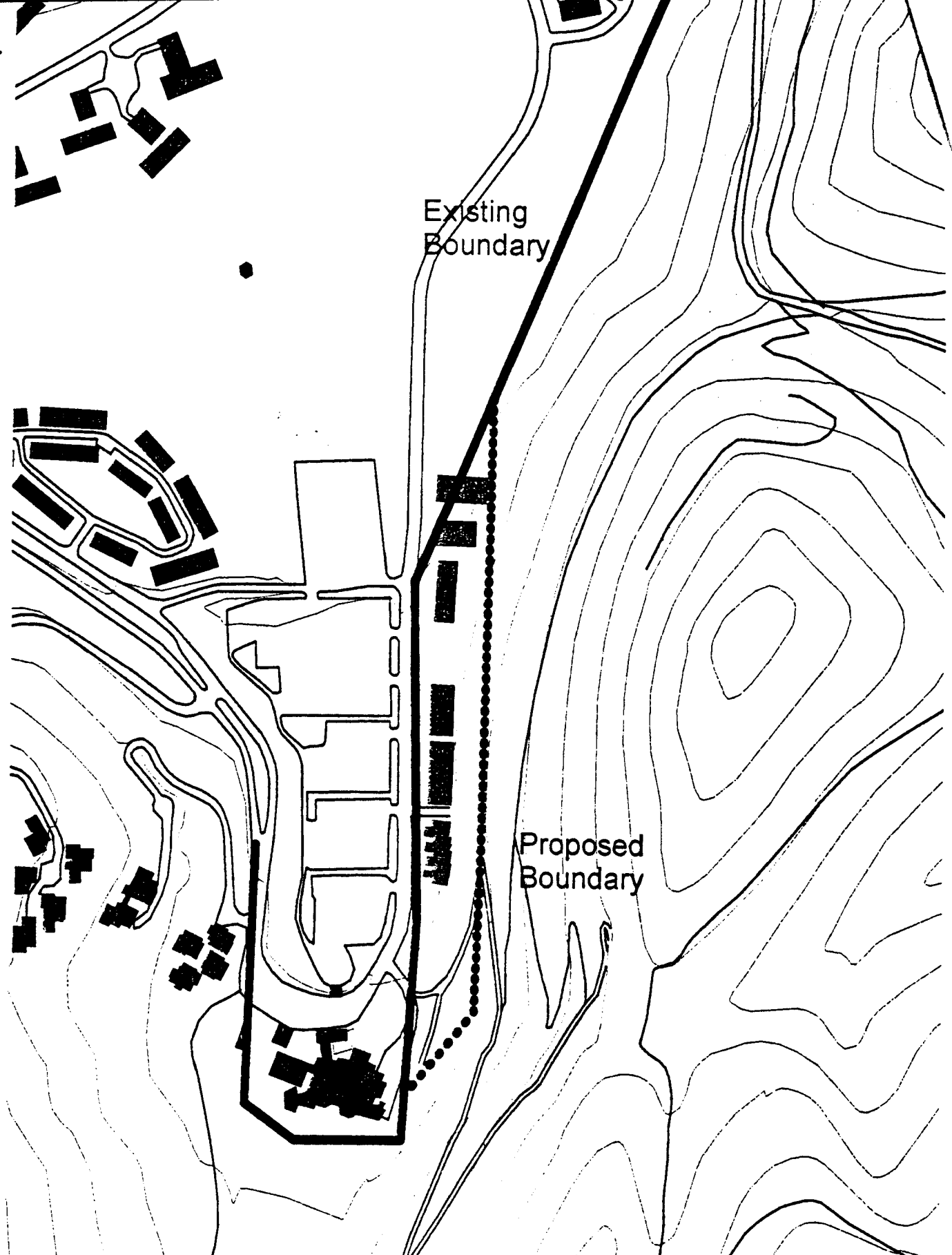
Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney





Existing
Boundary

Proposed
Boundary

Sensitive Lands
Boundary Adjustment

1/00

35





Ordinance No. 00-03

AN ORDINANCE APPROVING THE JARAMILLO SUBDIVISION TO COMBINE PORTIONS OF SEVERAL PLATTED LOTS, AND ONE METES AND BOUNDS PARCEL OF BLOCK 61, OF THE AMENDED PLAT OF THE PARK CITY SURVEY, SECTION 16, T2S R4E, OF THE SALT LAKE BASE AND MERIDIAN, INTO ONE (1) PLATTED LOT LOCATED AT 330 McHENRY AVENUE, PARK CITY, UTAH

WHEREAS, the owner of portions of several platted lots, and one metes and bounds parcel of Block 61, of the Amended Plat of the Park City Survey, Section 16, T2S R4E, of the Salt Lake Base and Meridian, have petitioned the City Council for approval of a revision to the final 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 January 12, 2000, to receive input on the proposed plat;

WHEREAS, the Planning Commission, on January 12, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 27, 2000, the City Council held a public hearing to receive input on the proposed subdivision; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Historic Residential Low-Density zone (HR-L).
2. The subdivision/plat amendment will combine portions of several platted lots, and one metes and bounds parcel of Block 61, of the Amended Plat of the Park City Survey, Section 16, T2S R4E, of the Salt Lake Base and Meridian, to allow for necessary improvements and the addition to the existing non-historic dwelling.

3. Adding an accessory unit to the lot would negatively impact the neighborhood by increasing traffic and parking demands.
4. The subdivision/plat amendment will not increase density on the lot.
5. The snow storage along McHenry Avenue is very important, as are utilities.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision, that neither the public nor any person will be materially injured by the proposed subdivision and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

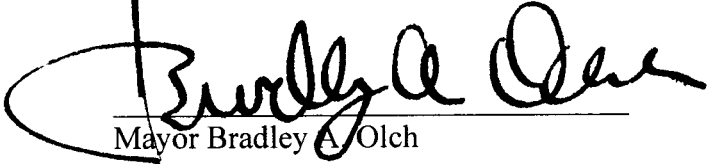
SECTION 3. SUBDIVISION APPROVAL. The subdivision to combine portions of several platted lots, and one metes and bounds parcel of Block 61, of the Amended Plat of the Park City Survey, Section 16, T2S R4E, of the Salt Lake Base and Meridian, known as the Jaramillo Subdivision, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the subdivision for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. The proposed construction of an addition and exterior improvements to the existing dwelling shall require compliance with the Historic District Design Guidelines.
3. A note shall be added to the plat stating that no accessory apartment and/or lockout shall be permitted as part of this structure, or on this newly created lot. The lot shall only contain one (1) single-family home.
4. A ten foot (10') non-exclusive utility and snow storage easement shall be incorporated in the first ten feet off of McHenry Avenue.
5. No remnant lot created is separately developable.
6. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
7. This approval shall expire one year from the date of Planning Commission approval, unless this subdivision is recorded prior to that date.

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

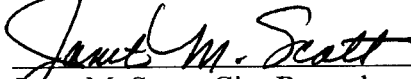
PASSED AND ADOPTED this 27th day of January, 2000.

PARK CITY MUNICIPAL CORPORATION



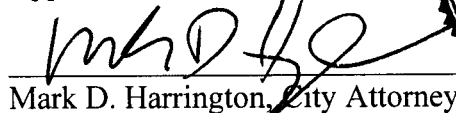
Mayor Bradley A. Olch

Attest:

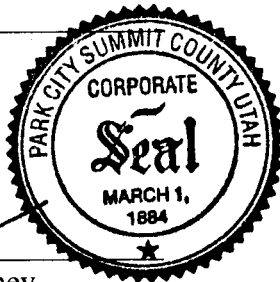


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

John Demkowicz _____ Date _____

LEGAL DESCRIPTION

Beginning at a point North 66°22' East 55.00 feet and North 15.00 feet from the Southeast corner of Lot 3, Block 61, of the AMENDED PLAT OF PARK CITY, located in Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence North 70°45' West 98.07 feet; thence North 49°07' West 40.86 feet to a point on the East line of an unrecorded 7700' East 125.00 feet; thence North 78°40' East 117.82 feet; East line 27.08 feet; thence South 78°40' East 117.82 feet; thence South 61.79 feet to the point of beginning; accepting therefrom all oil, gas and/or other minerals, together with the right of ingress and egress necessary for the purpose of removing same.

BEARS BRACING C/L PLATTED STREET

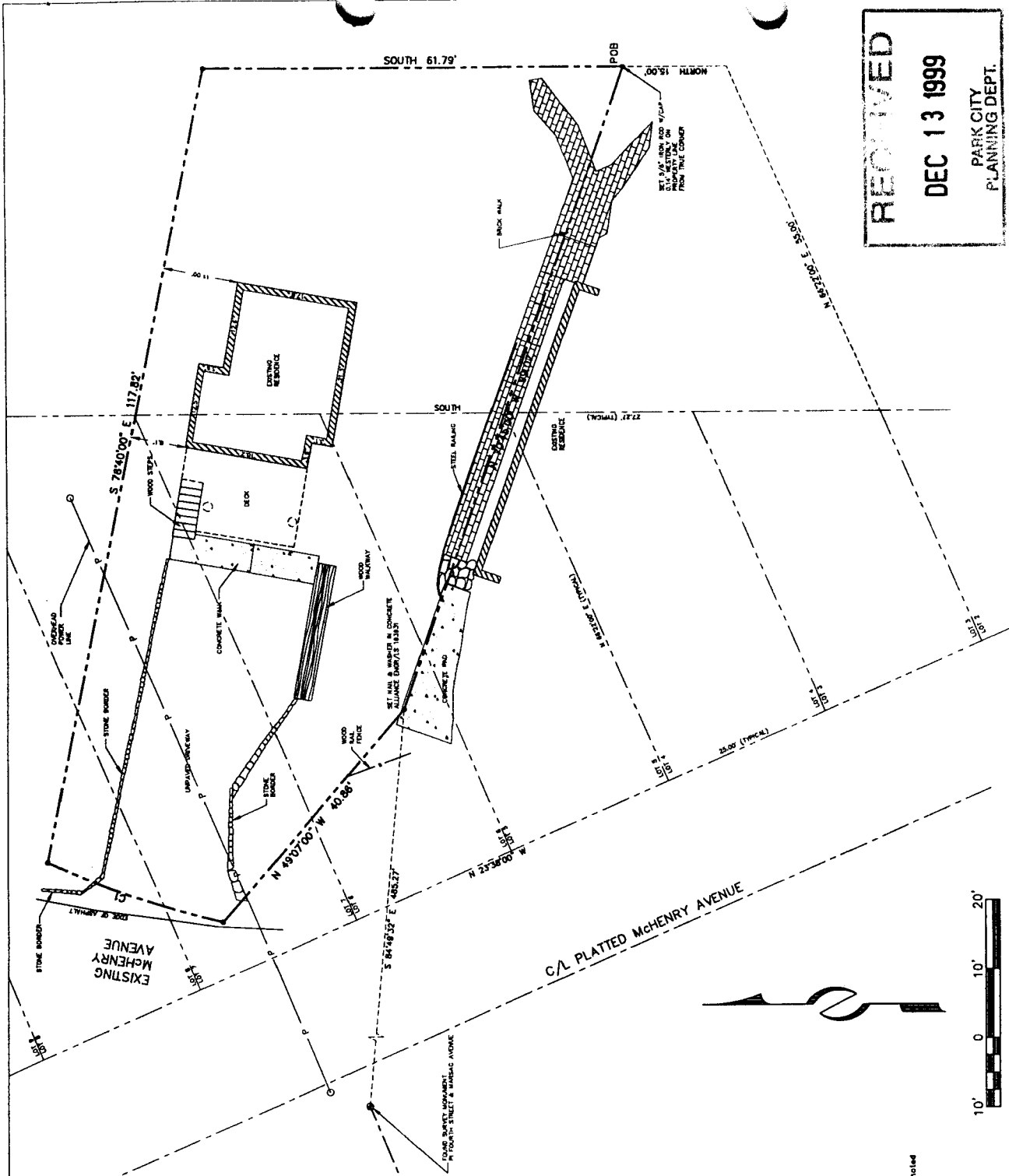
CURVE	ARC LENGTH	DELTA	RADIUS
C1	27.08	12°24'45"	125.00

LEGEND

- Found survey monument
- Set 5/8" iron rod w/cap, ALLIANCE ENGR/AS 163931, unless otherwise noted

NOTES

1. Basis of survey: Found survey monuments as shown.
2. Property corners were set or found as shown.
3. Date of survey: November 5, 1999
4. Property location: Section 16, T2S, R4E, S20E4
5. Purpose of survey: Building removal
6. Improvements on the property are as shown.



RECEIVED
DEC 13 1999
 PARK CITY
 PLANNING DEPT.

BOUNDARY SURVEY
330 MCHENRY AVENUE
BLOCK 61, PARK CITY SURVEY

FOR: GABE JARAMILLO
 JOB NO.: 9-9-99
 FILE: Y:\Pca\dwg\enr\ar95\090999.dwg

STAFF:
 DAVID CONSTABLE
 HARTY MORRISON
 MARSHALL KING

DATE: 12/9/99

(435) 649-9467

Alliance
 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
 323 Main Street, P.O. Box 2064, Park City, Utah 84060-2064

SHEET 1 OF 1

36



Ordinance No. 00-02

AN ORDINANCE APPROVING THE KOORING LOT LINE ADJUSTMENT PLAT AMENDMENT TO COMBINE THE NORTH ½ OF LOT 10, ALL OF LOT 11, AND ALL OF LOT 22 IN BLOCK 5 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY, LOCATED AT 1141 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the north ½ of Lot 10, all of Lot 11, and all of Lot 22 in Block 5 of the Snyder's Addition to Park City Survey have petitioned the City Council for approval of a revision to the final 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 January 4, 2000, to receive input on the proposed plat;

WHEREAS, the Planning Commission, on January 4, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 27, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will combine the north ½ of Lot 10, all of Lot 11, and all of Lot 22 into a single lot to allow for proposed improvement to the property.
3. The lots are occupied by an existing historic dwelling which currently has a non-conforming side yard setback.

4. The plat amendment will not increase density on the lot.
5. The Board of Adjustment approved the applicant's request for a special exception for front yard setbacks on January 4, 2000.
6. A small-scale local drainage impairment exists where the proposed driveway will be installed.
7. Adding an accessory unit to the lot would negatively impact the neighborhood by increasing traffic and parking demands.
8. Dedication of a five (5) foot non-exclusive snow storage easement along Woodside Avenue is necessary to provide adequate snow removal services.
9. Remnant portion of Lot 10 is not owned by the applicant.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine the north ½ of Lot 10, all of Lot 11, and all of Lot 22 in Block 5 of the Snyder's Addition to Park City Survey, known as 1141 Park Avenue Plat Amendment, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. Design of the proposed addition and detached garage requires approval by the Historic District Commission for compliance with the Historic District Design Guidelines.
3. No remnant lot created is separately developable.
4. The City Engineer shall review and approve the slope, configuration and drainage pattern of the proposed driveway fronting Woodside Avenue.
5. A five (5) foot non-exclusive snow storage easement along Woodside Avenue shall be dedicated to the City on the plat.
6. A note shall be added to the Plat stating that no accessory apartments and lockout units shall be permitted as part of this existing structure, or the newly constructed detached garage. The

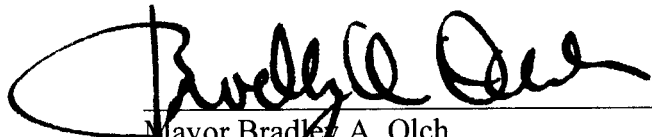
lot shall only contain one (1) single-family home.

7. Building Permits for this project may not be issued until the plat is recorded.
8. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
9. This approval shall expire one year from the date of Planning Commission approval, unless this Plat Amendment is recorded prior to that date.

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

PASSED AND ADOPTED this 27th day of January, 2000.

PARK CITY MUNICIPAL CORPORATION

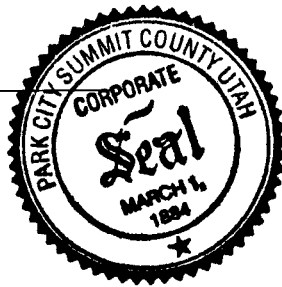


Mayor Bradley A. Olch


Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 00-1

TEMPORARY ZONING ORDINANCE AMENDING ORDINANCE NO. 99-51, SECTION 8.30 OF THE LAND MANAGEMENT CODE, TO ALLOW TEMPORARY TELECOMMUNICATIONS FACILITIES BY ADMINISTRATIVE PERMIT

WHEREAS, telecommunications providers desire to locate telecommunications facilities within boundaries of Park City Municipal Corporation; and

WHEREAS, the City Council desires to establish a process for permitting such telecommunications facilities within Park City while providing for public participation in such process via notice and public hearings; and

WHEREAS, the City is in the process of comprehensively re-writing the Land Management Code ("LMC") and the final adoption of amendments is delayed pending new recommendations from the Planning Commission;

WHEREAS, the state legislature has enabled cities to adopt Temporary Zoning Regulations, without a formal public hearing, for a period not to exceed six (6) months (Utah State Code, Section 10-9-404); and

WHEREAS, it is in the best interest of Park City and for the protection of health, safety and the general welfare of its citizens to allow public participation in the telecommunications facility permitting process;

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

SECTION 1. FINDINGS: The Council finds that:

1. The current Section 8.30 of the Land Management Code permits administrative review and approval of telecommunications towers without need for public hearing;
2. Prior applications for telecommunications towers in Park City have aroused significant public interest and attracted considerable, valid public input that may not have otherwise been considered under the current ordinance;
3. There is a compelling, countervailing public interest to immediately change the ordinance to contain a public condition use permit process.

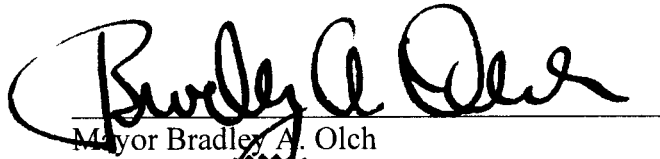
SECTION 2. AMENDMENT TO CHAPTER 8 OF THE LAND MANAGEMENT CODE. Chapter 8.30 is hereby deleted and replaced by amended Chapter 8.30 attached hereto as Exhibit A. Defined terms in Chapter 8.30 shall be defined in accordance with the pending revisions to the Land Management Code.

SECTION 4. PERIOD OF LIMITED EFFECT. This temporary zoning ordinance shall be effective, pursuant to U.C.A. Section 10-9-404, for a period no longer than six months.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon adoption.

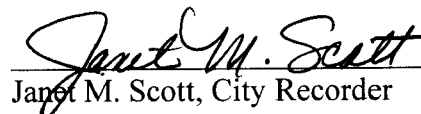
PASSED AND ADOPTED this 6th day of January, 2000.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

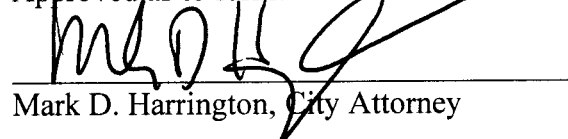
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

EXHIBIT A

8.30 TELECOMMUNICATION FACILITIES. The intent of this section is to ensure that telecommunications facilities are compatible with the unique characteristics of each zoning district of Park City, and that adverse impacts on community quality and public health and safety in residential, commercial and industrial areas, are mitigated. The intent of these requirements is to locate such facilities and related equipment where they are least visible from public streets, public areas and designated view corridors and, to the best extent possible, provide screening from adjacent property owners. The installation of these devices is governed by the following regulations.

- (a) Permit Required. The installation of telecommunication shall be deemed a conditional use and subject to the conditional use review process pursuant to Section 1.13 of the Land Management Code and the Park City Building Permit process. It shall be unlawful to install any telecommunication facility without first having a conditional use permit and a Building Permit from the City. Plans of such facility shall be submitted with each Telecommunications Application. In addition to the criteria in Section 1.13, all applications must meet the criteria in subsections (f)—(i) herein, as applicable.
- (b) Definitions.
1. **Antenna.** Transmitting or receiving device used in telecommunications that radiates or captures radio signals.
 2. **Co-location.** The location of wireless communication facility on an existing structure, tower or building in a manner that precludes the need for that wireless communications facility to be located on a free-standing structure of its own.
 3. **Roof Mounted Antenna.** An Antenna or series of individual Antennas mounted on a roof, mechanical room or penthouse of a building.
 4. **Wall Mounted Antenna.** An Antenna or series of individual Antennas mounted against the vertical face of a building or chimney. A wall of face of a building is defined as the entire area of all exposed vertical surfaces of a building that are above ground and facing approximately the same direction.
 5. **Temporary Antenna.** Transmitting or receiving device used in telecommunications that radiates or captures radio signals for a time period of less than thirty (30) days.
 6. **Drive Test Antenna.** A temporary antenna which is used for field testing of telecommunications signals and possible locations but does not provide telecommunications services to customers.
- (c) Submittal Requirements. A complete application shall include the requirements as stated within the Telecommunication Facility Application available in the Community

Development Department.

- (d) Compliance with other Laws. Such structures shall comply with applicable Federal Aviation Administration and Federal Communications Commission regulations. Evidence of compliance must be submitted prior to the issuance of a conditional use permit for tower construction.
- (e) Towers Located on City Land. In addition to obtaining a conditional use permit, applicants for towers located on City owned land shall pay to the City fair compensation in an amount determined by the City Council.
- (f) Conditional Use Standards for Telecommunications Facilities

1. **Freestanding Antennae.**

i) Zoning. Free Standing Towers are prohibited in E, SF, SF-N, RD, RDM, R-1, HR-1, HR-2, HRL, ROS and RM zones.

ii) Height. The proposed height of the facility shall be within the height requirement for the zoning district in which it is placed.

iii) Setbacks. Any part of an Antenna tower shall be setback from the street line or any other lot line of the lot on which it is located a distance of not less than the height of such tower.

iv) Location. Site location and development shall preserve the pre-existing character of the site as much as possible. Existing vegetation shall be preserved or improved, and disturbance of the existing topography of the site shall be minimized, unless such disturbance would result in less visual impact of the site and surrounding area. The effectiveness of visual mitigation shall be evaluated by the Planning Department, taking into consideration the site as built.

v) Fences. Fences in conjunction with a telecommunication site shall be reviewed under the same guidelines as fences constructed within Park City under the Land Management Code. There will be no exceptions to fence materials permitted within the zone. If the application proposes the use of a fence, the Planning Department will require landscaping to mitigate the visual impacts.

vi) Design, Materials and Color. The towers shall be designed in such a manner as to carry gravity loads and resist the effects of earthquakes per the regulations stated in the adopted building code. The towers and associated equipment shall incorporate materials and colors present in the context of the surrounding area. The intent of this provision is to minimize, to the greatest extent possible, the visual contrast between the towers and the existing built and natural environment.

Unless otherwise required by the F.C.C. and the F.A.A., towers shall be light gray in color. The pole, where appropriate, shall be earthtone colors in keeping with the Park City Design Guidelines. Camouflaged towers shall be designed in a manner to blend with the existing built and natural environment.

vii) Lighting. No artificial light shall be installed unless required by the Federal Aviation Administration. If such lighting is required, it shall be partially shielded, unless otherwise required by the FAA. Partially shielded means no more than ten (10) percent of the light rays are emitted by the installed fixtures at angles above the horizontal plane as certified by a photometric test report. These fixtures shall be equipped with high pressure sodium light sources and shall not exceed 70 watts.

2. **Roof or Wall Mounted Antennae.**

i) Zoning. Roof or Wall Mounted Antennae are permitted in all zones subject to the criteria herein.

ii) Height. Antennas or similar structures may extend up to five (5) feet above the specified maximum height limit of the zoning district.

iii) Location. The Antennas shall be located on the structure in areas where such location would provide the least visual impacts from the street and adjacent properties.

iv) Design, Materials and Color. The towers shall be designed in such a manner as to carry gravity loads and resist the effects of earthquakes per the regulations stated in the adopted building code. The Antennas attached to buildings or structures, where appropriate, shall match the color of the structure to which they are attached.

v) Lighting. No artificial light shall be installed unless required by the Federal Aviation Administration. If such lighting is required, it shall be partially shielded, unless otherwise required by the FAA. Partially shielded means no more than ten (10) percent of the light rays are emitted by the installed fixtures at angles above the horizontal plane as certified by a photometric test report. These fixtures shall be equipped with high pressure sodium light sources and shall not exceed 70 watts.

(g) Co-location. To discourage the proliferation of communication towers, shared use of tower structures is both permitted and encouraged. Placement of more than one (1) tower on a land site may be permitted if all setbacks, design and landscape requirements are met for each tower. The application shall include any existing or approved, but unbuilt, communication towers within the transmission area that may meet the needs of the applicant. The supplied documentation shall evaluate the following factors:

1. Structural capacity of the communication towers;

2. Geographic service area requirements;
 3. Mechanical or electrical incompatibilities;
 4. Inability or ability to locate equipment on existing communication towers; and
 5. Any restriction or limitation of the Federal Communication Commission that would preclude the shared use of the communication tower.
- (h) Accessory Buildings. Applications for accessory buildings shall be reviewed through the building permit process and conditional use review process, along with the details for the construction of the tower. The accessory building shall comply with the guidelines stated in the Land Management Code and the Historic District Design Guidelines where applicable. Outdoor storage of materials is prohibited.
- (i) Signs. Signs shall only be permitted if they are related to the health and safety of the general public.
- (j) Abandonment. The property owner shall be responsible for the removal of unused communication towers within twelve (12) months of cessation of use. If such tower is not removed by the property owner, then the City may employ all legal measures, including as necessary, obtaining authorization from a court of competent jurisdiction, to remove the tower, and after removal may place a lien on the subject property for all direct and indirect costs incurred in dismantling and disposal of the tower, including court costs and reasonable attorney fees.
- (k) Subdivision and Condominium Covenants. Many subdivision and condominium covenants may address the location of telecommunications receiving stations within condominium units and the lots of a subdivision. The City is not a party to those covenants, and no permit from the City shall effect the enforceability of such covenants which might be more restrictive than this ordinance. Applicants for the installation of wireless communication receivers are advised to determine what private land use restrictions apply to their site before applying for the permit from the City. If the proposed installation is within the common area of a condominium or planned unit development, and the application submitted is not in the name of the Home Owner's Association or management committee, the applicant shall provide a letter from the Home Owner's Association or management committee indicating consent to the location of the communication Antenna within the common area has been granted as a part of the permit application filed with the City.
- (m) Appeal of the Conditional Use Denial. Appeals shall be pursuant to Section 1.16 herein.
- (n) Technical Necessity Exception. If the application does not meet the criteria as stated in Section (f) the applicant may apply to the Board of Adjustment for a Technical Necessity Exception. The Board of Adjustment shall review the application pursuant to the Special

Exceptions criteria provided herein at Section 5.6(d). The Board of Adjustment approval must be received prior to Conditional Use Permit approval pursuant to Section 1.13 by the Planning Commission.

- (o) Temporary Permits. Anyone seeking permits for temporary antennas in conjunction with a special event licensed under Title 4, Chapter 8 of the Park City Municipal Code, is required to submit an application to the Park City Planning Department. The application will be reviewed by the Planning Department based on the following criteria:
1. Time. Permits will be issued only for the duration of a licensed special event plus five (5) additional calendar days. In no event will a temporary administrative permit be issued for a period of greater than thirty days.
 2. Height. The height of the antenna may not be greater than five feet higher than the zoning height for the specific zone where the antenna is placed, as stated in the Park City Land Management Code.
 3. Zoning. Temporary antennas are prohibited in the following zones: RD, E, SF, SF-N, RDM, R-1, HR-1, HR-2, HRL, ROS, RM, SLO, and Ridge Line Areas.
 4. Permission. Temporary antenna permit applications shall be accompanied by written permission from the property owner.

If the above criteria are met, the Planning Department shall grant a temporary administrative permit for the facility.

If the above criteria are met, the Planning Department shall grant a temporary administrative permit for the facility.

- (p) Temporary Antennas for Use During Drive Tests. Telecommunications companies wishing to perform drive tests shall submit a written letter of intent to the Park City Planning Department stating the location and the date of the proposed test. Antennas in use for a drive test shall not be left standing for a period greater than one day. Drive tests shall be limited to testing functions only and shall not be used for telecommunications services to customers. Drive tests on City property also require Planning Department approval and execution of the City's standard drive test agreement.