

Ordinance No. 07-82

AN ORDINANCE APPROVING THE 416 PARK AVENUE SUBDIVISION COMBINING LOTS 28 AND 29, BLOCK 10 OF THE PARK CITY SURVEY, PARK CITY, UTAH

WHEREAS, the owner of the property known as Lots 28 and 29 of Block 10 of the Park City Survey, has petitioned the City Council for approval of a 416 Park Avenue Subdivision 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 November 14, 2007 to receive input on the 416 Park Avenue Subdivision amendment.

WHEREAS, the Planning Commission, on November 14, 2007, forwarded a positive recommendation to the City Council; and

WHEREAS, it is in the best interest of Park City Utah to approve the 416 Park Avenue Subdivision amendment.

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

SECTION 1. APPROVAL The above recitals are hereby incorporated as findings of fact. The 416 Park Avenue Subdivision 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 property is located at 416 Park Avenue.
2. The zoning is Historic Residential (HR-1).
3. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
4. The amendment will combine two lots into one lot of record.
5. There is an existing historic single family home on the property.
6. Access to the property is from Park Avenue.
7. The existing lots each measure 25' x 75'.
8. The proposed lot measures 50' x 75'.
9. The proposed lot is 3,750 square feet in size.
10. The minimum lot size for a single family home in the HR-1 zone is 1,875 square feet.
11. The maximum building footprint for the proposed lot is 1,519 square feet.

12. The maximum height limit in the HR-1 zone is 27 feet above existing grade.
13. Setbacks for the lot are 5' on the sides, and 10' in the front and rear.
14. Minimal construction staging area is available along Park Avenue.

Conclusions of Law:

1. There is good cause for this plat.
2. The Plat is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat.
4. As conditioned the plat is consistent with the Park City General Plan.

Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for Historic Design Review for review and approval by the Planning Department for compliance with applicable Historic District Design Guidelines.
3. Prior to the receipt of a building permit for construction on this lot, the applicant shall possibly submit an application for Steep Slope Conditional Use Permit review and approval by the Planning Commission.
4. 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.

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

PASSED AND ADOPTED this 6th day of December, 2007.

PARK CITY MUNICIPAL CORPORATION

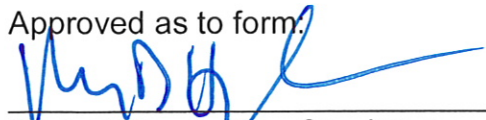


Mayor Dana Williams

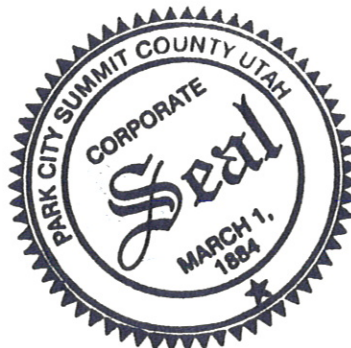
Attest:



Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney





REGISTERED CONTRACTOR

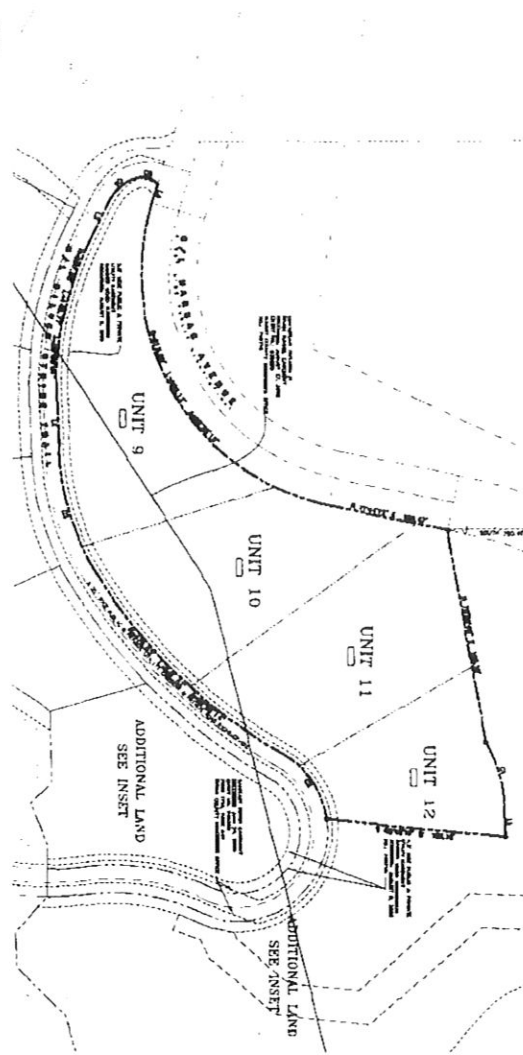
THE UNDERSIGNED HAS EXAMINED THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE ABOVE DESCRIBED PROJECT AND CERTIFIES THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE UTAH CONSTRUCTION CODE AND THE UTAH CONSTRUCTION SPECIFICATIONS.

REGISTERED ARCHITECT

THE UNDERSIGNED HAS EXAMINED THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE ABOVE DESCRIBED PROJECT AND CERTIFIES THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE UTAH CONSTRUCTION CODE AND THE UTAH CONSTRUCTION SPECIFICATIONS.

REGISTERED LAND SURVEYOR

THE UNDERSIGNED HAS EXAMINED THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE ABOVE DESCRIBED PROJECT AND CERTIFIES THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE UTAH CONSTRUCTION CODE AND THE UTAH CONSTRUCTION SPECIFICATIONS.



NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE UTAH CONSTRUCTION CODE AND THE UTAH CONSTRUCTION SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION THROUGHOUT THE CONSTRUCTION PROCESS.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ALL DEBRIS AND WASTE MATERIALS.
7. THE CONTRACTOR SHALL MAINTAIN THE SITE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND THE PUBLIC.
9. THE CONTRACTOR SHALL MAINTAIN THE SITE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND THE PUBLIC.

CHRISTOPHER HOMES AT EMPIRE PASS CONDOMINIUMS
CONDOMINIUM PLAT AMENDMENT
A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN THE NORTHWEST QUARTER OF SECTION 36
TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE MERIDIAN
PARK CITY, SALT LAKE COUNTY, UTAH

SYMBOLS AND MARKS RELATIONSHIP	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE
RECEIVED FOR APPROVAL BY THE PLANNING COMMISSION ON _____ DATE OF _____ 2007 A.D.	APPROVED BY THE PLANNING COMMISSION ON _____ DATE OF _____ 2007 A.D.	APPROVED BY THE ENGINEER ON _____ DATE OF _____ 2007 A.D.	APPROVED AS TO FORM ON _____ DATE OF _____ 2007 A.D.	APPROVED BY THE ATTORNEY ON _____ DATE OF _____ 2007 A.D.	APPROVED BY THE COUNCIL ON _____ DATE OF _____ 2007 A.D.

RECEIVED
AUG 17 2007
PARK CITY
PLANNING DEPT

UNOFFICIAL



PLAT NO. 1000

RECORD NO. 1000

LEGAL DESCRIPTION AND CONCEPT OF PLANNING

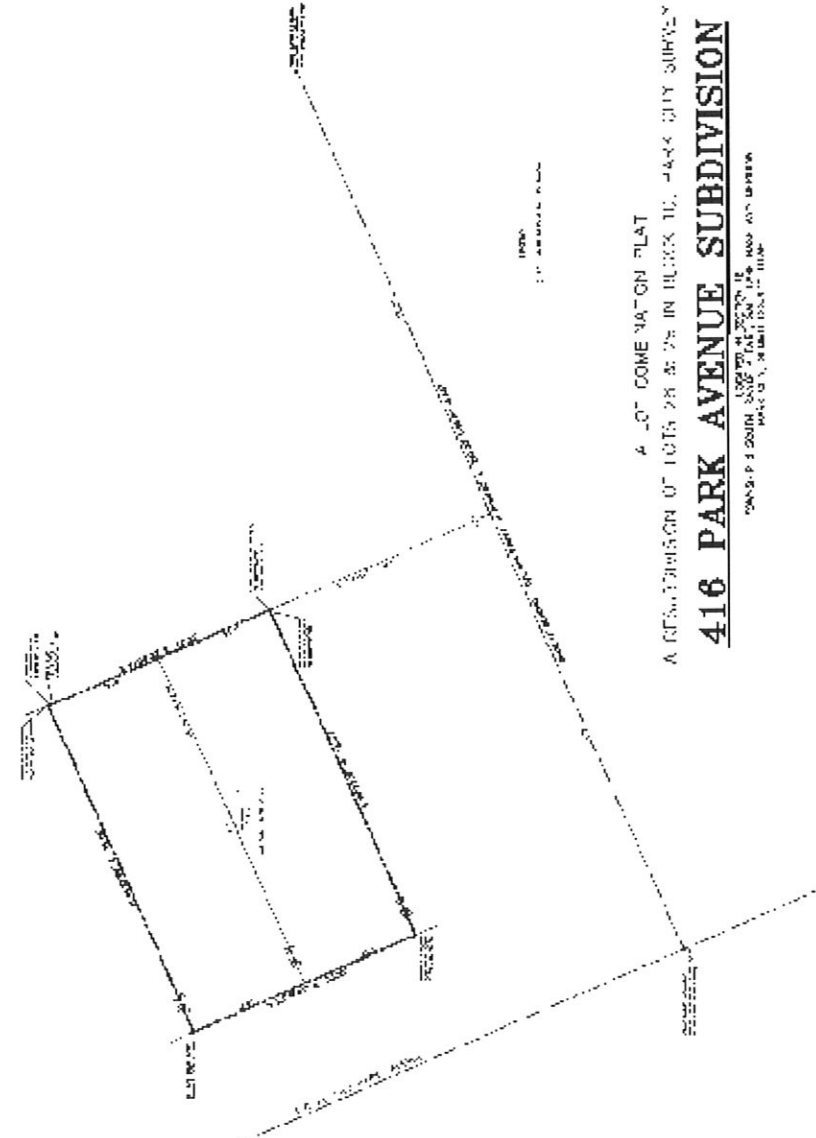
THIS PLAT SHOWS THE SUBDIVISION OF A LOT COME NATION PLAT, A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY

ADVERSE EFFECTS

THE SUBDIVISION OF THIS LOT COME NATION PLAT, A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY INTO THE LOTS SHOWN ON THIS PLAT WILL NOT AFFECT THE PUBLIC HEALTH, SAFETY OR INTERESTS OF THE CITY OF SPRINGFIELD.

COMMENTS

THE SUBDIVISION OF THIS LOT COME NATION PLAT, A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY INTO THE LOTS SHOWN ON THIS PLAT WILL NOT AFFECT THE PUBLIC HEALTH, SAFETY OR INTERESTS OF THE CITY OF SPRINGFIELD.



**A LOT COME NATION PLAT
A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY
416 PARK AVENUE SUBDIVISION**

SPRINGFIELD, MASSACHUSETTS

<p>SPRINGFIELD CITY ENGINEER</p> <p>PLAT NO. 1000</p> <p>RECORD NO. 1000</p>	<p>LEGAL DESCRIPTION AND CONCEPT OF PLANNING</p> <p>THIS PLAT SHOWS THE SUBDIVISION OF A LOT COME NATION PLAT, A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY</p>	<p>ADVERSE EFFECTS</p> <p>THE SUBDIVISION OF THIS LOT COME NATION PLAT, A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY INTO THE LOTS SHOWN ON THIS PLAT WILL NOT AFFECT THE PUBLIC HEALTH, SAFETY OR INTERESTS OF THE CITY OF SPRINGFIELD.</p>	<p>COMMENTS</p> <p>THE SUBDIVISION OF THIS LOT COME NATION PLAT, A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY INTO THE LOTS SHOWN ON THIS PLAT WILL NOT AFFECT THE PUBLIC HEALTH, SAFETY OR INTERESTS OF THE CITY OF SPRINGFIELD.</p>	<p>SPRINGFIELD CITY ENGINEER</p> <p>PLAT NO. 1000</p> <p>RECORD NO. 1000</p>	<p>LEGAL DESCRIPTION AND CONCEPT OF PLANNING</p> <p>THIS PLAT SHOWS THE SUBDIVISION OF A LOT COME NATION PLAT, A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY</p>	<p>ADVERSE EFFECTS</p> <p>THE SUBDIVISION OF THIS LOT COME NATION PLAT, A RE-SUBDIVISION OF LOTS 28 & 29 IN BLOCK 10, 44-46 CITY SURVEY INTO THE LOTS SHOWN ON THIS PLAT WILL NOT AFFECT THE PUBLIC HEALTH, SAFETY OR INTERESTS OF THE CITY OF SPRINGFIELD.</p>
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Ordinance No. 07-81

**AN ORDINANCE APPROVING AMENDMENTS TO
THE LAND MANAGEMENT CODE
OF PARK CITY, UTAH, TO REFLECT REVISIONS TO PREVENT REPITION BETWEEN THE
PROCESSES OF THE BUILDING DEPARTMENT AND PLANNING DEPARTMENT, TO
CREATE A MORE COHESIVE AND COMPREHENSIBLE CODE, TO UPDATE
REFERENCED CODES AND ORGANIZATIONS AND TO REFLECT THE NEW S.B. 183 OF
THE UTAH CODE, AND TO ADDRESS SUBTANTIVE AMENDMENTS,
FOR CHAPTER 2.21 SLO ZONING DISTRICT**

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, the City is in the process of preparing amendments to the entire Land Management Code to address reorganization of the Community Development Department and to ensure that the Park City Land Management Code comports with revisions to the Utah Code in 2005;

WHEREAS, approval of these amendments to the Land Management Code serve to implement amendments to the City's General Plan and to address substantive amendments to the Land Management Code Sensitive Lands Overly regarding repetition of process between departments, updates to referenced codes and organizations, updates to the State Code, and updates language to create a more cohesive and comprehensible code

WHEREAS, these amendments are changes identified since the 2000 Land Management Code revisions.

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at its regularly scheduled meeting on November 14, 2007 and forwarded to City Council a positive recommendation to the City Council;

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on December 6, 2007; and

WHEREAS it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Utah State Code and the Park City General Plan, and to be consistent with the values and identified goals of the Park City community to protect health and safety, maintain the quality of life for its residents, and to preserve the community's unique character.

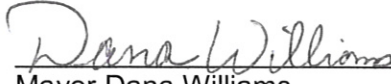
NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. AMENDMENTS TO CHAPTER 2 OF THE LAND MANAGEMENT CODE. Chapter 2.21 is hereby amended as attached hereto as Exhibits A. Any conflicts or cross-references from other provisions of the LMC to Chapter 2.21 shall be resolved by the Planning Director.

publication. SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon

PASSED AND ADOPTED this 6th day of December, 2007.

PARK CITY MUNICIPAL CORPORATION



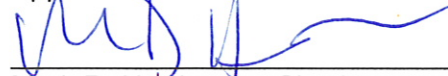
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



PARK CITY MUNICIPAL CODE
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TITLE 15 - LAND MANAGEMENT CODE

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TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.21 - SENSITIVE LAND OVERLAY ZONE (SLO)
REGULATIONS

Chapter adopted by Ordinance No. 00-51

15-2.21-1. PURPOSE.

The purpose of the Sensitive Land Overlay (SLO) is to:

- (A) require dedicated Open Space in aesthetically and environmentally sensitive Areas;
- (B) encourage preservation of large expanses of Open Space and wildlife habitat;
- (C) cluster Development while allowing a reasonable use of Property;
- (D) prohibit Development on Ridge Line Areas, Steep Slopes, and wetlands; and
- (E) protect and preserve environmentally sensitive land.

15-2.21-2. OVERLAY REVIEW PROCESS.

The overlay review process has four primary steps:

- (A) **SENSITIVE LANDS ANALYSIS.** Applicants for Development within the SLO must identify the Property’s sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, wetlands, Stream Corridors, Wildland interface, and wildlife habitat Areas and provide at time of Application, a Sensitive Lands Analysis. Every annexation must provide a sensitive lands analysis.
- (B) **APPLICATION OF OVERLAY ZONE REGULATIONS.** Regulatory standards apply to the type of Sensitive Lands delineated.
- (C) **SITE DEVELOPMENT SUITABILITY DETERMINATION.** Staff shall review the Sensitive Lands Analysis, apply the applicable Sensitive Lands Overlay Regulations (15-2.21-4 through 15-2.21-9), and shall prepare a report to the Applicant and the Planning Commission identifying those Areas suitable for Development as Developable Land.
- (D) **HARDSHIP RELIEF.** If the Applicant demonstrates that the regulations would deny all reasonable Use of the Property, the Planning Commission may

modify application of these regulations to provide the Applicant reasonable Use of the

15-2.21-3. SENSITIVE LANDS OVERLAY ZONE- ORDINANCE PROVISIONS.

(A) SENSITIVE LANDS ANALYSIS.

Any Applicant for Development must produce a Sensitive Lands Analysis performed by a qualified professional(s) that identifies and delineates all the following features and conditions:

(1) **SLOPE/TOPOGRAPHIC MAP.** A Slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must highlight Areas of high geologic hazard, Areas subject to land sliding, and all significant Steep Slopes¹ in the following categories:

- (a) Greater than fifteen percent (15%), but less than or equal to thirty percent (30%);
- (b) Greater than thirty percent (30%) but less than or equal to forty percent (40%); and

¹Slope determinations shall be made upon Areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally.

Property.

(c) Very Steep Slopes, greater than forty percent (40%).

(2) **RIDGE LINE AREAS.** A map depicting all Crests of Hills and Ridge Line Areas.

(3) **VEGETATIVE COVER.** A detailed map of vegetative cover, depicting the following:

- (a) Deciduous trees;
- (b) Coniferous trees;
- (c) Gamble oak or high shrub; and
- (d) Sage, grassland, and agricultural crops.

The Planning Department may require a more detailed tree/vegetation survey if the Site has unusual or Significant Vegetation, stands of trees, or woodlands.

(4) **DESIGNATED ENTRY CORRIDORS AND VANTAGE POINTS.** Designated entry corridors and Vantage Points present within or adjacent to the Site, including Utah Highway 248 east of Wyatt Earp Way and Utah Highway 224 north of Holiday Ranch Loop Road and Payday Drive as identified by Staff.

Typical Vantage Points are:

- (a) Osguthorpe/McPolin Barn.
- (b) Treasure Mountain Middle School
- (c) Intersection of Main Street and Heber Avenue
- (d) Park City Ski Area Base
- (e) Snow Park Lodge
- (f) Park City Golf Course Clubhouse
- (g) Park Meadows Golf Course Clubhouse
- (h) Utah Highway 248 at the turn-out one quarter mile west from U.S. Highway 40
- (i) Highway 224, 2 miles south of the intersection with Kilby Road

(5) **WETLANDS.** A map delineating all Wetlands established by using the 1987 *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*, as amended. (See Section 15-2.21-6.)

(6) **STREAM CORRIDORS, CANALS, AND IRRIGATION DITCHES.** A map delineating all stream corridors, canals, and

irrigation ditches, defined by the ordinary high-water mark.

(7) **WILDLIFE HABITAT AREAS.** A map depicting all wildlife habitat Areas, as defined by a Wildlife Habitat Report shall be provided by the applicant. The Wildlife Habitat Report shall be prepared by a professional, qualified in the Areas of ecology, wildlife biology, or other relevant disciplines and describe the following:

(a) The ecological and wildlife Use characterization of the Property explaining the species of wildlife using the Areas, the times or seasons the Area is used by those species, and the value, e.g. meaning feeding, watering, cover, nesting, roosting, or perching, that the Area provides for such wildlife species;

(b) The existence of critical wildlife movement corridors;

(c) The existence of special habitat features, including Key nesting Sites, feeding Areas, calving or production Areas, use Areas for migrant song birds and grassland birds, fox and coyote dens, deer and elk

winter concentration Areas as identified by the Utah Division of Wildlife, and Areas of high terrestrial or aquatic insect diversity.

(d) Areas inhabited by or frequently utilized by any species identified by state or Federal agencies as Threatened or Endangered.

(e) The general ecological functions provided by the Site and its features;

(f) Potential impacts on these existing wildlife species that would result from the proposed movement.

(B) **ADDITIONAL INFORMATION AND STUDY REQUIREMENTS.** The Planning Department may require the Applicant to submit the following information, as applicable:

(1) **VISUAL ASSESSMENT.** A visual assessment of the Property from Vantage Points designated by the Planning Department, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.

(2) **SOIL INVESTIGATION REPORT.** A soil investigation report, including but not limited to shrink-swell potential, water table

elevation, general soil classification and suitability for Development, erosion potential, hazardous material analysis, and potential frost action. The soils report shall indicate whether the property is 1) within the Prospector Soils Ordinance area and 2) within a Point Source water protection zone.

(3) **GEOTECHNICAL REPORT.** A geotechnical report, which must include the location of major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential land slide and other high hazard Areas such as mine shafts and avalanche paths.

(4) **ADDITIONAL SLOPE INFORMATION.** If the size of the proposed Development and visual sensitivity of the Site dictate, the Planning Department may require the Applicant to submit a Slope/topographic map depicting contours at an interval of two feet (2').

(5) **FIRE PROTECTION REPORT.** A fire protection report that identifies potential Wildland Urban Interface areas. Analysis must include fire hazards, mitigation measures, access for fire protection equipment, existing and proposed fire flow capability and compliance with the International Wildland Urban Interface Code and the Summit County Wildfire Plan.

(6) **HYDROLOGICAL REPORT.** A hydrological report, including information on groundwater levels, drainage channels and systems, and base elevations in flood plains.

(C) **SENSITIVE LANDS DETERMINATION.** The Planning Department shall review the information presented in the Sensitive Lands Analysis, as described in Section 15.2-21.3(A) and Section 15.2-21.3(B), and provide a recommendation to the Planning Commission determining and delineating all Sensitive Lands on the parcel, including Steep Slope Areas, Ridge Lines Areas, Entry Corridors, Wetlands, Stream Corridors, Irrigation Ditches, Wildland and Wildfire Interface Areas, and Critical Wildlife Movement Corridors and Habitat Areas.

(1) **DENSITY TRANSFER.** Whenever land within the Sensitive Area Overlay Zone is subject to more than one (1) Density transfer provision, the more restrictive provision shall apply.

15-2.21-4. SENSITIVE LANDS REGULATIONS - SLOPE PROTECTION.

The following Slope protection provisions apply in the Sensitive Land Overlay Zone:

(A) **PROHIBITIONS.** No Development is allowed on or within fifty feet (50'), map distance, of Very Steep Slopes, Areas subject to land slide activity,

and other high-hazard geologic Areas. As used herein, an Area of Very Steep Slopes must cover a topographic Area at least twenty-five feet (25') vertically, upslope or downslope, and fifty feet (50') horizontally in any direction to be subject to this prohibition.

The Planning commission may vary the Setback from Very Steep Slopes if the Planning Commission can make all of the following findings during the suitability review:

(1) Varying the Setback does not create an intrusion by Buildings into the Ridge Line Area when viewed from Land Management Code designated Vantage Points (15-2.21-3(A)(4) or other Vantage Points designated by the Planning staff or Commission (15-2.21-3(B));

(2) Building Areas in the Setback do not create excessive cut or fill Slopes; minimal retaining walls to limit disturbance and meet Grade may be required by the Planning Commission subject to sections 15-2.21-4(B),(C), and (E);

(3) Limits of Disturbance around any Structure within the Setback shall be limited to the minimal Area necessary to excavate and backfill the foundation. Decks and patios, in the area of the Very Steep Slope setback, may not extend more than fifteen feet (15') beyond the foundation walls or the minimal

excavation/backfill Areas, whichever is greater;

(4) No additional erosion, land subsidence, or avalanche hazard is created;

(5) The Site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public Areas, and reduction of Site disturbance;

(6) The reduction in Setback results in a reduction in overall project Density or Development massing as established by the Planning Staff's Site Suitability Determination and

(7) In no case shall additional disturbance be allowed beyond the maximum area determined in the Site Development Suitability Determination (See Section 15-2.21-2(C)).

(B) GRADED OR FILLED SLOPES.

The Applicant must avoid or, to the greatest extent possible, minimize proposed cuts and fills. Cutting and filling to create additional or larger Building Sites shall be kept to a minimum and shall be avoided to the maximum extent feasible. Except for ski Slopes, Graded or filled Slopes shall be limited to a 3 to 1 Slope or less. All Graded Slopes shall be re-contoured to the natural, varied contour of surrounding terrain.

(C) BENCHING OR TERRACING. Benching or terracing to provide additional or larger Building Sites is prohibited.

(D) STREETS AND ROADS. Streets and roads, proposed for Steep Slopes may not:

(1) Cross Slopes of thirty percent (30%) or greater. A short run of not more than one hundred feet (100') may be allowed to cross Slopes greater than thirty percent (30%) if the Planning Director and the City Engineer conclude that such Streets or roads will not have significant adverse visual, environmental, or safety impacts.

(2) Streets and roads proposed to cross Slopes greater than ten percent (10%) are allowed, subject to the following:

(a) Proof that such Street and/or road will be built with minimum environmental damage and within acceptable public safety parameters; and

(b) Such Street and road design generally follows contour lines to preserve the natural character of the land, and are Screened with trees or vegetation.

(3) Cutting and filling is minimized and appropriately re-vegetated.

(E) **RETAINING WALLS**. The use, design, and construction of all retaining walls is subject to an Administrative Permit based upon assessment of visual impact, Compatibility with surrounding terrain and vegetation, and safety.

(F) **LANDSCAPING AND REVEGETATION**. An Applicant must commit to landscaping or re-vegetating exposed Slopes. Topsoil from any disturbed portion of a Steep Slope must be preserved and utilized in re-vegetation. Fill soil must be of a quality to support plant growth.

(G) **PRIVATE DEVELOPMENT DESIGN STANDARDS**. All Development on Steeps Slopes shall comply with the design standards set forth in LMC Chapter 15-5.

(H) **OPEN SPACE AND DENSITY ON DELINEATED PORTIONS OF SITES WITH STEEP SLOPES GREATER THAN FIFTEEN PERCENT (15%) BUT LESS THAN OR EQUAL TO FORTY PERCENT (40%)**. In addition to the specific Development regulations set forth above, the following regulations apply:

(1) **OPEN SPACE**. Seventy-five percent (75%) of the Steep Slope Area must remain as Open Space.

(2) **DEVELOPABLE LAND**. Twenty-five percent (25%) of the Steep Slope Area may be Developed in accordance with the underlying

zoning subject to the following conditions:

(a) **MAXIMUM DENSITY**. The maximum Density on Developable Land within a Steep Slope Area is governed by the underlying zoning and proof that the proposed Density will not have a significant adverse visual or environmental affect on the community.

(b) **LOCATION OF DEVELOPABLE LAND**. The Developable Land in a Steep Slope Area is that Area with the least visual and environmental impacts, as determined by the Sensitive Lands Determination (See Section 15-2-21 (C)), including the Visual Assessment, and considering the visual impact from key Vantage Points, potential for Screening location of natural drainage channels, erosion potential, vegetation protection, Access, and similar Site design criteria. Based upon such analysis, the Planning Department may require the Applicant to Site the Developable Land pursuant to one or more of the following techniques:

(i) Clustered Development, or

(ii) dispersed Development, or

(iii) transfer of Density to the least sensitive portions of the Site.²

(c) **DENSITY TRANSFER.** Upon proof of a sensitive Site plan, the Applicant may transfer up to twenty-five percent (25%) of the Densities from the Open Space portion of the Site to the Developable Land.

(d) **SUITABILITY DETERMINATION.** The Applicant must prove that the Development will have no significant adverse impact on adjacent Properties. The Planning Commission shall determine that the Proposal complies with this chapter if the Applicant proves:

(i) The Density is Compatible with that of adjacent Properties.

(ii) The Architectural Detail, height, building materials, and other design features of the

Development are Compatible with adjacent Properties.

(iii) The Applicant has adopted appropriate mitigation measures such as landscaping, Screening, illumination standards, and other design features to buffer the adjacent Properties from the Developable Land.

(I) OPEN SPACE AND DENSITY ON VERY STEEP SLOPES.

(1) **REQUIRED OPEN SPACE.** One hundred percent (100%) of the Very Steep Slope Area shall remain in Open Space. No vegetation within fifty vertical feet (50') in elevation of the Very Steep Slope Area shall be disturbed, except as permitted by the Planning Commission per Section 15-2.21-4.

(2) **TRANSFER OF DENSITY.** Up to ten percent (10%) of the Densities otherwise allowed in the zone may be transferred to Developable Land subject to a Suitability Determination (See Section 15-2.21-4(H)(2)(d)).

(J) MASTER PLANNED DEVELOPMENT (MPD) TDR OPEN SPACE REQUIREMENTS. The Planning

²Development shall be Sited to preserve the open meadow vistas.

Commission at the time of Master Planned Development or Subdivision review, may reduce the TDR Open Space requirements upon a determination that:

- (1) the Sensitive Land Open Space set aside is sufficient for the Development,
- (2) sufficient neighborhood and TDR Open Space is set aside within the Developable Land to serve residents of the Development, and.
- (3) not less than twenty percent (20%) of the Developable Land is set aside for TDR Open Space.

(K) **DENSITY BONUSES**. In addition to the Density transfers permitted pursuant to this Section, the Planning Department may recommend that the Planning Commission grant up to a twenty percent (20%) increase in transferable Densities if the Applicant:

- (1) offers to preserve Open Space to ensure the long-term protection of a significant environmentally or visually sensitive Area in a manner approved by the City; or
- (2) provides public Access as shown on the Trails Master Plan; or
- (3) restores degraded wetlands or environmental Areas on the Site or makes other significant environmental improvements.

(Amended by Ord. No. 05-40)

15-2.21-5. SENSITIVE LANDS REGULATIONS - RIDGE LINE AREA PROTECTION.

(A) **INTENT**. The intent of these provisions is to ensure that Development near Ridge Line Areas blends with the natural contour of these land forms. Ridge Line Areas should be retained in a natural state, and Development should be sited in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated Vantage Points.

(B) **MINIMUM SETBACK**. No Structure or other appurtenant device, including mechanical equipment may visually intrude on the Ridge Line Area from any of the designated Vantage Points as depicted herein, or as identified by the Planning Commission during review of an Annexation or Master Planned Development.

(C) **OPEN SPACE AND DENSITY**. The following regulations apply to all Ridge Line Areas in the Sensitive Overlay:

(1) **OPEN SPACE**. One hundred percent (100%) of the Ridge Line Area shall remain in Open Space.

(2) **DENSITY TRANSFER**. The Planning Commission may transfer up to twenty-five percent (25%) of the

Densities otherwise allowed in the Ridge Line Area to Developable Land Subject to a Suitability Determination. (See Section 15-2.21-4(H)(2)(d))

(D) **DENSITY BONUSES**. In addition to the Density transfers permitted pursuant to this Section, at MPD or subdivision review. The Planning Department may recommend that the Planning Commission grant up to a twenty percent (20%) increase in transferrable Densities if the Applicant:

- (1) offers to preserve open space to ensure the long-term protection of a significant environmentally or visually sensitive Areas in a manner approved by the City; or
- (2) provides public Access for trails, as shown on the Trails Master Plan; or
- (3) restores degraded wetlands or environmental Areas on the Site or makes other significant environmental improvements.

15-2.21-6. SENSITIVE AREA REGULATIONS - WETLANDS AND STREAM PROTECTION.

(A) **INTENT**. The following requirements and standards have been developed to promote, preserve, and enhance wetlands and Stream Corridors and

to protect them from adverse effects and potentially irreversible impacts.

(B) **JURISDICTION**. All Wetlands and Stream Corridors are regulated as provided below.

(C) **PROHIBITED ACTIVITIES**. No person shall disturb, remove, fill, dredge, clear, destroy or alter any Area, including vegetation, surface disturbance within Wetlands and Stream Corridors and their respective Setbacks, except as may be expressly allowed herein.

(D) **BOUNDARY DELINEATIONS**. The applicant must provide a wetlands delineation by a qualified professional utilizing the methods of the 1987 Army Corp of Engineers Manual for identifying and delineating Jurisdictional Wetlands, as amended. The boundary of stream corridors and wetlands shall be delineated at the Ordinary High Water Mark as define in Section 15-15.

(E) **DETERMINATION OF WETLANDS, STREAMS, AND IRRIGATION DITCHES**.

(1) **WETLAND CRITERIA**. A wetland that meets the criteria of the *1987 Army Corp of Engineers Manual for Identifying and Delineating Jurisdictional Wetlands is a Wetland*.

(2) **STREAM CORRIDOR**. All Stream Corridors which exist within the property. Irrigation ditches are not Stream Corridors.

(3) **IRRIGATION DITCHES.**
An irrigation ditch that meets the Army Corps of Engineers definition for waters of the United States must comply with the regulations of stream corridors, within this section.

(F) **SETBACKS.** The following Setbacks are required:

(1) Setbacks from wetlands shall extend a minimum of fifty feet (50') outward from the delineated wetland Ordinary High Water Mark.

(2) Setbacks from Stream Corridors shall extend a minimum of fifty feet (50') outward from the Ordinary High Water Mark.

(3) Setbacks from irrigation ditches that meet the Army Corps of Engineers definition for waters of the United States shall extend a minimum of twenty feet (20') from the Ordinary High Water Mark.

(G) **RUNOFF CONTROL.** All projects adjacent to wetlands, Stream Corridors, or irrigation ditches that meet the Army Corps of Engineers definition for waters of the United States must apply Best Management Practices for both temporary and permanent runoff control to minimize sediment and other contaminants.

(H) **HABITAT RESTORATION PROJECTS.** The Planning Department may approve wetland and Stream Corridor restoration and enhancement projects if the

project plan has been reviewed by a qualified professional, approved by the appropriate state and federal agencies, and performed under the direct supervision of a Qualified Professional.

15-2.21-7. SENSITIVE LAND REGULATIONS - DEVELOPMENT APPROVALS FOR SKI AREA CONSTRUCTION AND EXPANSION.

(A) **CONSULTATION.** The Developer must submit a plan detailing the location, alignment and scope of the undertaking. If the Planning Director determines that the project may have significant visual and environmental impacts, a consultation meeting will be scheduled. No Development shall occur until after the consultation meeting and any required approvals have been granted.

(B) **MITIGATION.** The Planning Director must review the proposed project and after consultation may request the Developer to prepare alternatives for consideration and to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the Maximum Extent Feasible, the Developer must design the ski facilities to preserve the natural character of the Sensitive Lands. The mitigation plan must also address re-vegetation of disturbed Areas and temporary and permanent erosion control measures.

15-2.21-8. SENSITIVE LAND REGULATIONS - WILDLIFE AND WILDLIFE HABITAT PROTECTION.

(A) **INTENT.** The following requirements and standards have been developed to promote, preserve, and enhance wildlife and wildlife habitat Areas in and around Park City, and to protect them from adverse effects and potentially irreversible impacts.

(B) **JURISDICTION.** All Sensitive or Specially Valued Species, including all species identified by state or federal agencies as Threatened or Endangered Wildlife are regulated as provided below:

(1) PROTECTION OF WILDLIFE HABITAT AND ECOLOGICAL CHARACTER.

(a) **CONSTRUCTION TIMING.** Construction shall be organized and timed to minimize disturbance of Sensitive or Specially Valued Species occupying or using on-Site and adjacent natural Areas.

(b) **SENSITIVE AND SPECIALLY VALUED SPECIES.** If the Development Site contains or is within five hundred feet (500') of a natural Area or habitat Area, and the wildlife and habitat report show the existence of Sensitive or Specially Valued Species, the Development plans shall include provisions to ensure that any habitat contained in any such natural Area shall not be disturbed or

diminished, and to the Maximum Extent Feasible, such habitat shall be enhanced.

(c) **CONNECTIONS.** If the Development Site contains existing natural Areas that connect to other Off-Site natural Areas, to the Maximum Extent Feasible the Development plan shall preserve such natural Area connections. If natural Areas lie adjacent to the Development Site, but such natural Areas are not presently connected across the Development Site, then the Development plan shall, to the extent reasonably feasible, provide such connection. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement between natural Areas and to enhance the opportunity for the establishment of new connections for movement of wildlife.

(d) **WILDLIFE CONFLICTS.** If wildlife that may create conflicts for future occupants of the Development are known to exist in Areas adjacent to or on the Development Site, then the Development plan

**PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 2.21 Sensitive Area Overlay Zone
(SLO) Regulations**

15-2.21-13

must include provisions to
minimize these conflicts to
the extent reasonably
feasible.

Ordinance No. 07-80

**AN ORDINANCE APPROVING THE EXTENSION OF 68 PROSPECT STREET
REPLAT, AN AMENDMENT TO LOTS 8, 9, AND 10 OF BLOCK 18 OF THE PARK
CITY SURVEY, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 68 Prospect Street have petitioned the City Council for approval of the Plat Amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on October 25, 2006 to receive input on the Plat Amendment and forwarded a positive recommendation to the City Council on November 8, 2006; and,

WHEREAS, on December 14, 2006, the City Council approved the 68 Prospect Street Replat; and

WHEREAS, on December 6, 2007, the City Council approved a one year extension for the approved 68 Prospect Street Replat; and

WHEREAS the 68 Prospect Street Replat will allow the consolidation of three lots into two lots within the same exterior boundary.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 68 Prospect Street Replat, as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 68 Prospect Street.
2. The zoning is Historic Residential (HR-1)
3. The surrounding land use patterns are single family homes, most of them small in size on single, or combinations of typical Old Town lots.
4. The current configuration of lots is three equal sized lots measuring 25.7' x 80'.
5. One home traverses both of the interior lot lines.
6. The size of the current home is approximately 400 square feet.
7. The home is historically significant.
8. The proposed configuration of lots is two equal sized lots measuring 38.5' x 80'.
9. A Public Hearing was held on October 25, 2006. Two comments were received, both in support of the Plat Amendment.
10. Comments received on October 25th supported the construction of two smaller homes rather than one larger home.
11. The Planning Commission unanimously voted to recommend approval of the plat amendment on November 8, 2006.

12. No change in circumstance to the property has occurred since the time of the original approval as it relates to the Land Management Code requirements, including zoning, height, setbacks, lot size and building footprint.
13. No applicable changes to the LMC have occurred in the time since the application was initially approved.

Conclusions of Law:

1. There is good cause for this Plat Amendment because it allows the construction of two smaller homes, which is consistent with the surrounding land use patterns, massing and scale on Prospect Street.
2. The Plat Amendment is consistent with the Park City Land Management Code.
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.

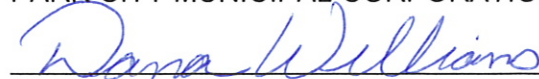
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. Relocation of the existing historic home to the new lot is a condition precedent to plat recordation.
3. The applicant will record the Plat Amendment at the County within one year from the date of City Council extension of the approval (December 6, 2008). If recordation has not occurred within one year's time, this approval for the plat will be void.
4. All standard project conditions will apply as noted in Attachment 2.

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

PASSED AND ADOPTED this 6th day of December, 2007.

PARK CITY MUNICIPAL CORPORATION



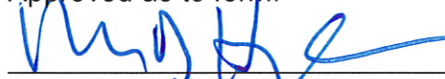
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

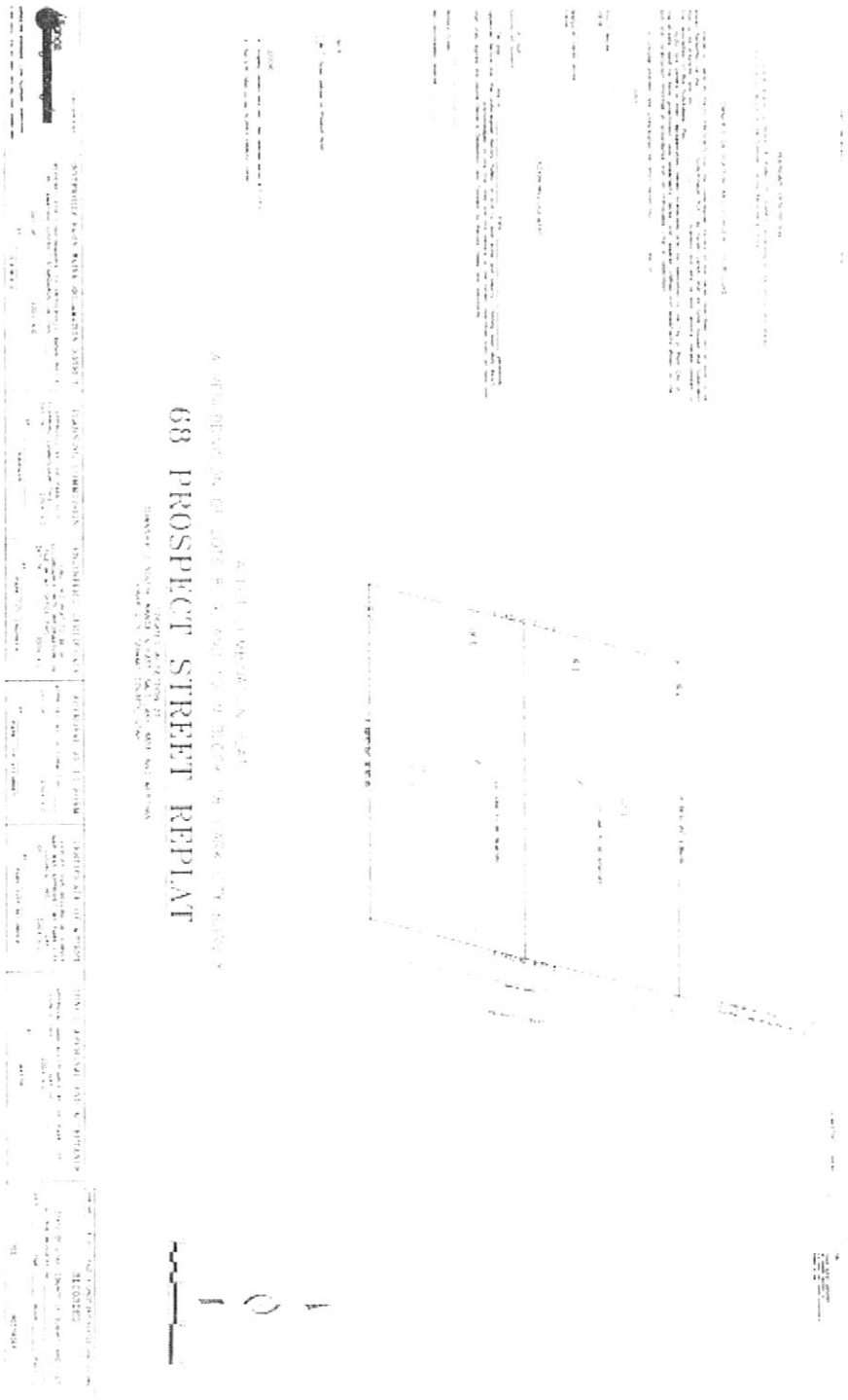
Approved as to form:



Mark D. Harrington, City Attorney



Attachment 1 – Record of Survey Plat



Attachment 2
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. 07-79

**AN ORDINANCE APPROVING THE JUPITER VIEW ESTATES SUBDIVISION
LOCATED AT 1376 MELLOW MOUNTAIN DRIVE, SECTION 8 TOWNSHIP 2
SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, UTAH**

WHEREAS, the owner of the properties known as Lot 11 Hearthstone Subdivision and the Taber Parcel have petitioned the City Council for approval of a subdivision plat to be known as Jupiter View Estates; and

WHEREAS, the property includes the 6.63 acre Taber parcel and Lot 11 amended Hearthstone Subdivision and is generally located at 1376 Mellow Mountain Road, north of the April Mountain Subdivision, south of the Aerie Subdivision, and east of the Hearthstone Subdivision; and

WHEREAS, the property is located in the E (Estate) zoning district and is also located within the SLO (Sensitive Lands Overlay); and

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

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

WHEREAS, the Planning Commission conducted public hearings on September 26th and November 14th, 2007, to receive input on the proposed subdivision; and

WHEREAS, the Planning Commission, on November 14, 2007, forwarded a positive recommendation on the subdivision to the City Council; and

WHEREAS, on November 29, 2007, 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 Jupiter View Estates Subdivision as no person will be materially harmed and the health, safety, and general welfare of the public is not adversely affected by the subdivision.

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

SECTION 1. APPROVAL. The Jupiter View Estates Subdivision, located at 1376 Mellow Mountain Road, is hereby approved as shown on the plat (Exhibit A) and according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated below.

Findings of Fact

1. The property is located in the E, Estate, zoning district and is within the SLO, Sensitive Lands Overlay.
2. The property consists of the 6.63 acre Taber parcel and Lot 11 amended Hearthstone Subdivision and the owner is requesting a subdivision of the Taber parcel to create two single family lots and to provide access, utility and trail easements across Lot 11 of the amended Hearthstone Subdivision. There is an existing single family house on Lot 11 and no subdivision of Lot 11 is requested.
3. Lot One is proposed to contain 3.57 acres and Lot Two is proposed to contain 3.06 acres.
4. Access from Mellow Mountain Road to Lots One and Two is provided via a private access easement across Lot 11 of the Hearthstone Subdivision.
5. At the time of the subdivision plat review the Planning Commission reviewed a Sensitive Lands Analysis for the property that included an analysis of steep slope areas, wetlands, stream corridors, vegetation identification, wildlife habitat, ridgeline areas, entry corridors, and visual analysis from LMC vantage points.
6. The building pad for Lot 1 is located in the southern portion of the lot. The building pad for Lot 2 is located in the southern portion of the lot. Approximate location of the building pads are identified on the plat and limited to 8,000 sf in area per lot. A maximum Limits of Disturbance area of 16,000 sf per lot is stipulated by the SLO requirements. The entire house, foundation, construction disturbance, landscaping, and accessory structures shall be located within this disturbance area.
7. The property consists of slopes ranging from 0% to over 40% slope.
8. There are areas of 40% or greater slopes along Mellow Mountain Road. However, these areas do not meet the LMC requirement of Section 15-2.21-4 (A) that they cover a topographic area of at least 25' vertically and 50' horizontally. Therefore, they do not meet the definition of a Very Steep Slope and are not subject to the prohibitions identified in the Section. The proposed driveway crosses this area of 40% slope.
9. The proposed density of 2 single family dwellings for the 6.63 acre Taber parcel is consistent with and complies with requirements of the Estate zoning district.
10. The applicant submitted a preliminary visual analysis of the property from LMC designated vantage points. The property is visible from the PCMR bus stop vantage point. To ensure compliance with the intent of the SLO to minimize visual impacts of development within the SLO area, a site and house specific visual analysis will be necessary at the time of the building permit submittal to review the proposed building design for compliance with the SLO in terms of colors, materials, building and roof form, height, stepping, and orientation on the lot.
11. The proposed driveway is approximately 500' in length. Limiting the width and grading of this driveway to the minimums necessary for a safe and functional driveway will mitigate the visibility of the disturbance area.
12. The applicant submitted a fire protection plan to address fire and emergency

access given the length of the driveway and location of the lots within the Wildland interface zone. Plat notes regarding specifics of this plan are necessary to ensure compliance with the plan.

13. A public trail easement is identified on the plat within the 50' non-exclusive power line easement and within Lot 11 amended Hearthstone Subdivision.
14. All existing and proposed utilities, access drives, trails, public and circulation areas for emergency vehicles will be located within approved easements to be reviewed and approved by the City Engineer prior to plat recordation.
15. Mellow Mountain Road is not a dedicated street in this area.
16. A construction mitigation plan will be necessary to address construction issues before any building permits are issued.
17. Areas of Steep Slopes and Very Steep Slopes have been identified on the property. The proposed building pads are located 50' away from Very Steep Slopes.
18. The property is located outside the City's Soils Ordinance District. A geotechnical report was submitted with the subdivision plat application and makes recommendations regarding placement of foundations with respect to an existing mine tunnel.
19. The subdivision plat identifies the driveway location, limits of disturbance areas, building pads, and appropriate setbacks from property lines consistent with the Land Management Code in terms of the Estate zoning district and the SLO regulations. The driveway location and proposed easements are consistent with conditions of approval of the Hearthstone Subdivision.

Conclusions of Law:

1. There is good cause for this subdivision plat.
2. The subdivision plat 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 approval of the subdivision plat.
4. Approval of this final subdivision plat, 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. City Attorney and City Engineer review and approval of the final form and content of the final subdivision plat for compliance with State law, the Land Management Code and conditions of approval is a condition precedent to recording the plat. The name of the subdivision has been identified as the Jupiter View Estates Subdivision.
2. No remnant lots will be created as a result of this subdivision.
3. The applicant will record the final subdivision plat at Summit County within one year of the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
4. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits for the Jupiter View Estates Subdivision. The

construction mitigation plan shall include a re-vegetation plan for re-vegetation of all disturbed areas that remain after utility, road, house, and trail construction. All sensitive areas and significant vegetation shall be identified on the CMP and protected during construction. The method for protecting these areas shall be included on the CMP.

5. All existing mine tunnels and shafts on the Taber parcel shall be reviewed by the City at the time of building permit issuance and all required mitigation/reclamations shall occur prior to permit issuance.
6. A financial guarantee for any and all public improvements, including trails, in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer shall be in place as a condition precedent to plat recordation and issuance of building permits.
7. Utility and access easements in a form approved by the City Engineer and City Attorney shall be dedicated on the plat, or by separate document and simultaneously recorded with the plat.
8. The City does not provide snow removal from the private driveway to Lots 1 and 2.
9. As a condition precedent to plat recordation the City Engineer shall have approved the final utility plans, including storm water detention plans and grading plans for the driveway, including retaining walls. No building permits shall be issued until the plat is recorded and any public improvements are substantially complete or otherwise financially secured.
10. As a condition precedent to issuance of any building permits, the Chief Building Official shall conduct a final assessment and grant approval of the fire protection plan for construction of single family houses on Lots 1 and 2. A note shall be added to the plat stating that modified 13-D fire residential fire sprinklers are required for all new construction and no wood roofs are allowed.
11. As a condition precedent to plat recordation, the Snyderville Basin Water Reclamation District shall have approved the utility plan and signed the subdivision plat.
12. As a condition precedent to building permit issuance, a site-specific visual analysis shall be conducted by the lot owner and presented to the Planning Department with the building permit plans. The site-specific visual analysis shall demonstrate that the house, any accessory buildings, and driveway construction are in compliance with the Sensitive Lands Ordinance and visual impacts, in terms of building height, building and roof form, stepping, orientation on the lot, colors, and materials, have been mitigated. The allowable building height may be reduced to 28' pending results of the house specific SLO visual analysis. The intent of the final visual analysis is to ensure that the house is not visually obtrusive from LMC Vantage points, including the PCMR bus stop.
13. As shown on the plat, public trail easements on Lots 1 and 2 as well as on Lot 11 amended Hearthstone Subdivision, are dedicated to the public by recordation of the plat.
14. A note shall be added to the plat indicating that a landscape plan for Lots 1 and 2 shall be submitted for review and approval by the Planning Department prior to issuance of a building permit. The plan shall address water conservation in

both plantings and irrigation methods and no landscaping shall extend beyond the limits of disturbance areas (LOD).

15. A note shall be placed on the plat indicating that the maximum building envelope, for each house on Lots 1 and 2 is 8,000 sf. In addition, all disturbances for the house, any accessory structures, and landscaping shall be contained by a 16,000 sf LOD area to be delineated on the site plan at the time of building permit issuance. Driveways and utility disturbance are addressed in a separate condition below.
16. A plat note shall indicate that a min. of 15' is required between a foundation and the LOD fence.
17. A note shall be placed on the plat indicating that the limits of disturbance for the driveways and utilities shall be restricted to only the area necessary for construction of functional and safe driveways and in order to minimize disturbance. In no case shall the total disturbance area (including all construction disturbances) for the two houses, landscaping, driveways, and utilities exceed 25% of the Steep Slope areas as depicted on the Slope Analysis Sheet C101. This total area is approximately 78,700 sf. Landscaping along the driveways is included within this total disturbance area figure.
18. All standard project conditions shall apply to this development.
19. At the time of building permit issuance for the two houses and all related construction and landscaping, the applicant must demonstrate that 75% of the steep slope areas (15-40% slope) will remain open and undisturbed.
20. All conditions of approval of the amended Hearthstone Subdivision, as they relate to Lot 11, continue in full force and effect.
21. Landscaping of the retaining walls for the driveway shall be approved by the City Arborist and shall provide materials appropriate to screen and soften the walls.

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

PASSED AND ADOPTED this 29th day of November, 2007.

PARK CITY MUNICIPAL CORPORATION



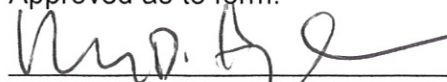
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:

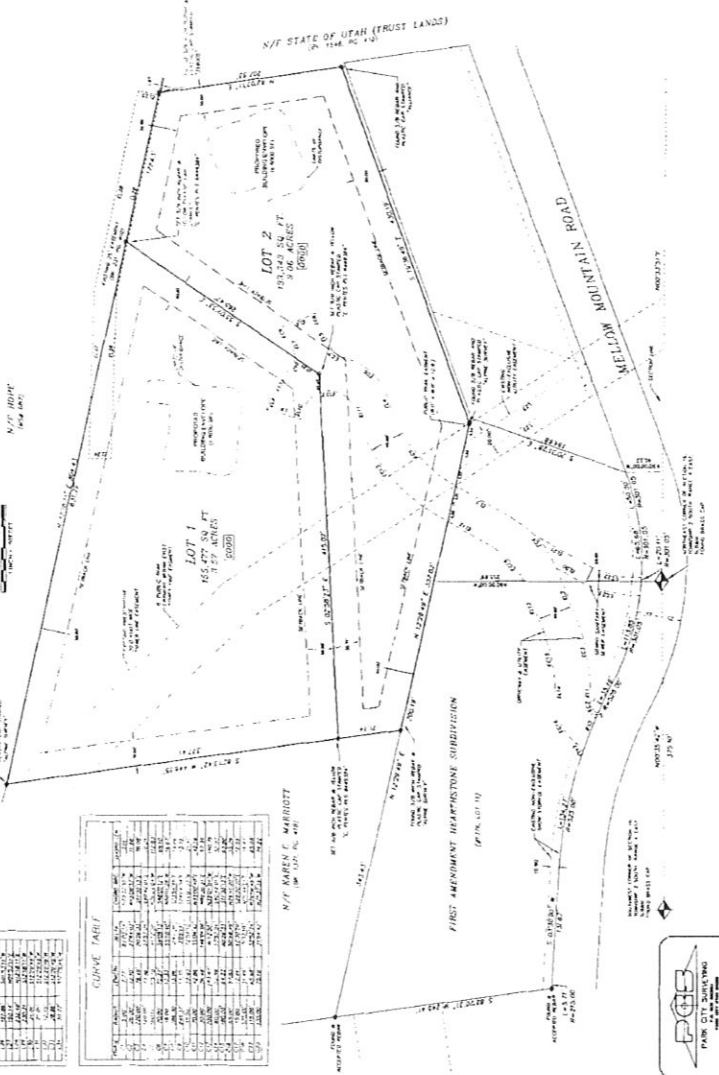


Mark D. Harrington, City Attorney



TABER SUBDIVISION
 LYING WITHIN SECTION 10 & 15
 TOWNSHIP 2 SOUTH, RANGE 4 EAST
 SALT LAKE BASE AND MERIDIAN

LEGEND
 • CORNER OF TABER SUBDIVISION
 • CORNER OF STATE TRUST LANDS



LINE TABLE

LINE NO.	FROM	TO	BEARING	DISTANCE
1	1000.00	1000.00	N 00° 00' 00" W	1000.00
2	1000.00	1000.00	N 00° 00' 00" W	1000.00
3	1000.00	1000.00	N 00° 00' 00" W	1000.00
4	1000.00	1000.00	N 00° 00' 00" W	1000.00
5	1000.00	1000.00	N 00° 00' 00" W	1000.00
6	1000.00	1000.00	N 00° 00' 00" W	1000.00
7	1000.00	1000.00	N 00° 00' 00" W	1000.00
8	1000.00	1000.00	N 00° 00' 00" W	1000.00
9	1000.00	1000.00	N 00° 00' 00" W	1000.00
10	1000.00	1000.00	N 00° 00' 00" W	1000.00
11	1000.00	1000.00	N 00° 00' 00" W	1000.00
12	1000.00	1000.00	N 00° 00' 00" W	1000.00
13	1000.00	1000.00	N 00° 00' 00" W	1000.00
14	1000.00	1000.00	N 00° 00' 00" W	1000.00
15	1000.00	1000.00	N 00° 00' 00" W	1000.00
16	1000.00	1000.00	N 00° 00' 00" W	1000.00
17	1000.00	1000.00	N 00° 00' 00" W	1000.00
18	1000.00	1000.00	N 00° 00' 00" W	1000.00
19	1000.00	1000.00	N 00° 00' 00" W	1000.00
20	1000.00	1000.00	N 00° 00' 00" W	1000.00
21	1000.00	1000.00	N 00° 00' 00" W	1000.00
22	1000.00	1000.00	N 00° 00' 00" W	1000.00
23	1000.00	1000.00	N 00° 00' 00" W	1000.00
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CURVE TABLE

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COUNTY COMMISSION APPROVAL
 I HEREBY CERTIFY THAT I HAVE HAD THIS SUBDIVISION AS SHOWN ON THIS PLAN EXAMINED AND FOUND TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION ACT, CHAPTER 103B, R.S., UTAH, AND I HAVE FILED THIS PLAN WITH THE COUNTY CLERK'S OFFICE ON THIS DATE.

DATE: _____ COUNTY ENGINEER: _____

COUNTY ENGINEER
 I HEREBY CERTIFY THAT I HAVE HAD THIS SUBDIVISION AS SHOWN ON THIS PLAN EXAMINED AND FOUND TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION ACT, CHAPTER 103B, R.S., UTAH, AND I HAVE FILED THIS PLAN WITH THE COUNTY CLERK'S OFFICE ON THIS DATE.

DATE: _____ COUNTY ENGINEER: _____

COUNTY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE COUNTY PLANNING COMMISSION ON THIS DAY OF _____, A.D. 2007.

CHAIRMAN: _____

APPROVAL AS TO FORM
 APPROVED AS TO FORM ON THIS DAY OF _____, A.D. 2007.

COUNTY CLERK: _____

RECORDED
 RECORDED AND FILED AT THE OFFICE OF THE COUNTY CLERK ON THIS DAY OF _____, A.D. 2007.

COUNTY ASSESSOR: _____

COUNTY ASSESSOR
 ALL TAXES, PENALTIES AND INTEREST HAS BEEN PAID AS OF THE DATE OF _____, A.D. 2007.

COUNTY ASSESSOR: _____

EXHIBIT A

Ordinance No. 07-78

AN ORDINANCE APPROVING THE CHRISTOPHER HOMES AT EMPIRE PASS CONDOMINIUMS, AMENDED RECORD OF SURVEY PLAT LOCATED AT LOT 1 OF THE SILVER STRIKE SUBDIVISION, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Christopher Homes at Empire Pass Condominiums, Lot 1 of the Silver Strike Subdivision, have petitioned the City Council for approval of the Christopher Homes at Empire Pass Condominiums, amended record of survey; 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 14, 2007, to receive input on the Christopher Homes at Empire Pass Condominiums, amended record of survey;

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

WHEREAS, on November 29, 2007, the City Council held a public hearing on the Christopher Homes at Empire Pass Condominiums, amended record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Christopher Homes at Empire Pass Condominiums, amended record of survey.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Christopher Homes at Empire Pass Condominiums, amended 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 property is located on Lot 1 of the Silver Strike subdivision.
2. The Christopher Homes Condominiums is located in the RD-MPD zoning district.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.

4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The MPD identified the area of this proposed subdivision as the location for 18 PUD-style detached single family homes, similar to the Paintbrush units currently under construction in other parts of Empire Pass.
5. On June 29, 2006, the City Council approved the Silver Strike Subdivision creating two lots of record. Lot 1 is 4.37 acres in size while lot 2 contains 1.99 acres.
6. The approved maximum house size is 5,000 square feet of Gross Floor Area, as defined by the LMC. An additional 600 square feet is allowed for a garage.
7. At the time of final construction and re-platting all floor area including basement area and garage space greater than the 600 square foot exception will be counted towards the Unit Equivalents allowed by the Flagstaff Development Agreement.
8. The proposed record of survey is consistent with the approved Master Planned Development for the Village at Empire Pass.
9. Two parking spaces are required for each unit.
10. Each building is required to conform to the 28+5 foot height requirement of the RD zone.

Conclusions of Law:

1. There is good cause for this record of survey.
2. The 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 record of survey.
4. Approval of the 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 for the plat will be void.
3. All conditions of approval of the Village at Empire Pass Master Planned Development and the Silver Strike Subdivision plat shall continue to apply.
4. A fire protection plan requiring the use of modified 13D sprinklers is required for review by the Building Department prior to any building permit.
5. Plat Note #1 will be amended to require amending the record of survey after construction of the units unless otherwise approved by the City Attorney and City Engineer.
6. At the time of final construction and re-platting all floor area including basement area and garage space greater than the 600 square foot exception will be counted towards the Unit Equivalents allowed by the Flagstaff Development Agreement.

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

PASSED AND ADOPTED this 29th day of November, 2007.

PARK CITY MUNICIPAL CORPORATION



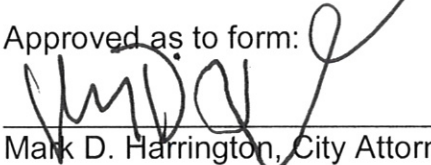
Mayor Dana Williams

Attest:

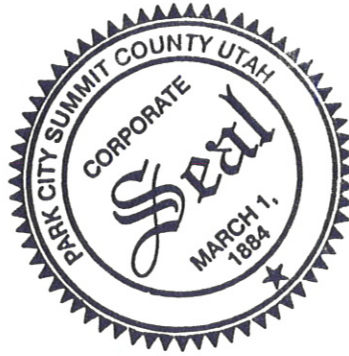


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 07-77

AN ORDINANCE APPROVING THE SUBDIVISION NO. 1 MILLSITE RESERVATION - RIDGE OVERLOOK PLAT AMENDMENT LOCATED AT 200 RIDGE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 200 Ridge Avenue have petitioned the City Council for approval of the Subdivision No. 1 Millsite Reservation – Ridge Overlook 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 public hearings on September 26, October 24 and November 14, 2007, and conducted a site visit on October 10, 2007, to receive input on the Subdivision No. 1 Millsite Reservation – Ridge Overlook plat amendment; and

WHEREAS, on November 14, 2007, the Planning Commission forwarded a positive recommendation for Subdivision No. 1 Millsite Reservation – Ridge Overlook plat amendment; and

WHEREAS, on November 29, 2007, the City Council held a public hearing to receive input on the Subdivision No. 1 Millsite Reservation – Ridge Overlook plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Subdivision No. 1 Millsite Reservation – Ridge Overlook plat amendment plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Subdivision No. 1 Millsite Reservation plat amendment 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 property is located at 200 Ridge Avenue.
2. The zoning is Historic Residential Low density (HRL).
3. The proposed plat combines all or portions of lots 75-89 and 27-32, Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. The three lots will be 13,413 square feet, 4,570 square feet, and 4,140 square feet in size. The lot sizes are consistent with lot sizes in the neighboring HRL zone.
5. Existing Ridge Avenue crosses the property and will be dedicated as a public right of way to the City in the subdivision as Parcel A. Parcel A will be 6,242 square feet. Ridge Avenue is a substandard street that generally does not exist within its platted right of way.
6. Code maximum footprints for the proposed lots are 3,156 square feet, 1,768 square feet, and 1,640 square feet based on proposed lot sizes.

7. The average lot size in the HRL zone in the area is 5,677 square feet. The average footprint in the HRL and HR-1 zones around the property is 1,917 square feet with an average house size, excluding basements and garages, 2,748 square feet.
8. The lot 1 footprint at 3,156 square feet is not compatible with neighboring properties because the footprint is 65% larger than the average for the area.
9. Built houses sizes in the HRL district around the subject property have an average square footage of 143% of the footprint..
10. The lots have slopes greater than 30% and a Steep Slope Conditional Use Permit will be required for each of the proposed homes.
11. All homes within the HRL zoning district require Historic District Design Review.
12. A 25-foot public utilities easement is proposed on the eastern property line of the three lots. No house construction can encroach into the easement.
13. The applicant stipulates to the Findings, Conclusions, and Conditions.

Conclusions of Law:

1. There is good cause for this plat amendment because, as conditioned, all or portions of 22 lots will be combined to create three lots of record and a parcel consisting of a portion of Ridge Avenue will be dedicated to the public.
2. The plat amendment, as conditioned, is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public interest 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 amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. A final utility plan is required to be approved by the City Engineer prior to plat recordation.
4. A financial security for public improvements, in an amount approved by the City Engineer and in a form approved by the City Attorney, is required prior to plat recordation.
5. A snow shed easement or roof design acceptable to the Chief Building Official will be required at the time of a Steep Slope CUP.
6. A note will be added to the plat that requires the installation of Modified 13-D sprinklers in each house.
7. Construction mitigation plan, which will include controlling loose rocks, must be approved prior to granting building permits.
8. A plat note will be added to restrict the Lot 1 to a maximum footprint of 2,200 square feet. Lots 2 and 3 maximum footprints are to be limited to 1,768 and 1,640 square feet.
9. A plat note will limit the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area. The Maximum Floor Area will be as follows: Lot 1: 3,146 square feet; Lot 2: 2,528 square feet; Lot 3: 2,345 square feet.
10. The garage element must be at the front setback, cannot exceed the minimum depth as allowed by Code, and must have an appropriate pitched roof (8:12 or greater). A height exception for the garage only may be granted if it meets the preceding criteria.
11. No other portion of the house is eligible for a height exception.

12. Except for Condition of Approval #10, nothing herein limits the scope of review by the Planning Commission during their review of a Steep Slope Conditional Use Permit.
13. Driveways into the garages whose elevation is above the adjacent Ridge Avenue grade cannot exceed 1/4-inch per foot, the minimum slope necessary for drainage away from the garages.
14. The Public Utility Easement shall not have a retaining wall and shall not be used as driveway access to the lots, unless for Lot 1 only and specifically approved by the Planning Commission during Steep Slope Conditional Use Permit review. Otherwise, driveways shall access Ridge Avenue from the western property lines of each lot.

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

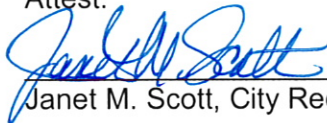
PASSED AND ADOPTED this 29th day of November, 2007.

PARK CITY MUNICIPAL CORPORATION



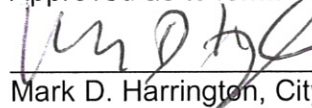
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 07-76

ORDINANCE APPROVING THE BOOTHILL PARCEL PLAT, LOCATED NEAR THE CORNER OF MONITER DRIVE AND KEARNS BLVD., PARK CITY, UTAH.

WHEREAS, the owners of the property located at the northeast corner of the Park City Cemetery between the Boothill Condominiums and the City's pump station, have petitioned the City Council for approval of the Boothill Parcel 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 published and sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 24, 2007, to receive input on the Boothill Parcel Plat;

WHEREAS, the Planning Commission, on October 24, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 15, 2007, the City Council held a Public Hearing on the Boothill Parcel Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Boothill Parcel Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Boothill Parcel Plat, 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 property is located near the intersection of Monitor Drive and Kearns Blvd northeast of the cemetery and between the Boothill Condominiums and the City's pump station.
- 2) The zoning is General Commercial (GC), and surrounded by the cemetery and residential condominiums.
- 3) The proposed lot was previously part of the city owned property located in the Northwest Quarter of Section 9, Township 2, South, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah, and is 35,252 square feet in area.
- 4) Park City Municipal sold said property on March 20, 1986 with conditions imposed on the property.
- 5) The conditions were intended to apply to any future development of the property.

Conclusions of Law:

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

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

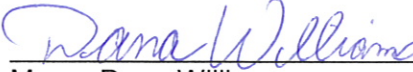
Conditions of Approval:

- 1) The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
- 2) The applicant will record the plat amendment at the County within one year from the date of City Council approval.
- 3) If recordation has not occurred within one year's time, this approval for the plat will be void.
- 4) The property can only be used for professional offices and parking associated therewith. No retail sales, food service, bar or tavern, warehouse, theater or place of public assembly, church, school or transient lodging may be done on the property for a period of fifty (50) years commencing March 20, 1986.
 - 1) The total building footprint cannot exceed 7,000 square feet, and the floor area may not exceed 18,000 square feet.
 - 2) The building height may not exceed thirty-five (35') above natural grade at any point.
 - 3) The City retained an easement over the parcel to provide an access road to the Boothill Water tank. The location shall be specifically described on the final site plan for the building, but shall provide a road fifteen feet (15') wide that does not exceed 15% grade as it crosses the subject property. The road will be built and maintained across the property at the expense of the property owner and may be combined with parking area access roads.
- 4) Notes shall be placed on the plat memorializing Conditions 4, 5, 6 and 7.

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

PASSED AND ADOPTED this 15th day of November, 2007.

PARK CITY MUNICIPAL CORPORATION



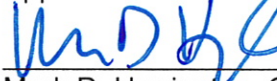
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



BOOTHILL PARCEL PLAT

LOCATED IN NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2
SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT
COUNTY, UTAH

SHEET 1 OF 1



OWNER'S DEDICATION AND CONSENT TO RECORD
THE UNDERSIGNED HEREBY DEDICATE AND CONSENT TO RECORD THE PLAT AND THE TRACT DESCRIBED THEREON FOR THE USE AND BENEFIT OF THE CITY AND COUNTY OF SUMMIT, UTAH, AS SHOWN ON THE PLAT ATTACHED TO THIS INSTRUMENT.

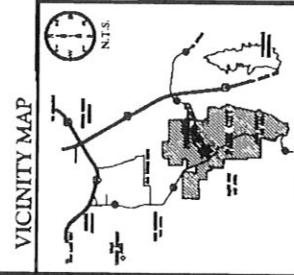
BY _____
PLAT HOLDER
BY _____
PLAT HOLDER

ACKNOWLEDGMENT

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT THIS INSTRUMENT IS THE FREE AND VOLUNTARY ACT AND DEED OF THE ABOVE-NAMED PARTIES, AND THAT THEY ARE FULLY SENSIBLE OF THE CONTENTS AND EXTENT OF THE SAME, AND THAT THEY HAVE BEEN ADVISED BY _____
ATTORNEY AT LAW

SURVEYOR'S CERTIFICATE

I, _____, a duly licensed and qualified surveyor, have surveyed the above-described premises and have found the same to conform to the plat and description thereon, and I have placed in conformity with the substance of said plat and description the lines and bearings thereon.



CERTIFICATE OF ATTEST

I, _____, City Clerk, do hereby certify that the above-described premises are the property of _____, and that the same have been duly recorded in the office of the County Clerk of Summit County, Utah, on this _____ day of _____, 20__.

CITY COUNCIL APPROVAL

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SUMMIT, UTAH, on this _____ day of _____, 20__.

CITY ENGINEER

APPROVED AND ADOPTED BY THE CITY ENGINEER OF THE CITY OF SUMMIT, UTAH, on this _____ day of _____, 20__.

CITY PLANNING COMMISSION

APPROVED AND ADOPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF SUMMIT, UTAH, on this _____ day of _____, 20__.

APPROVAL AS TO FORM

APPROVED AS TO FORM BY THE _____ OF THE CITY OF SUMMIT, UTAH, on this _____ day of _____, 20__.

LEGAL DESCRIPTION

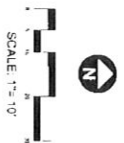
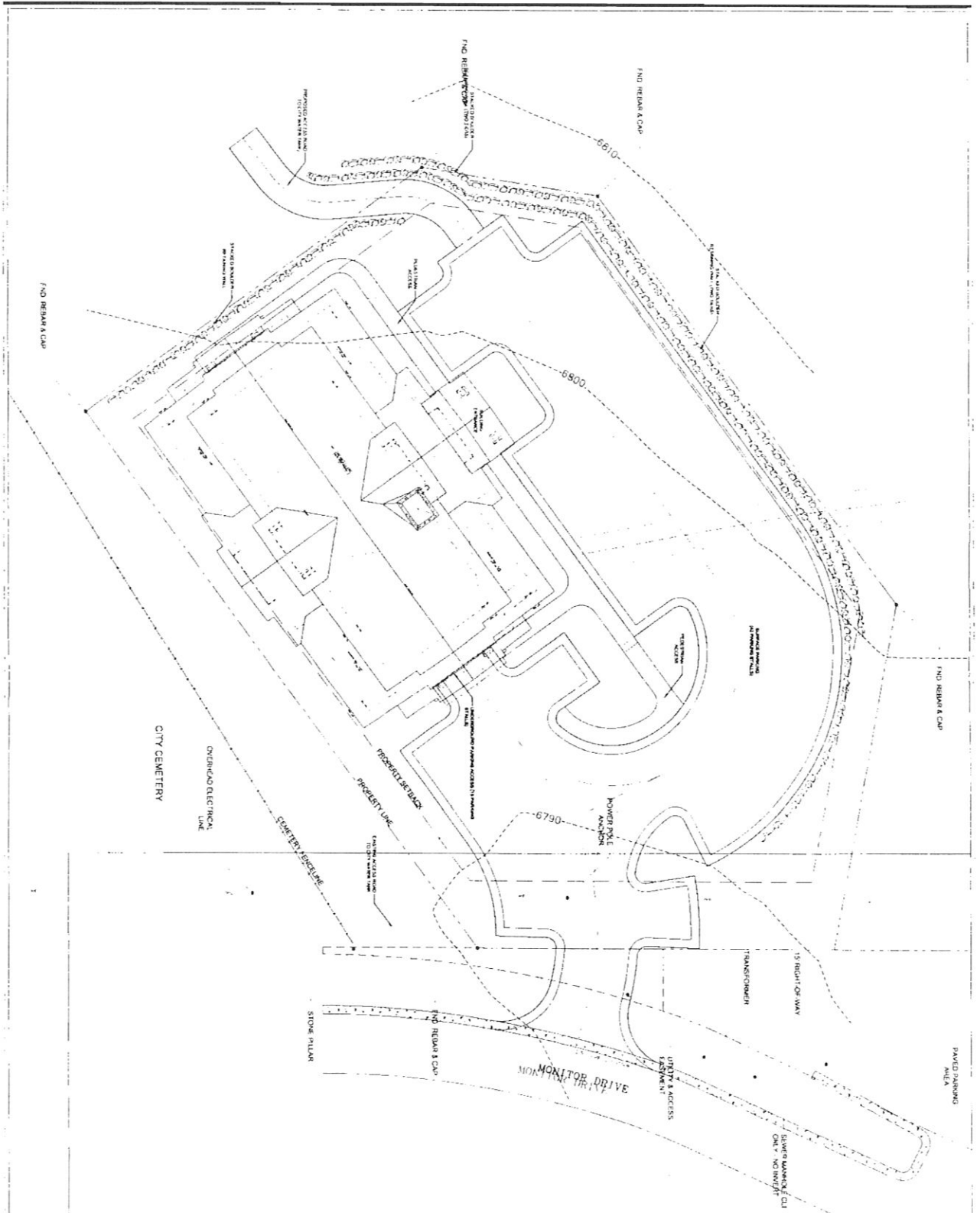
1. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.

PLAT NOTES

1. THIS PLAT IS A PRELIMINARY PLAT.
2. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.
3. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.
4. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.
5. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.
6. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.
7. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.
8. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.
9. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.
10. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THAT DESCRIBED IN THE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF SUMMIT COUNTY, UTAH, ON _____ DAY OF _____, 20__.

JACK JOHNSON COMPANY
SURVEYORS & ENGINEERS
1000 WEST 1000 SOUTH, SUITE 100, SALT LAKE CITY, UTAH 84119
PHONE: 325-1111 FAX: 325-1112

RECORDED
BY _____ PAGE _____ OF _____
STATE OF _____ COUNTY OF _____
DATE _____



JACK JOHNSON COMPANY
 ARCHITECTS
 1000 W. MONITOR DRIVE
 HARRISON, OHIO 44643
 PHONE: (419) 435-1234
 FAX: (419) 435-1235
 WWW: WWW.JACKJOHNSON.COM

**Harrison Horn
 Monitor Drive
 Office Building**

Site Plan | **02**

When recorded please return to:
Park City Municipal Corporation
Attn: City Engineer
PO Box 1480
Park City UT 84060

Fee Exempt per Utah Code
Annotated 1953 21-7-2

ORDINANCE NO. 07-75

**ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT AND RELATED TO BANNER WOOD SUBDIVISION
AND SILVER STRIKE SUBDIVISION**

WHEREAS, Banner Wood Subdivision was approved by the Park City Council on February 10, 2005; and

WHEREAS, Silver Strike Subdivision was approved by the Park City Council on June 29, 2006; and

WHEREAS, construction of the public improvements serving these adjacent subdivisions has been accomplished by the developer; and

WHEREAS, said public improvements consist of the 10-inch water line in Silver Strike Trail, including its appurtenances and its connection at the south end of Silver Strike Trail to the 10-inch water line approximately 300 feet south into the Deer Valley Resort Ski Run, which waterline connects the Bald Eagle vicinity to the Empire Day Lodge vicinity; and

WHEREAS, said public improvements further include the Daly Avenue Pump Station, formerly known as Flagstaff Pump Station #1, and its pumps, valves, building, and proximate related equipment, together with the water line connecting said pump station to the Woodside Tank, and also together with the 10-inch transmission line connecting said pump station to the 12-inch water line within Marsac Avenue in Empire Pass; and

WHEREAS, said public improvements also include the Pressure Reducing Valve Station (PRV) adjacent to Silver Strike Trail, together with the 10-inch class 350 ductile iron water line connecting said PRV at Silver Strike Trail with Empire Club Drive West, all of which foregoing water improvements are hereinafter described as the Improvements; and

WHEREAS, Park City has adopted Land Management Code Section 15-7.2-1.(H), which provides for the City Council to accept those public improvements which are dedicated and built in accordance with the requirements of Title 15 Chapter 7 of the Land Management Code; and

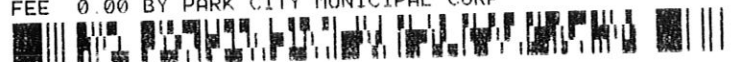
ENTRY NO. 00830799

11/19/2007 11:52:52 AM B: 1899 P: 1960

Ordinance PAGE 1/2

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 0.00 BY PARK CITY MUNICIPAL CORP



WHEREAS, the public improvements within the developments described above 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 and related to Banner Wood and Silver Strike Subdivisions described above, subject to the developer's warranty of the Improvements for one-year following the adoption of this ordinance. Stabilization of all disturbed soil areas with re-vegetation 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 a financial guarantee in an amount approved by the City Engineer and in a form approved by the City Attorney for a period of one year following the date this ordinance is adapted. The guarantee is for the improvements and landscaping (chiefly re-vegetation).

SECTION 3. SNOWPLOWING AND LANDSCAPE MAINTENANCE.

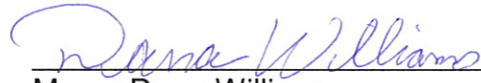
Silver Strike Trail is a private road. City snowplowing will not be provided.

SECTION 4. EFFECTIVE DATE.

This ordinance shall be effective upon publication.

Passed and adopted this 15th day of November, 2007.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 07-74

AN ORDINANCE APPROVING THE SUBDIVISION NO. 1 MILLSITE RESERVATION PLAT AMENDMENT LOCATED AT 255 RIDGE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 255 Ridge Avenue have petitioned the City Council for approval of the Subdivision No. 1 Millsite Reservation 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 public hearings on February 14, March 14, April 25, July 11 and July 25, 2007, and conducted a site visit on February 28, 2007, to receive input on the Subdivision No. 1 Millsite Reservation plat amendment;

WHEREAS, on September 12, 2007, the Planning Commission forwarded a negative recommendation for Subdivision No. 1 Millsite Reservation plat amendment; and

WHEREAS, on September 20, October 11 and October 25, 2007, the City Council held public hearings, scheduled a site visit for October 4, and directed staff to return with additional information; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Subdivision No. 1 Millsite Reservation plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Subdivision No. 1 Millsite Reservation plat amendment 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 property is located at 255 Ridge Avenue.
2. The zoning is Historic Residential Low density (HRL).
3. The proposed plat combines lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. The three lots will be 5,902 square feet, 5,898 square feet, and 7,208 square feet in area. The parcel will be 2,110 sf in area.

5. The lot sizes are consistent with lot sizes in the neighboring HRL zone.
6. Code maximum footprints for the proposed lots are 2,118 square feet, 2,117 square feet and 2,404 square feet.
7. The average lot size in the HRL zone in the area is 5,677 square feet. The average footprint in the HRL zone around the property is 1,917 square feet with an average house size, excluding basements and garages, 2,748 square feet.
8. The lot 3 footprint at 2,404 at square feet is not compatible with neighboring HRL zone properties because the footprint is 25% larger than the average for the area.
9. Built houses sizes in the HRL district around the subject property have an average square footage of 143% of the footprint.
10. Existing Ridge Avenue crosses the property and will be dedicated to the City in the parcel as Parcel A. Ridge Avenue is a substandard street that generally does not exist within its platted right of way.
11. The lots have slopes greater than 30% and a Steep Slope Conditional Use Permit will be required for each of the proposed homes.
12. All homes within the HRL zoning district require Historic District Design Review.
13. A 30-foot no-disturb area is proposed on the eastern property line of the three lots.
14. The applicant proposes houses set 37, 55, and 58 feet from the eastern property line.
15. The maximum grade of the driveway in platted Ridge Avenue is 10%. Due to the unique nature and the fact that the City has vacated Anchor to the north of the subject property, the City supports a variance or special exception to a maximum driveway grade of 14%.
16. Adequate snow storage is provided along the east, west and north sides of the driveway.
17. A two tiered retaining wall along the west and north sides will be a maximum of eight feet high (total). A Variance or Special Exception to a maximum of 14% would lower the wall another 4 feet over the 100 foot length.
18. The closest house to the west, 85 King Road, has a setback of ten feet to its rear property line. This house has a +/- 8 foot rock retaining wall being constructed at the rear property line. The proposed wall for the 255 Ridge driveway would step from this wall with a horizontal distance of 4 feet before the first 3 to 4 foot high poured concrete wall. Another four foot horizontal landscaping area separates the two walls within the right of way.
19. The right-of-way is 35 feet wide with 14 feet from the edge of curb to the west edge of the right-of-way, adjacent to 85 King Road.
20. Utilities will be in the Ridge Avenue right of way.
21. The Ridge Avenue right of way has been vacated both to the immediate north and south of the site, but the right of way is the legal access for 255 Ridge. This configuration is unique in the Park City Survey and the Snyder's Addition to the Park City Survey.
22. Walls, driveways, stairs, a tunnel and other structures are found in existing rights of way in the Historic District.

Conclusions of Law:

1. There is good cause for this plat amendment because, as conditioned, twelve lots will be combined to create three lots of record and a parcel consisting of a portion of Ridge Avenue will be dedicated to the public.
2. The plat amendment, as conditioned, is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public interest 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 amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. A final utility plan is required to be approved by the City Engineer prior to plat recordation.
4. A financial security for public improvements, in an amount approved by the City Engineer and in a form approved by the City Attorney, is required prior to plat recordation.
5. An Encroachment Agreement with the City, for the private driveway within the platted Ridge Avenue, is a condition precedent to plat recordation. Said Agreement shall be approved by the City Engineer as to content and by the City Attorney as to form.
6. The driveway construction requires a Conditional Use Permit that may be reviewed concurrent with a Steep Slope Conditional Use Permit. The current application shall be amended to incorporate the grade change to existing Ridge Avenue to be approved by the City Engineer, in such case the retaining wall will not exceed eight feet (8') in total height at the northwest corner.
7. A snow shed easement or roof design acceptable to the Chief Building Official will be required at the time of a Steep Slope CUP.
8. A note will be added to the plat that requires the installation of Modified 13-D sprinklers in each house.
9. A note will be added requiring 30 feet non-disturbance zone in the rear (east) of the three lots. In addition, the east side of any future houses must substantially conform to the exhibit shown to the City that placed the houses 37, 55, and 58 feet from the eastern property line.
10. Construction mitigation plan, which will include controlling loose rocks, must be approved prior to granting building permits.
11. A plat note will be added to restrict Lot 3 to a footprint of 2,120 square feet. Lots 1 and 2 footprints are to be noted as 2,117 and 2,118 square feet.

12. A plat note will limit the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
13. The garage element must be at the front setback, cannot exceed the minimum depth as allowed by Code, and cannot exceed eighteen feet (18') in height above the garage floor with an appropriate pitched roof (8:12 or greater). A height exception for the garage only may be granted if it meets the preceding criteria.
14. No other portion of the house is eligible for a height exception.
15. Except for Condition of Approval #14, nothing herein limits the scope of review by the Planning Commission during their review of a Steep Slope Conditional Use Permit and the Driveway Conditional Use Permit.
16. Applicant will seek a Variance or Special Exception for driveway grade in a platted unbuilt City Right of Way prior to proceeding with the Conditional Use Permit for driveway use of the right of way.
17. Driveways into the garages cannot exceed the minimum slope necessary for drainage away from the garages.

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

PASSED AND ADOPTED this 25th day of October, 2007.

PARK CITY MUNICIPAL CORPORATION



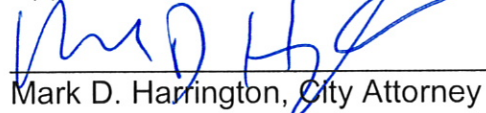
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 07-73

**ORDINANCE APPROVING THE FIRST AMENDED LOT 6
EVERGREEN SUBDIVISION, LOCATED AT 14 PERSEVERANCE COURT,
PARK CITY, UTAH**

WHEREAS, the owners of Lot 6 of the amended Evergreen Subdivision, located at 14 Perseverance Court, petitioned the City Council for approval of a plat amendment to revise a ski easement across the rear of the lot; and

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

WHEREAS, on September 26, 2007, the Planning Commission held a public hearing to receive public input on the proposed plat amendment; and

WHEREAS, on September 26, 2007, the Planning Commission forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on October 25, 2007, the City Council held a public hearing on the proposed replat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment and reconfigure the ski easement to a location where it is physically utilized and to resolve an encroachment of a covered deck and hot tub;

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

SECTION 1. APPROVAL. The plat amendment shown in Exhibit A is approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval. The above recitals are hereby incorporated as findings of fact.

Findings of Fact

1. The property is located at 14 Perseverance Court, also known as Lot 6 of the Evergreen Subdivision. The property is zoned Residential Development (RD) within the Deer Valley Master Planned Development. The property is developed with one single family residence.
2. A non-exclusive ski easement exists on the lot for the benefit of the owners in Evergreen.
3. A covered deck and hot tub on Lot 6 encroach onto the ski easement by up to 15'. This construction was allowed with the 1993 approval of the building plans by Deer Valley Resort and The Evergreen Architectural Review Committee. Minor amendments to the building pads were allowed per the subdivision plat and are memorialized on this plat amendment.
4. The applicant submitted a complete application on August 2, 2007, for a plat amendment to shift the ski easement on Lot 6 uphill and away from the house. The easement shifts in an arc with the maximum distance in the center 22' up hill and with the ends being shifting 3' on the east side and 15' on the west side.
5. The Evergreen Architectural Committee has provided a letter supporting the proposed plat amendment.
6. The Declarant of the easement, in a letter from Bob Wells of Deer Valley, has given approval of the revised ski easement and support of the plat amendment.
7. The Evergreen Codes, Covenants and Restrictions state that the Ski Easements shall

- not limit or restrict buildings on the lot in a manner permitted by the CCRs.
8. Lots 4, 5, and 6 have access to and from the Deer Valley runs via the ski easement on Lot 6. The revised ski easement will not diminish the ski access for these lots.
 9. The revised ski easement and plat amendment resolve an encroachment of a covered deck and hot tub into the platted ski easement.

Conclusions of Law

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

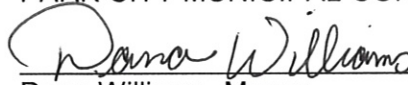
Conditions of Approval

1. The conditions of approval for the Evergreen subdivision, as amended, remain in full force and effect. A note to this effect shall be added to the plat as a condition precedent to recordation.
2. 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 as a condition precedent to plat recordation.
3. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat amendment will be void.

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

PASSED AND ADOPTED this 25th day of October, 2007.

PARK CITY MUNICIPAL CORPORATION


Dana Williams, Mayor

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



RECORDING STATEMENT

THIS STATEMENT IS TO BE FILED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH, FOR THE PURPOSE OF RECORDING THE BOUNDARY DESCRIPTION HEREIN. THE BOUNDARY DESCRIPTION IS SUBJECT TO THE BOUNDARY DESCRIPTION OF THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, WHICH IS FILED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH, FOR THE PURPOSE OF RECORDING THE BOUNDARY DESCRIPTION HEREIN.



BOUNDARY DESCRIPTION

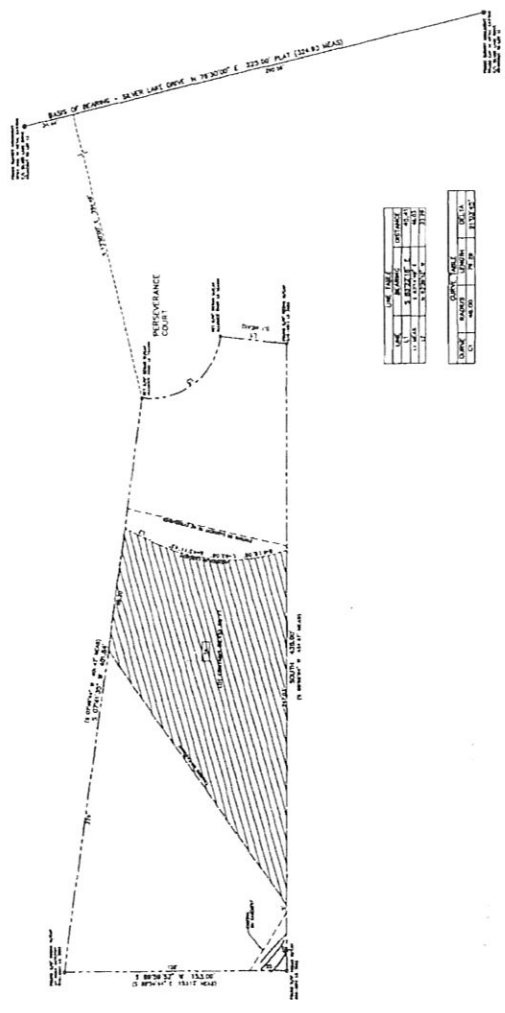
ALL OF LOT 6, AMENDED LOT 6, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, ACCORDING TO THE BOUNDARY DESCRIPTION HEREIN.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, being the owner of the above described land, do hereby declare that the boundary description herein is true and correct, and that I consent to the recording of the same.

ASSIGNOR'S DECLARATION

I, the undersigned, being the assignor of the above described land, do hereby declare that the boundary description herein is true and correct, and that I consent to the recording of the same.



LINE	BEARING	DISTANCE
1	N 100° 00' 00\"/>	

FIRST AMENDED LOT 6 EVERGREEN

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



OFFICE

RECORDED

COUNCIL APPROVAL AND ACCEPTANCE

CERTIFICATE OF ATTEST

APPROVAL AS TO FORM

ENGINEER'S CERTIFICATE

PLANNING COMMISSION

SANDERVILLE BASIN WATER RECLAMATION DISTRICT

14437 A

AFFIDAVIT OF PUBLICATION

STATE OF UTAH
County of Summit

I, Kandilee Snyder, Kandilee Snyder, being first duly sworn, depose and say that I am the Office Manager/Receptionist of The Park Record, a bi-Weekly newspaper of general circulation, in Park City, Utah, Summit County. The notice attached hereto and which is a/an:

“ Ordinance No. 07-73 - Evergreen Subdivision ”


Was published in said newspaper (The Park Record), for 1 consecutive week(s), the first publication having been the day 31 of October 2007, and the last on the 31 day of October 2007, that said notice was published in the regular and entire issue of every number of the paper during the period of times of publication and the same was published in the newspaper and not in any supplement. Total cost for this Legal is:

\$ 22.50 Reference Billing Number: 01544360

Subscribed and sworn to me this 12 day of November 2007

ORDINANCE NO. 07-73
EVERGREEN SUBDIVISION
PUBLIC NOTICE IS
HEREBY GIVEN that the
City Council of Park City,
Utah at its meeting on
October 25, 2007, adopted
an
Ordinance approving the
First Amended Lot 6
Evergreen Subdivision located at 14 Perserance Court. The Ordinance becomes effective upon publication and can be obtained at the City Recorder's Office, 445 Marsac Avenue, during regular business hours.

Stefanie Bowen

 STEFANIE BOWEN
NOTARY PUBLIC • STATE of UTAH
163 E. BENCH WAY
P.O. BOX 941
COALVILLE, UT 84017
COMM. EXP. 7-11-2011

Ordinance No. 07-72

AN ORDINANCE APPROVING THE FLAGSTAFF CONDOMINIUM RECORD OF SURVEY PLAT LOCATED AT 8894 EMPIRE CLUB DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Flagstaff, a condominium record of survey, located at 8894 Empire Club Drive, Lot 13 of the Village at Empire Pass West Side Subdivision, have petitioned the City Council for approval of the Flagstaff condominium record of survey; 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 10 2007, to receive input on the Flagstaff condominium record of survey;

WHEREAS, the Planning Commission, on October 10, 2007, forwarded a positive recommendation to the City Council; and,

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

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Flagstaff condominiums 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 property is located at 8894 Empire Club Drive.
2. The Flagstaff condominium project is located in the RD-MPD zoning district.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.
4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The Flagstaff project is Building 7.
5. On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The City Council approved the Village West Side plat on May 26, 2005. The Flagstaff project is located on Lot 13.

6. On April 12, 2006, the Planning Commission approved a Conditional Use Permit for the Flagstaff Lodge (then called Snowberry). The Conditional Use Permit approved 37 units totaling approximately 71,780 square feet for approximately 35.9 Unit Equivalents. In addition, 2 ADA units and one Employee Housing Unit were proposed within the building.
7. The record of survey is for 37 residential units ranging in size from 1,260 square feet to 2,752 square feet.
8. The Flagstaff condominium meets the minimum setback requirements.
9. A height exception has been granted for this building for a total height of 86 feet above existing grade.
10. The total residential square footage is **73,506 square feet or 36.8 Unit Equivalents**.
11. An Employee Housing Unit (EHU) of 1,260 square feet (Unit #104) and two ADA accessible units (#1 and #2) are provided. The EHU unit is platted as private space. The ADA units are platted as common space.
12. Parking is provided at 75% of the Code requirement (57 spaces) consistent with the Development Agreement.
13. The proposed record of survey is consistent with the approved Master Planned Development for the Village at Empire Pass.

Conclusions of Law:

1. There is good cause for this record of survey.
2. The 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 record of survey.
4. Approval of the 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:

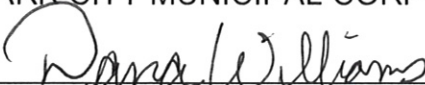
1. The City Attorney and City Engineer will review and approve the final form and content of the record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All conditions of approval of the Village at Empire Pass (Pod A) Master Planned Development, the Village at Empire Pass West Side Subdivision plat, and the Snowberry Lodge (Flagstaff) Conditional Use Permit shall continue to apply.
4. A deed restriction for the Employee Housing Unit acceptable to the City is required prior to plat recordation. The plat will note that the EHU is subject to a deed restriction.
5. A site utility plan shall be reviewed and approved by the City Engineer prior to any occupancy.
6. The ADA units must be platted as Common Space as they are appurtenant to all units and can not be separately rented.

7. The CC&Rs must incorporate reference to the Master Deed Restrictions and the Real Estate Transfer Fee.

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

PASSED AND ADOPTED this 25th day of October, 2007.

PARK CITY MUNICIPAL CORPORATION



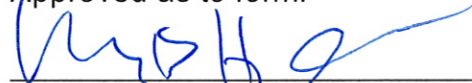
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





SENIOR'S CERTIFICATE

THIS CERTIFICATE is hereby given that the above described property is a Senior Citizens Housing Project as defined in the Utah Senior Citizens Housing Act, Chapter 2, Section 2-2-1, Utah Code Annotated, 1953, and that the project meets the requirements of the Act.

BOUNDARY DESCRIPTIONS

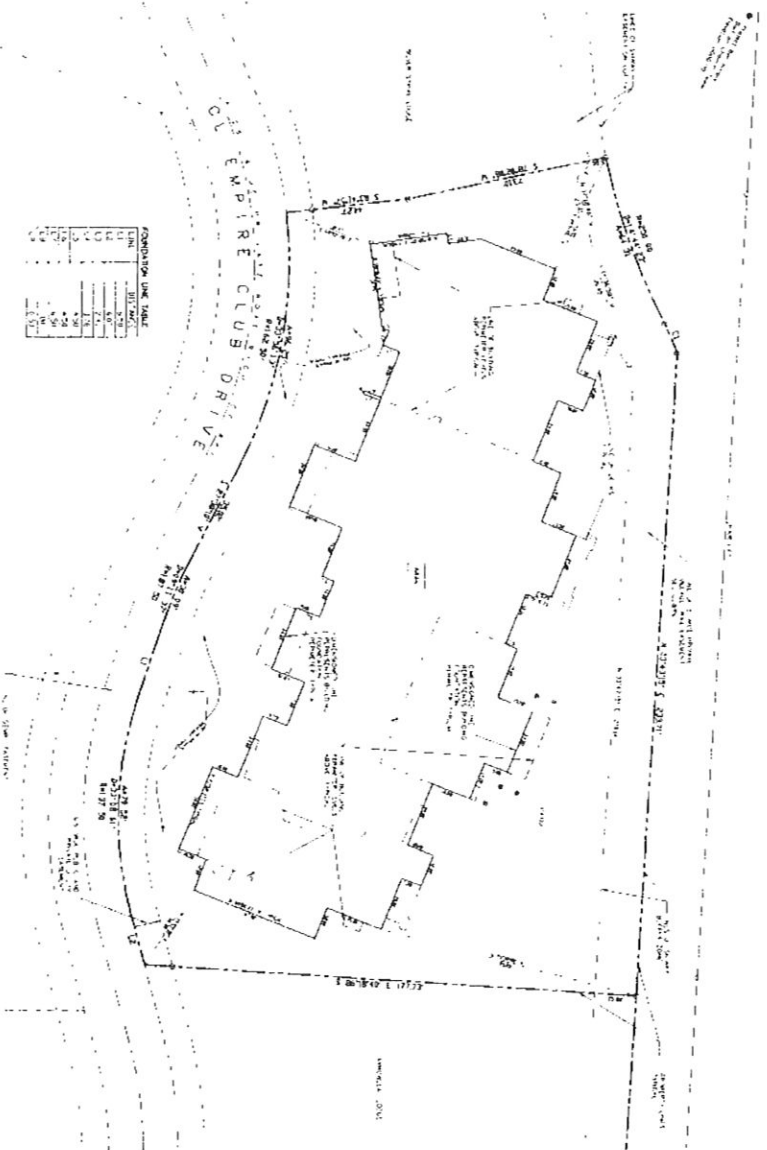
1. The boundary between the project and the adjacent property is as shown on the attached map.

OWNER'S EDUCATION AND CONSENT TO RECORD

The owner of the above described property has been advised of the contents of this certificate and has signed and returned the attached acknowledgment of receipt.

ACKNOWLEDGMENT

I, the undersigned, being duly qualified, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the State of Utah.



CONDOMINIUM LINK TRAIL

LINE	BEARING	DISTANCE
1	N 89° 58' 00" W	120.00
2	S 89° 58' 00" E	120.00
3	S 00° 00' 00" E	120.00
4	N 89° 58' 00" W	120.00



NOTES

1. The project is located in the southeast quarter of Section 27, Township 36N, Range 12E, Salt Lake County, Utah.

REMARKS AND A-DIMENSIONS

LINE	BEARING	DISTANCE
1	N 89° 58' 00" W	120.00
2	S 89° 58' 00" E	120.00
3	S 00° 00' 00" E	120.00
4	N 89° 58' 00" W	120.00

- LEGEND**
- Proposed Right-of-Way
 - - - - - Easement
 - Utility Line
 - Survey Boundary
 - Other



SNODGRASS DAM WATER RECLAMATION DISTRICT
APPROVED FOR CONFORMANCE TO SNODGRASS DAM WATER RECLAMATION DISTRICT STANDARDS ON THIS DATE OF 2007 A.D. BY S.B.P.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DATE OF 2007 A.D. BY CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAN TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH CONDOMINIUM ACT ON DATE OF 2007 A.D. BY PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS DATE OF 2007 A.D. BY STATE CITY ATTORNEY

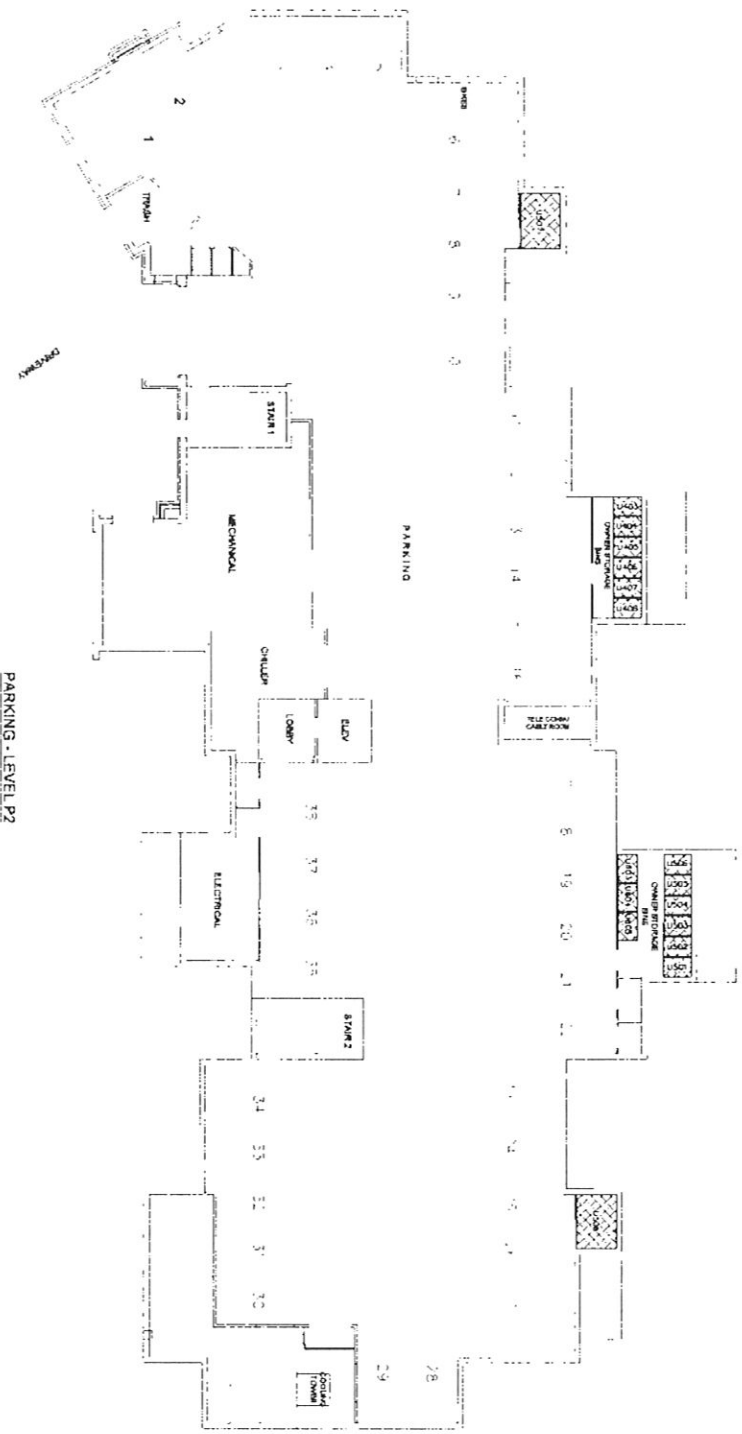
CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY WAS CORRECTLY FILED IN THE OFFICE OF THE COUNTY CLERK ON DATE OF 2007 A.D. BY PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS DATE OF 2007 A.D. BY MAYOR

LOCATED IN THE SOUTHWEST QUARTER SECTION 27 AND THE SOUTHWEST QUARTER SECTION 28 TOWNSHIP 36 NORTH RANGE 12 EAST SALT LAKE COUNTY AND WASHINGTON COUNTY PLANNING DEPARTMENT
APPROVED FOR THE DEPARTMENT OF RECLAMATION BY S.B.P.D.

**UTAH CONDOMINIUM PROJECT
CONDOMINIUM RECORD OF SURVEY PLAT
FLAGSTAFF**

DATE OF RECORDING 2007 AUG 2 2007
BY THE STATE CLERK
RECORDED
PARK CITY PLANNING DEPT.



LEGEND
 A. APARTMENT UNIT
 B. APARTMENT UNIT
 C. APARTMENT UNIT
 D. APARTMENT UNIT



COMMON OWNER SHIP
 UNIT OWNER SHIP
 LIMITED COMMON OWNER SHIP

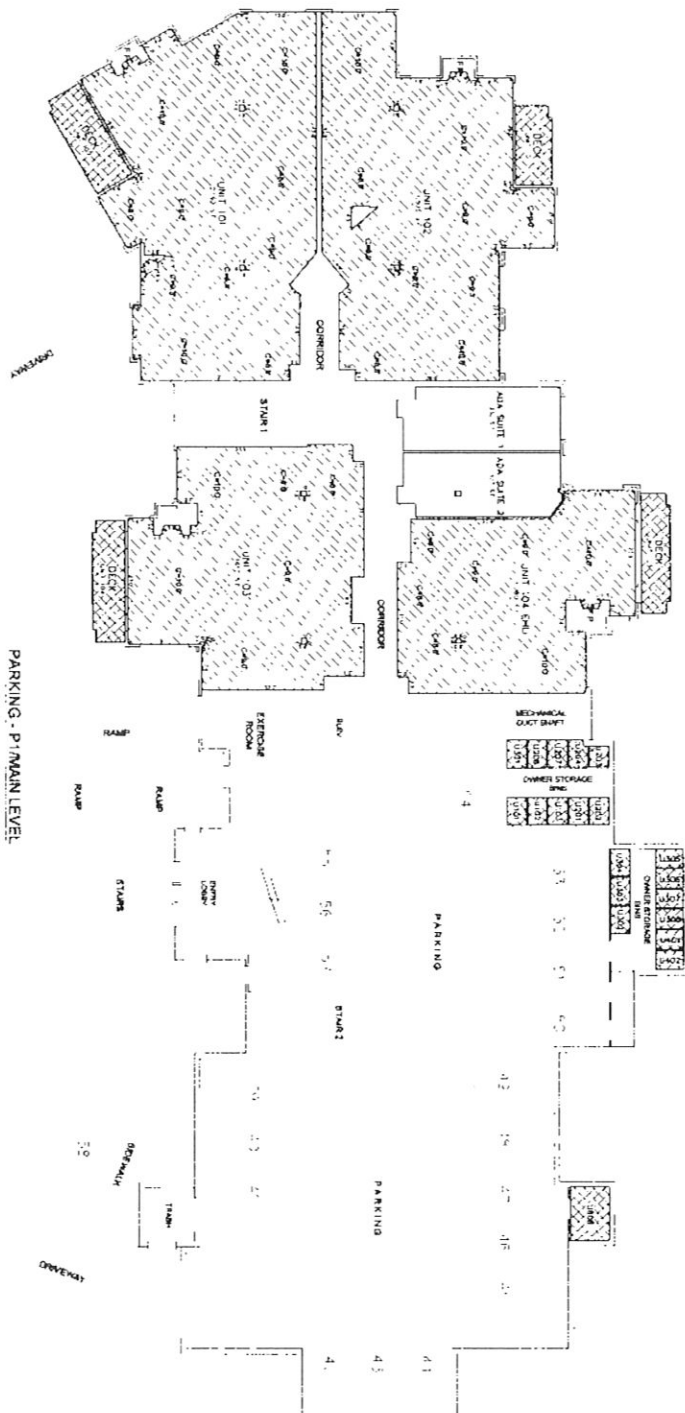
CONDOMINIUM PLAT
FLAGSTAFF

AT EMPIRE PASS

A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 28 TOWNSHIP 2 SOUTH RANGE 4 EAST 5th LANE DAVE AND WENDON PARK
 CITY - BLUANT COUNTY - UTAH

JOB NO. 2-2-05
 SHEET 2 OF 11

RECEIVED
 AUG 10 2 28 07
 PARK CITY
 PLANNING DEPT.

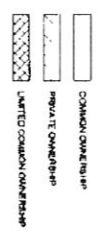


UNIT FLOOR LEVEL ELEVATION TABLE

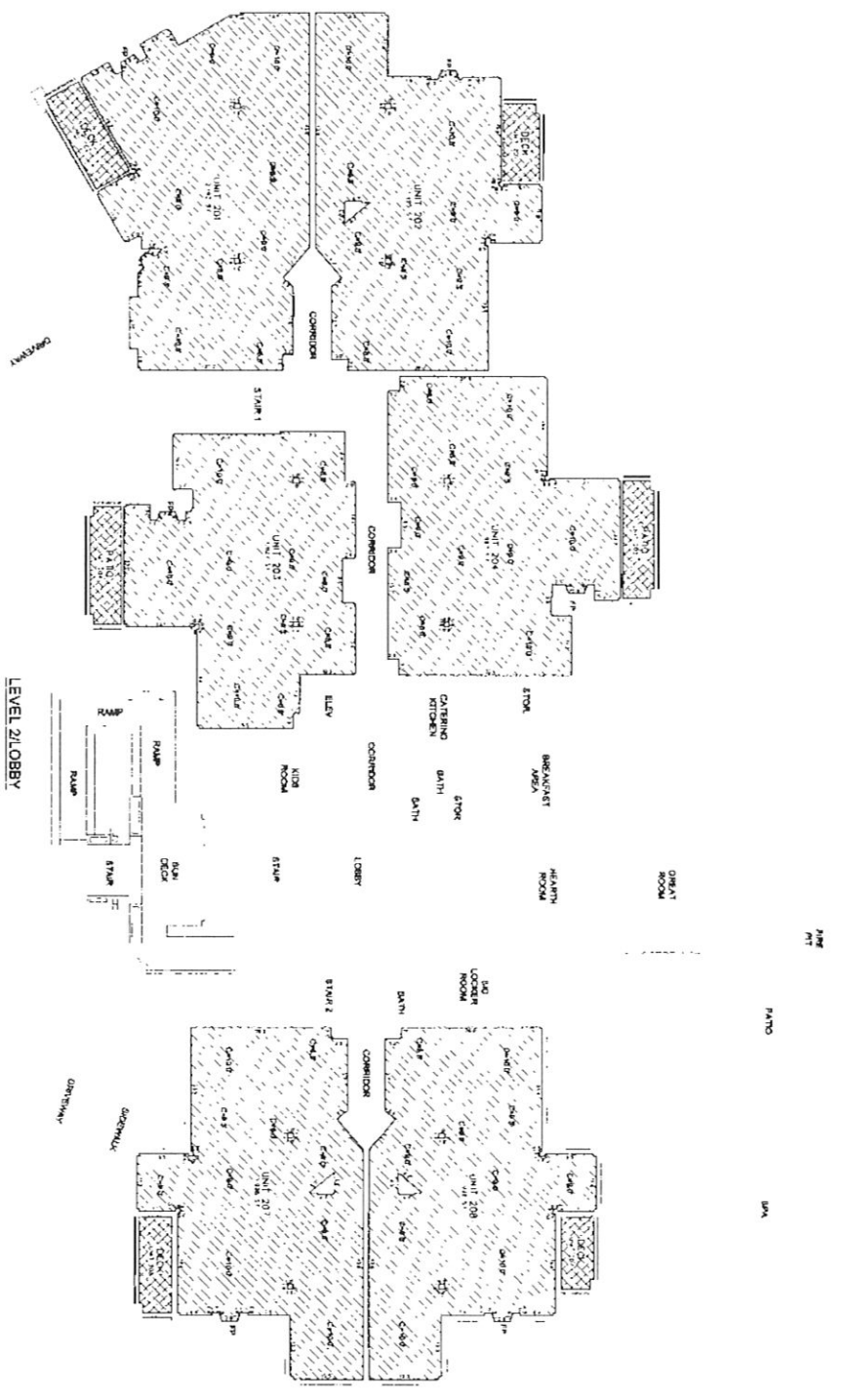
UNIT NUMBER	ELEVATION
101	8,100.0'
102	8,100.0'
103	8,100.0'
104	8,100.0'
105	8,100.0'
106	8,100.0'
107	8,100.0'
108	8,100.0'
109	8,100.0'
110	8,100.0'
111	8,100.0'
112	8,100.0'
113	8,100.0'
114	8,100.0'
115	8,100.0'
116	8,100.0'
117	8,100.0'
118	8,100.0'
119	8,100.0'
120	8,100.0'
121	8,100.0'
122	8,100.0'
123	8,100.0'
124	8,100.0'
125	8,100.0'
126	8,100.0'
127	8,100.0'
128	8,100.0'
129	8,100.0'
130	8,100.0'
131	8,100.0'
132	8,100.0'
133	8,100.0'
134	8,100.0'
135	8,100.0'
136	8,100.0'
137	8,100.0'
138	8,100.0'
139	8,100.0'
140	8,100.0'
141	8,100.0'
142	8,100.0'
143	8,100.0'
144	8,100.0'
145	8,100.0'
146	8,100.0'
147	8,100.0'
148	8,100.0'
149	8,100.0'
150	8,100.0'
151	8,100.0'
152	8,100.0'
153	8,100.0'
154	8,100.0'
155	8,100.0'
156	8,100.0'
157	8,100.0'
158	8,100.0'
159	8,100.0'
160	8,100.0'
161	8,100.0'
162	8,100.0'
163	8,100.0'
164	8,100.0'
165	8,100.0'
166	8,100.0'
167	8,100.0'
168	8,100.0'
169	8,100.0'
170	8,100.0'
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177	8,100.0'
178	8,100.0'
179	8,100.0'
180	8,100.0'
181	8,100.0'
182	8,100.0'
183	8,100.0'
184	8,100.0'
185	8,100.0'
186	8,100.0'
187	8,100.0'
188	8,100.0'
189	8,100.0'
190	8,100.0'
191	8,100.0'
192	8,100.0'
193	8,100.0'
194	8,100.0'
195	8,100.0'
196	8,100.0'
197	8,100.0'
198	8,100.0'
199	8,100.0'
200	8,100.0'



CONDOMINIUM PLAN
FLAGSTAFF
 AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 28, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MOUNTAIN, NORTH CITY PLANNING DEPARTMENT, UTAH



RECORDED
 RECORDED
 RECEIVED
 AUG 02 2007
 PARK CITY
 PLANNING DEPT



UNIT FLOOR LEVEL ELEVATION TABLE

UNIT NUMBER	ELEVATION
201	8.180'
202	8.180'
203	8.180'
204	8.180'
205	8.180'
206	8.180'

- LEGEND
- 1. COMMON OWNERSHIP
 - 2. PRIVATE OWNERSHIP
 - 3. LIMITED COMMON OWNERSHIP



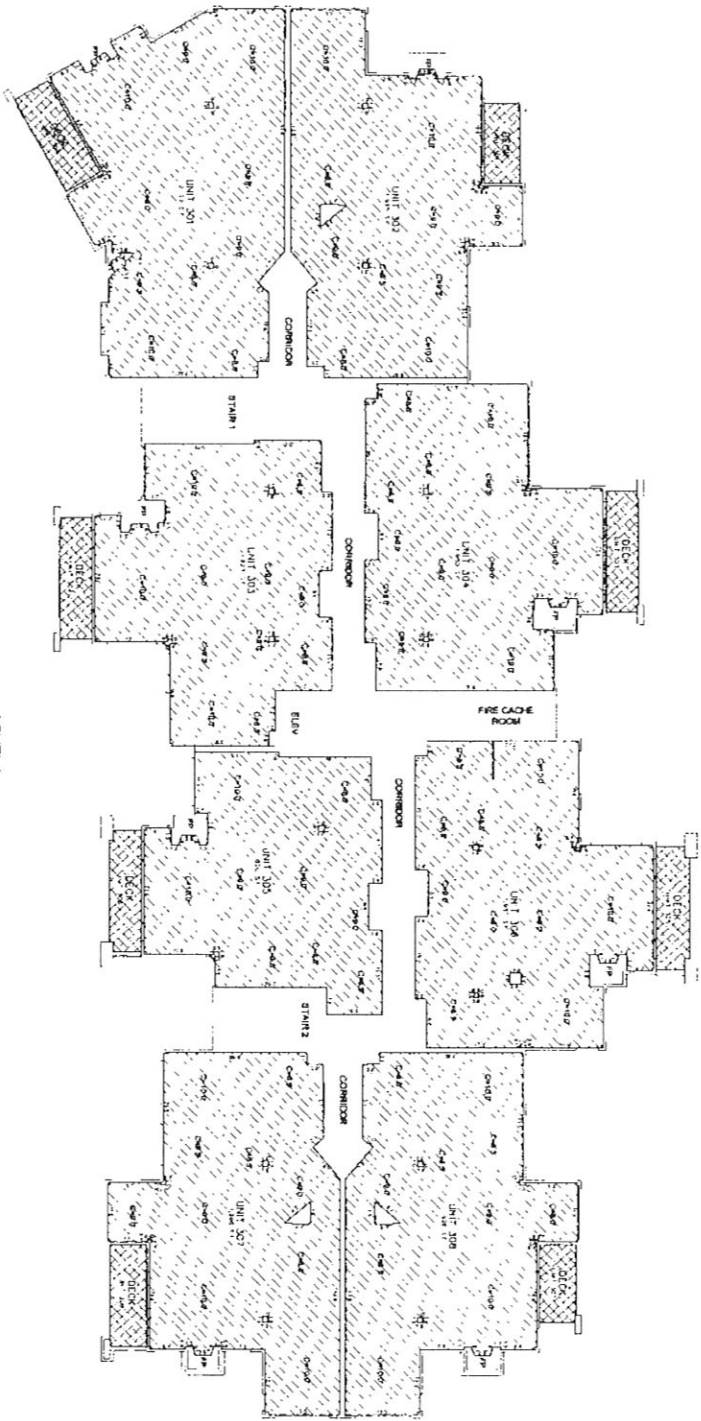
- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

FLAGSTAFF

AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 EAST, T4N, L16E, AND 4800'00" PARK
 CITY, SALT LAKE COUNTY, UTAH

SHEET 4 OF 11

RECORDED
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 AUG 07 2007
 PARK CITY
 PLANNING DEPT.

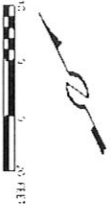


LEVEL 3

UNIT FLOOR LEVEL ELEVATION TABLE

UNIT NUMBER	ELEVATION
301	8.128.0'
302	8.128.0'
303	8.128.0'
304	8.128.0'
305	8.128.0'
306	8.128.0'
307	8.128.0'
308	8.128.0'

- LEGEND
- 1. Common Ownership
 - 2. Private Ownership
 - 3. Limited Common Ownership



- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

CONDOMINIUM PLAN
FLAGSTAFF

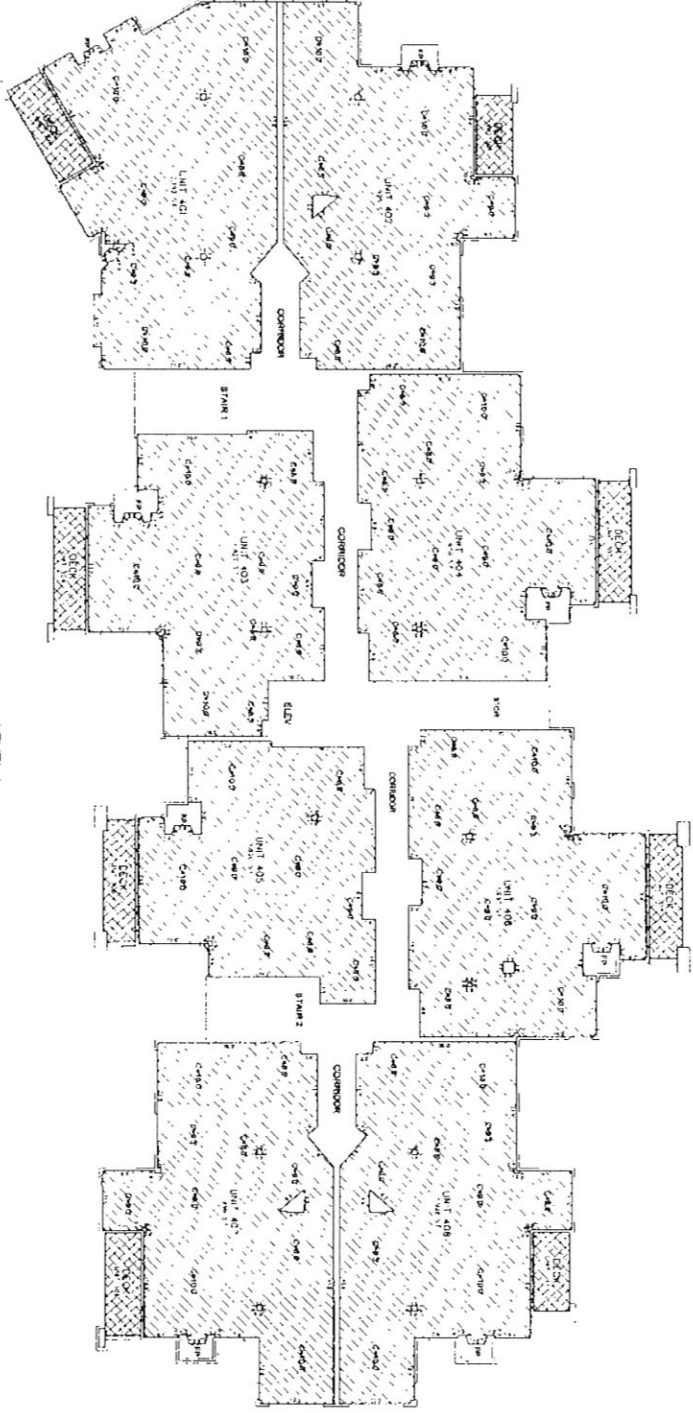
AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 28 TOWNSHIP 2 SOUTH, RANGE 4 EAST, AND JARVIS AND WILSON PARK
 CITY BLADE COUNTY, UTAH

SHEET 5 OF 11

109-46-7-2-04 RECORDED
 917 S. UTAH COUNTY COURTHOUSE BUILDING
 4TH FLOOR, SALT LAKE CITY, UTAH 84143
 DATE _____ TIME _____ PAGE _____

RECEIVED

AUG 02 2007
 PARK CITY
 PLANNING DEPT.

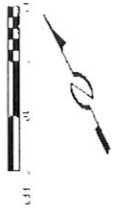


LEVEL 4

UNIT FLOOR LEVEL ELEVATION TABLE

UNIT NUMBER	ELEVATION
401	5140.2
402	5140.2
403	5140.2
404	5140.2
405	5140.2
406	5140.2
407	5140.2
408	5140.2

- LEGEND
- 1. COMMON OWNERSHIP
 - 2. PRIVATE OWNERSHIP
 - 3. LIMITED COMMON OWNERSHIP



- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

CONDOMINIUM PLAN
FLAGSTAFF

AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 28 TOWNSHIP 2 NORTH, RANGE 4 EAST, T14N, R4E, AND MERIDIAN 11W, 4TH SOUTHERN COUNTY, UTAH

SHEET 8 OF 11

009-07-7-1-00

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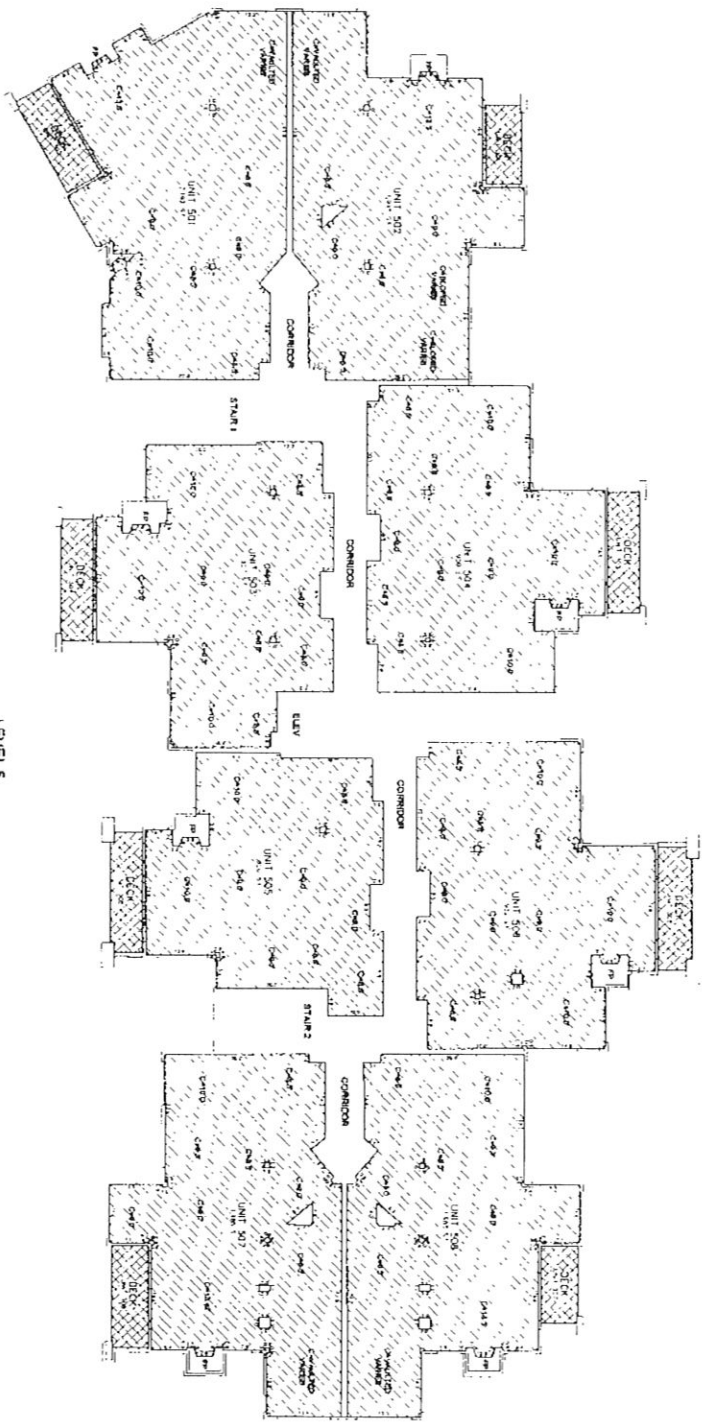
BY _____

DATE _____

RECEIVED

AUG 02 2007

PARK CITY
 PLANNING DEPT



LEVEL 5

UNIT FLOOR LEVEL ELEVATION TABLE

UNIT NUMBER	ELEVATION
501	8142.7
502	8132.7
503	8132.7
504	8132.9
505	8132.9
506	8132.7
507	8132.7
508	8132.7

LEGEND
 1 - COMMON OWNERSHIP
 2 - PRIVATE OWNERSHIP
 3 - LIMITED COMMON OWNERSHIP



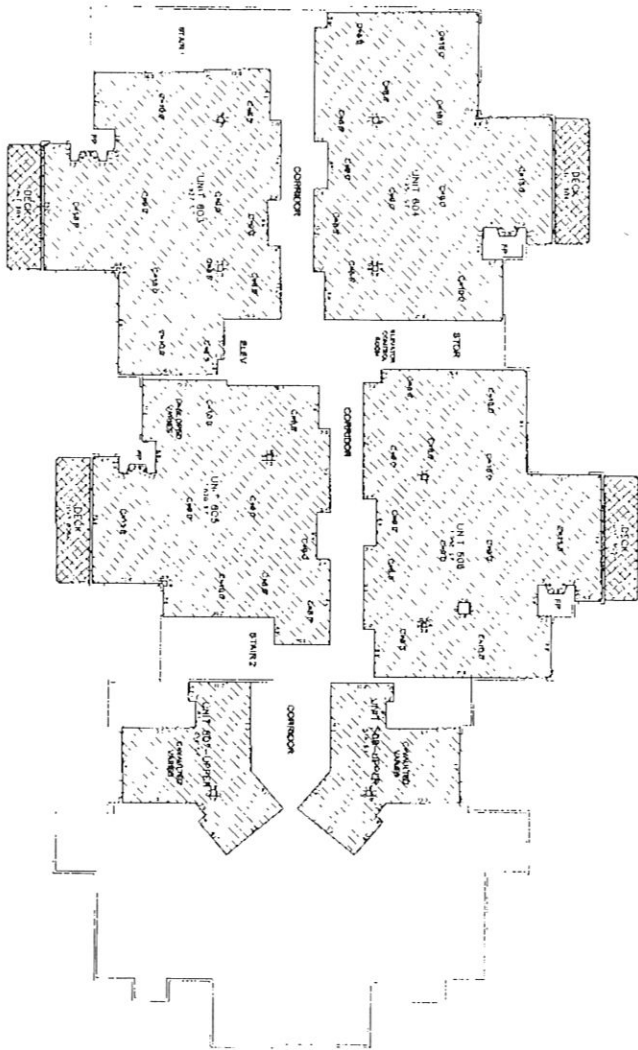
CONDOMINIUM PLAN
FLAGSTAFF

AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATION: SECTION 28 TOWNSHIP 2 SOUTH RANGE 4 EAST COUNTY OF UTAH
 CITY OF BOUNTYFEED, UTAH

SHEET 7 OF 11

JOB NO. 2-1-06
 RECEIVED
 CITY OF BOUNTYFEED, UTAH
 PLANNING DEPARTMENT

AUG 02 2007
 PARK CITY
 PLANNING DEPT



RESIDENTIAL LEVEL 6

UNIT FLOOR LEVEL ELEVATION TABLE

UNIT NUMBER	ELEVATION
601	8.194.7
602	8.194.7
603	8.194.7
604	8.194.7
605	8.194.7
606	8.194.7
607	8.194.7
608	8.194.7
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619	8.194.7
620	8.194.7
621	8.194.7
622	8.194.7
623	8.194.7
624	8.194.7
625	8.194.7
626	8.194.7
627	8.194.7
628	8.194.7
629	8.194.7
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692	8.194.7
693	8.194.7
694	8.194.7
695	8.194.7
696	8.194.7
697	8.194.7
698	8.194.7
699	8.194.7
700	8.194.7

LEGEND
 COMMON OWNERSHIP
 PRIVATE OWNERSHIP
 LIMITED COMMON OWNERSHIP



COMMON OWNERSHIP
 PRIVATE OWNERSHIP
 LIMITED COMMON OWNERSHIP

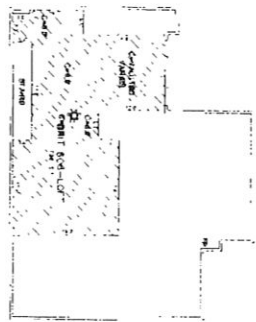
CONDOMINIUM PLAT
FLAGSTAFF

AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATED NEARBY ON 1200 SOUTH 1000 EAST, SALT LAKE COUNTY, UTAH
 CITY OF SALT LAKE COUNTY, UTAH

SHEET 8 OF 11

RECORDED
 AUG 02 2007
 PARK CITY PLANNING DEPT

PROVIDED
 AUG 02 2007
 PARK CITY PLANNING DEPT



LEVEL 7

UNIT FLOOR LEVEL ELEVATION TABLE

UNIT NUMBER	ELEVATION
200-001	8.110

- LEGEND
- 1. COMMON OWNERSHIP
 - 2. PRIVATE OWNERSHIP
 - 3. LIMITED COMMON OWNERSHIP



- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

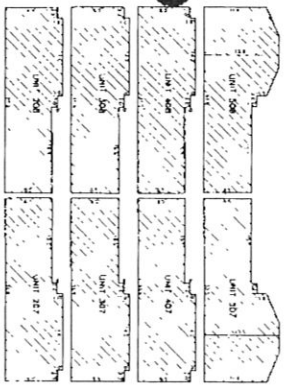
CONDOMINIUM PLAT
FLAGSTAFF

AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 28 TOWNSHIP 2 NORTH RANGE 45 EAST SALT LAKE AND WARDEN MAPS
 CITY BLISS, COUNTY, UTAH

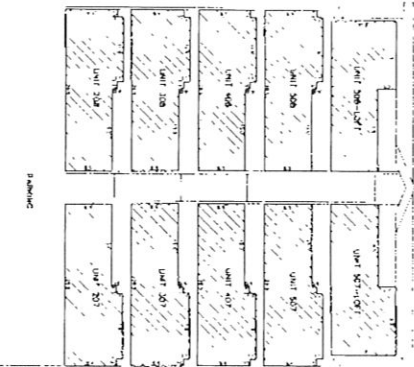
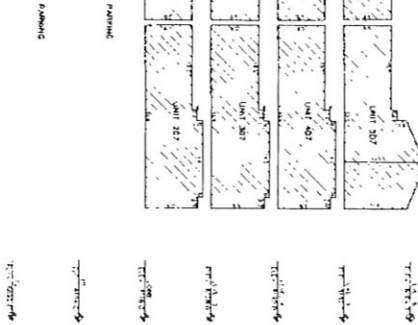
SHEET 9 OF 11

DATE: 2-7-06
 RECORDED
 BY: [Name]
 TITLE: [Title]
HECATE
 THE RECORDERS

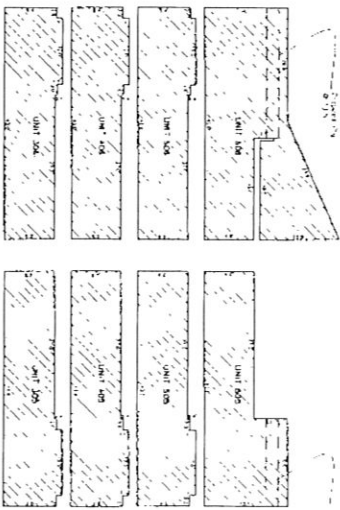
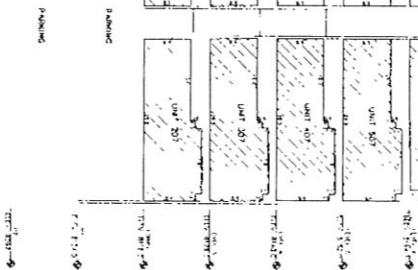
AUG 02 2007
 PARK CITY
 PLANNING DEPT



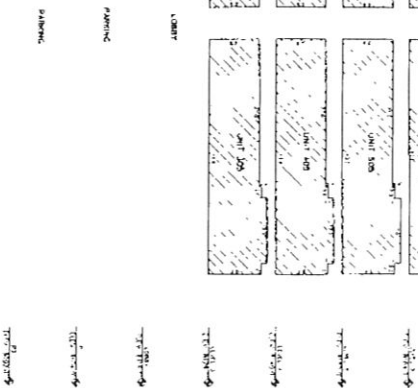
SECTION ONE



SECTION TWO



SECTION THREE



- LEGEND**
- COMMON OWNERSHIP
 - PRIVATE OWNERSHIP
 - LIMITED COMMON OWNERSHIP

1. UNIT TYPE TO BE CONVEYED
 2. UNIT TYPE TO BE CONVEYED
 3. UNIT TYPE TO BE CONVEYED
 4. UNIT TYPE TO BE CONVEYED

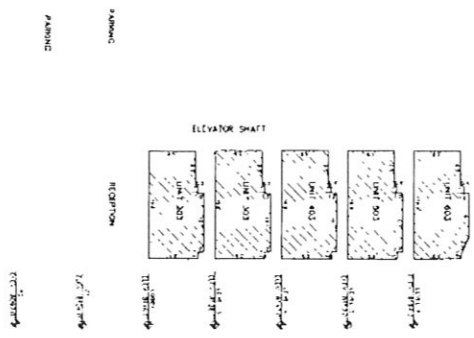
AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, DIST. 10 EAST AND MERION PARK
 CITY, BLAINE COUNTY, UTAH

CONDOMINIUM PLAT
FLAGSTAFF

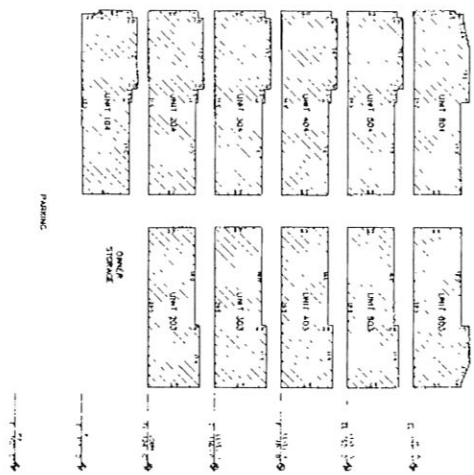
SHEET 10 OF 11

REG. NO. 3-2-06 RECORDED FILED DATE _____ BY _____ COUNTY _____	AUG 02 2007 PARK CITY PLANNING DEPT
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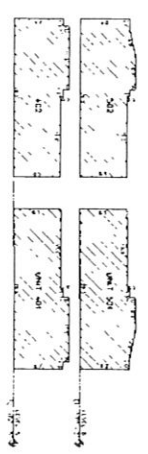
SECTION FOUR



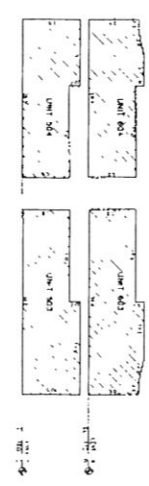
SECTION FIVE



SECTION NINE



SECTION EIGHT



LEGEND

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



FLAGSTAFF

CONDOMINIUM PLAN
 AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 28, TOWNSHIP 37N, RANGE 12E, T12N, R12E, S44, COUNTY OF KANE, ARIZONA

SHEET 11 OF 11

RECORDED
 BY THE COUNTY CLERK OF COCONINO COUNTY, ARIZONA
 ON AUGUST 2, 2007

AUG 02 2007
 PARK CITY
 PLANNING DEPT.

Ordinance No. 07-71

AN ORDINANCE APPROVING THE AMENDED SUBDIVISION FOR THE INTERMOUNTAIN HEALTHCARE PARK CITY MEDICAL CAMPUS/USSA HEADQUARTERS AND TRAINING FACILITY, 900 ROUND VALLEY DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 900 Round Valley Drive have petitioned the City Council for approval of the Amended Subdivision Plat for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility; 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 26, 2007, to receive input on the Amended Subdivision Plat for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility;

WHEREAS, the Planning Commission, on September 26, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 11, 2007, the City Council held a public hearing on the Amended Subdivision Plat for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Amended Subdivision Plat for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Amended Subdivision Plat for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility 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 property is located at 900 Round Valley Drive.
2. The zoning is Community Transition (CT) within the IHC Master Planned Development (CT-MPD).

3. On December 7, 2006, Council approved an annexation ordinance and annexation agreement for the property. On January 11, 2007, the Council approved a subdivision plat for the purpose of creating lots of record so that associated property sale and property transfers could be completed.
4. This property is subject to the IHC/USSA/Burbidge Annexation plat approved by the Park City Council on December 7, 2006, with an effective date of January 1, 2007. An Annexation Agreement for this property was recorded on January 23, 2007.
5. The Annexation Agreement sets forth maximum building floor areas, development location, and conditions related to developer-provided amenities on the various lots of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended subdivision plat, such as roads, utilities, and trails.
6. The IHC hospital received approval of a Master Planned Development and Conditional Use Permit on May 23, 2007.
7. The proposed subdivision creates nine lots.

Lot 1 and Lot 2:	Intermountain Healthcare Campus (107.551 acres)
Lot 3:	USSA Headquarters and Training Facility (5 acres)
Lot 4:	PCMC (5 acres—Possible Affordable Housing Site)
Lot 5:	PCMC (15 acres—Ice Facility/Fields Complex Expansion)
Lot 6:	Support Medical Office (3.041 acres)
Lot 7:	Support Medical Office (3.396 acres)
Lot 8:	Support Medical Office (13.974 acres)
Lot 9:	Questar facility (0.172 acres)
8. Development of each lot requires a Conditional Use Permit.
9. No setback exceptions were requested in the MPD. Buildings will comply with the CT zoning requirements.
10. The parties continue to work in good faith towards meeting the terms and conditions of the Annexation Agreement. However, the parties haven't been able to finalize all matters by original deadlines. The applicant stipulates that no rights of either party are waived by this approval to enable both parties the opportunity to resolve matters prior to plat recordation.

Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivisions, the Park City General Plan, and the IHC Annexation and Master Planned Development.
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.

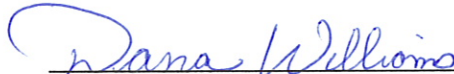
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision for compliance with the Annexation Agreement, State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. 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 for the plat will be void.
3. All conditions of approval of the IHC Annexation, Master Planned Development and Conditional Use Permit shall continue to apply.
4. No full building permits shall be issued until the amended subdivision plat is recorded.
5. A financial guarantee for all public improvements in an amount approved by the City Engineer and in a form approved by the City Attorney shall be in place prior to plat recordation.
6. There are a number of conditions/obligations that were to be completed prior to MPD and/or final amended subdivision. These items must be completed prior to plat recordation unless otherwise agreed to in writing by both parties.

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

PASSED AND ADOPTED this 11th day of October, 2007.

PARK CITY MUNICIPAL CORPORATION




Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:

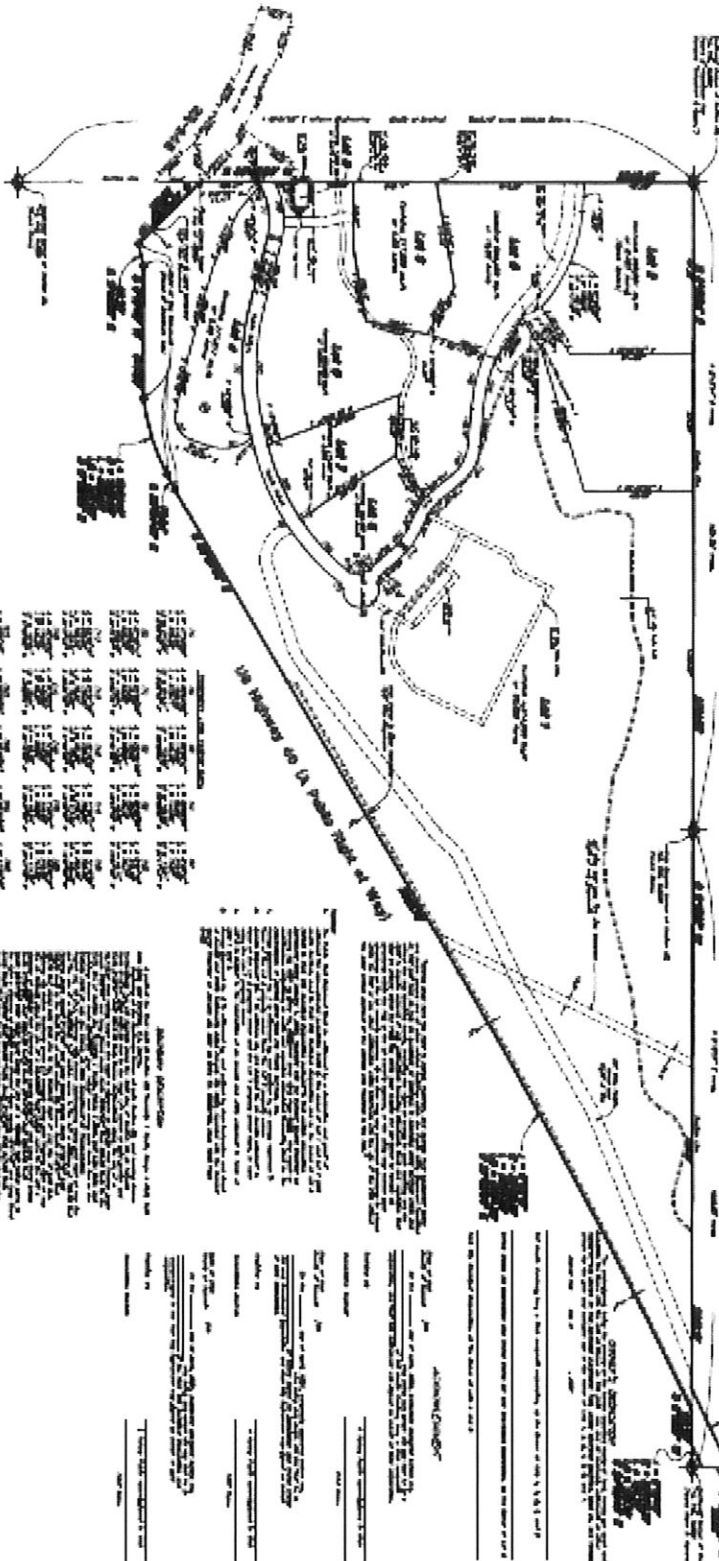


Mark D. Harrington, City Attorney



Subdivision Plat (Amended) for the Intermountain Healthcare Park City Medical Campus / USGA Headquarters and Training Facility

A part of the West 1/2 of Section 24, T7N, R12E,
Salt Lake Base & Meridian, U.S. Survey,
Park City, Summit County, Utah



THIS PLAT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE DEEDS AND INSTRUMENTS REFERENCED HEREIN AND TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE PLATS AND INSTRUMENTS REFERENCED HEREIN.

GENERAL NOTES:

1. The boundaries of the lots shown on this plat are based on the survey of the section shown on the attached map.
2. The area shown on this plat is subject to the easements and restrictions set forth in the deeds and instruments referenced herein.
3. The area shown on this plat is subject to the easements and restrictions set forth in the plats and instruments referenced herein.
4. The area shown on this plat is subject to the easements and restrictions set forth in the plats and instruments referenced herein.
5. The area shown on this plat is subject to the easements and restrictions set forth in the plats and instruments referenced herein.
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8. The area shown on this plat is subject to the easements and restrictions set forth in the plats and instruments referenced herein.
9. The area shown on this plat is subject to the easements and restrictions set forth in the plats and instruments referenced herein.
10. The area shown on this plat is subject to the easements and restrictions set forth in the plats and instruments referenced herein.

PLAT INFORMATION:

PLAT NO. 123456789
 DATE OF PLAT: 12/31/2023
 COUNTY: Summit County, Utah
 SECTION: 24, T7N, R12E

PLAT CITY DESIGN:

PLAT CITY DESIGN: Park City, Utah
 PLAT CITY DESIGN: Park City, Utah
 PLAT CITY DESIGN: Park City, Utah

PLAT CITY ALIENOR DESIGNATION:

PLAT CITY ALIENOR DESIGNATION: Park City, Utah
 PLAT CITY ALIENOR DESIGNATION: Park City, Utah
 PLAT CITY ALIENOR DESIGNATION: Park City, Utah

PLAT CITY DESIGN APPROVAL:

PLAT CITY DESIGN APPROVAL: Park City, Utah
 PLAT CITY DESIGN APPROVAL: Park City, Utah
 PLAT CITY DESIGN APPROVAL: Park City, Utah

APPROVAL BY THE STATE:

APPROVAL BY THE STATE: Park City, Utah
 APPROVAL BY THE STATE: Park City, Utah
 APPROVAL BY THE STATE: Park City, Utah

PLAT CITY DESIGN:

PLAT CITY DESIGN: Park City, Utah
 PLAT CITY DESIGN: Park City, Utah
 PLAT CITY DESIGN: Park City, Utah

Ordinance No. 07-70

**AN ORDINANCE APPROVING THE AMENDED PARK CITY RECREATION COMPLEX
SUBDIVISION PLAT LOCATED AT 600 GILLMOR WAY,
PARK CITY, UTAH**

WHEREAS, the representative of the owners of the property located at 600 Gillmor Way have petitioned the City Council for approval of the Amended Park City Recreation Complex 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 September 26, 2007, to receive input on the Amended Subdivision Plat for the Park City Recreation Complex; and

WHEREAS, the Planning Commission, on September 26, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, the original Plat named one of the streets F.K. Gillmor Way in honor of Florence Gillmor; and

WHEREAS, after the Planning Commission hearing a request was made to remove the initials F.J. and just name the Street Gillmor Way; and

WHEREAS, on October 11, 2007, the City Council held a public hearing and considered the Amended Subdivision Plat for the Park City Recreation Complex; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Amended Park City Recreation Complex Subdivision Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Amended Park City Recreation Complex Subdivision Plat; 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 property is located at 600 Gillmor Way.
- 2) The zoning is Recreation Open Space (ROS).
- 3) The existing road right of way had a turn radius that was unsatisfactory for large emergency vehicles.
- 4) UDOT agreed that the access be reconfigured in this manner and approved the design as shown in the site plan.

Conclusions of Law:

- 1) There is good cause for this plat amendment.
- 2) The plat amendment is consistent with the Park City Land Management Code and

- applicable State law regarding subdivisions.
- 3) Neither the public nor any person will be materially injured by the proposed plat amendment.
 - 4) Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

- 1) The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
- 2) The applicant will record the plat amendment at the County within one year from the date of City Council approval.
- 3) If recordation has not occurred within one year's time, this approval for the plat will be void.
- 4) The Conditions of Approval set forth in Ordinance Number 05-07, approving the original plat shall continue in full force and effect.
- 5) The Street known as F.J. Gillmor Way on the original plat shall be changed to just Gillmor Way in honor of the Gillmor family.

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

PASSED AND ADOPTED this 11th day of October, 2007.

PARK CITY MUNICIPAL CORPORATION



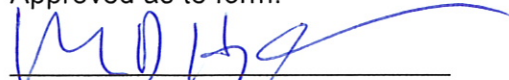
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 07-69

ORDNANCE AMENDING TITLE 4 OF THE MUNICIPAL CODE REGULATING BEER AND LIQUOR LISCENSED ESTABLISHMENTS

WHEREAS, on May 24, 2007 the City Council modified Chapter 4, Sections 4-5-1 and 4-6-1 of the Park City Code to require all liquor licensed establishments to provide memberships that were available to the general public in the HCB and HRC Districts; and

WHEREAS, on August 20, 2007 the City Council adopted amendments to the Land Management Code prohibiting offices and other non-tax base generating uses in Storefront Property in the HCB and HRC Zoning Districts; and

WHEREAS, the City finds that the intent of these two regulatory sections are more consistent, and therefore proposes to amend the liquor code to apply to the same classification of property (Storefront Property).

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

SECTION 1. AMENDMENT TO TITLE 4 OF THE MUNICIPAL CODE. Title 4 is hereby amended by amending Chapter 4, Sections 4-5-1 Beer License Required, 4-6-1 Liquor License Required attached hereto as Exhibit A.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

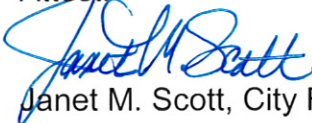
PASSED AND ADOPTED this 11th day of October, 2007.

PARK CITY MUNICIPAL CORPORATION



Dana Williams, Mayor

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Exhibit A

PARK CITY MUNICIPAL CODE TITLE 4 - LICENSING

4- 5- 1. BEER LICENSE REQUIRED.

It shall be unlawful for any person to engage in the business of the sale of beer at retail or wholesale within the City without first procuring a beer license as required by this Chapter. In addition to the City license, a State beer license shall be required for all sales of beer for on-premise consumption or for purchase or sale of beer in a container exceeding two liters. A separate license shall be required for each place of retail sale, for each separate premise, except that separate licenses are not required for each retail beer dispensing outlet located in the same building or on the same resort premise owned or operated by the same applicant. No beer license may be transferred, assigned or subleased in any manner. Licenses are invalidated by transfer or attempted transfer. All licensees shall comply with the provisions of the Alcoholic Beverage Control Act, and this Title. No Beer License shall be issued for any Private Club or Bar in the HCB District or HRC District **that is regulated as a Storefront Property pursuant to 15-15-1.175** unless the general public may join the club, either as a member or a visitor, and the cost of that membership or visitor card is not more than \$50.00.

4- 6- 1. LIQUOR LICENSE REQUIRED.

No person shall operate a place of business which allows customers, members, guests, visitors, or other persons to possess, consume, or store liquor on the premises of the place of business without a liquor license issued by the City. A separate license shall be required for each place of business. No liquor license may be transferred, assigned, or subleased in any manner. All licensees shall comply with the provisions of the Alcoholic Beverage Control Act, Utah Alcoholic Beverage Control Commission Rules and Regulations, and this Chapter. No Liquor License shall be issued for any Private Club, Bar, or Restaurant in the HCB District or HRC District **that is regulated as a Storefront Property Property pursuant to 15-15-1.175** as described in Sections 4-6-2 and 4-6-3 unless the general public may join the club, either as a member or a visitor, and the cost of that membership or visitor card is not more than \$50.00.