Ordinance No. 07-35

AN ORDINANCE AMENDING THE CAPITAL FACILITIES PLAN, AN IMPACT FEE ANALYSIS, AND AMENDING TITLE 11, CHAPTER 13 OF THE MUNICIPAL CODE OF PARK CITY, UTAH SETTING FORTH THE ASSESSMENT AND CALCULATION OF IMPACT FEES

WHEREAS, Park City Municipal Corporation is a political subdivision of the state of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, the City has created a Capital Facilities Plan and requires the payment of impact fees as a condition of development approval, so that development pays an equitable portion of the costs of facilities relating to growth; and

WHEREAS, the City Council has caused an Impact Fee Study and Analysis to be completed for the City and consistent with the Impact Fees Act Section 11, Chapter 36 Parts 101-401, Utah Code Ann.; and

WHEREAS, the Impact Fee Study contains an analysis and an executive summary that clearly defines the methodology by which the impact fees have been calculated and which identifies the impact upon parks, trails, open space, police facilities, and roadway systems required by the development activity and demonstrates how those impacts on system improvements are reasonably related to the development activity; and

WHEREAS, the Study and Plan establish that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received; and

WHEREAS, a public hearing was duly noticed and held at the regular scheduled City Council meeting of June 14th, 2007.;

NOW THEREFORE BE IT ORDAINED:

SECTION 1. PURPOSE. This Impact Fee Ordinance is promulgated pursuant to the requirements of the Impact Fees Act, Utah Code Annotated §11-36-101-401 (the "Act"). The purpose of this ordinance is to provide for the generation of sufficient revenue to pay the costs of capital projects and debt service related to or required due to demands of new development activity.

SECTION 2. CAPITAL FACILITIES PLAN ADOPTED. The Capital Facilities Plan dated July 31, 2006 relating to capital projects to be funded through Parks, Trails, Open Space; Police; and Roadway Facility impact fees is hereby adopted. Additionally, the Park City Water Capital Facilities Plan dated June 2007 is hereby adopted.

SECTION 3. IMPACT FEE ANALYSIS ADOPTED. The July 31, 2006 Impact Fee Study and Analysis generated by the City pursuant to the Act is hereby adopted. Additionally, the June 2007 Water Impact Fee Study and Analysis generated by the City pursuant to this act is hereby adopted.

SECTION 4. AMENDMENTS TO THE MUNICIPAL CODE OF PARK CITY, UTAH ADOPTED -

(A) **Amendment to 11-13-2, Assessment and Calculation of Impact Fees**.

11-13- 2. ASSESSMENT AND CALCULATION OF IMPACT FEES.

(A) **ASSESSMENT OF IMPACT FEES**. The City shall collect the following Impact Fees from any applicant seeking a Building Permit:

(1) Parks, Trails, Open Space, Public Safety Facilities, Streets and Storm Water Facilities Impact Fees.

2005 PCMC IMPACT FEE ANALYSIS UPDATE

Proposed Impact Fee Schedule (Calendar Year 2005)

	Parks, Trails, Open Space	Police	Roadway Facilities	Total
New Construction				
Single Family				
Average Unit	$3,855.00	$605.00	$315.00	$4,775.00
Unit Less Than 3,000 sq. ft.	$1,925.00	$300.00	$155.00	$2,380.00
Unit More Than 5,000 sq. ft.	$5,780.00	$910.00	$470.00	$7,160.00
Duplex & Multi-Family				
Average Unit	$3,150.00	$495.00	$290.00	$3,935.00
Unit Less Than 2,000 sq. ft.	$1,575.00	$245.00	$145.00	$1,965.00
Unit More Than 4,000 sq. ft.	$4,725.00	$740.00	$435.00	$5,900.00
Hotel Room				
Average Unit	$2,005.00	$315.00	$170.00	$2,490.00
Unit Less Than 750 sq. ft.	$1,000.00	$155.00	$85.00	$1,240.00
Unit More Than 2,000 sq. ft.	$3,005.00	$470.00	$255.00	$3,730.00
Commercial	NA	$555.00	$410.00	$965.00
Light Industrial	NA	$445.00	$320.00	$765.00
Additions				
Single Family				
0-500 Square Feet	NA	NA	NA	$0.00
501-1500 Square Feet	$480.00	$75.00	$35.00	590.00
1501-3000 Square Feet	$960.00	$150.00	$75.00	1,185.00
3001-5000 Square Feet	$1,925.00	$300.00	$155.00	2,380.00
More than 5000 Square Feet	$3,855.00	$605.00	$315.00	4,775.00
Duplex & Multi Family				
0-500 Square Feet	NA	NA	NA	0.00
501-1000 Square Feet	$390.00	$60.00	$35.00	485.00
1001-2000 Square Feet	$785.00	$120.00	$70.00	975.00
2001-4000 Square Feet	$1,575.00	$245.00	$145.00	1,965.00
More than 4000 Square Feet	$3,150.00	$495.00	$290.00	3,935.00
Hotel Room				
0-200 Square Feet	NA	NA	NA	0.00
201-750 Square Feet	$500.00	$75.00	$40.00	615.00
751-2000 Square Feet	$1,000.00	$155.00	$85.00	1,240.00
More than 2000 Square Feet	$2,005.00	$315.00	$170.00	2,490.00
Commercial (per sq. ft.)	NA	$0.55	$0.41	$0.96
Light Industrial (per sq. ft.)	NA	$0.44	$0.32	$0.76

(2) **Water Impact Fee Schedule**:

Non-Residential Water Impact Fees			
Property Type	**EDU Per Occupant**	**Floor Area Per Occupant**	**Fee Per Occupant**
Assembly (without Fixed Seats)			
Bar	0.0125	7	$288
Restaurant	0.0219	7	$505
Theater, Auditorium, Church	0.0031	7	$71
Assembly (with Fixed Seats)			
Bar	0.0125	NA	$288
Restaurant	0.0219	NA	$505
Theater, Auditorium, Church	0.0031	NA	$71
Office	0.0094	100	$217
Educational			
Classroom	0.0156	20	$360
Shop\Vocational	0.0156	50	$360
Exercise Area	0.0156	50	$360
Hotel\Motel	0.0938	580	$2,162
Industrial	Calculated		Calculated
Institutional			
Inpatient Treatment	0.1563	240	$3,603
Outpatient Treatment	0.0031		Calculated
Sleeping Area	0.0031		Calculated
Other	Calculated		Calculated
Retail	0.007	60	$161
Swimming Pool or Skating Rink			
Rink or Pool Area	0.0063	50	$145
Decks	Calculated		Calculated
Warehouse	Calculated		Calculated
Parking Garage	Calculated		Calculated
Government	Calculated		Calculated
Library			
Reading Area	Calculated		Calculated
Stack Area	Calculated		Calculated

Residential Indoor Water Impact Fees						
Size (SF)	< 1000	1001-1500	1501-3000	3001-4500	4501-6000	>6000
Fee	$3,573	$5,359	$7,145	$8,931	$10,718	$12,504

Residential Outdoor (Landscaping) Water Impact Fees						
Irrigated Area (SF)	0 - 2000	2001-4000	4001-6000	6001-8000	8001-10000	>10000
						$1441 per

SECTION 5. REPEALER. This ordinance amends and repeals Title 11, Chapter 13, of the Municipal Code of Park City to the extent it is inconsistent with this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective June 15th, 2007. All projects receiving a construction permit (defined as having received a Building Permit Number) after this date are subject to the fees set forth above.

PASSED AND ADOPTED this 14th day of June, 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 SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

CAPITAL FACILITIES PLAN
FOR
WATER IMPACT FEES

prepared for

PARK CITY MUNICIPAL CORPORATION

prepared by

ROSENTHAL ASSOCIATES INC

May 25, 2007

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EXECUTIVE SUMMARY

This report presents an update of the 2003 Park City Municipal (PCMC) capital facilities plan for water impact fees. This report incorporates updated capital facilities cost and growth projections.

Impact Fee Schedule and Potential Total Revenue

Table 1 shows maximum potential impact fees per equivalent demand unit (EDU) for new construction within the Park City Municipal Corporation water impact fee service area. The service area is defined by the municipal boundaries of Park City, and is illustrated in Figure 1.

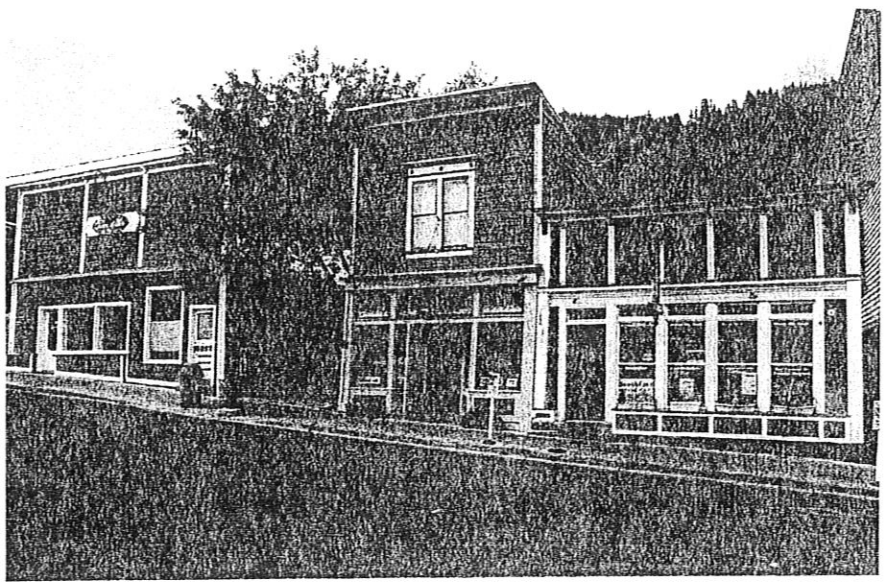
Table 1

MAXIMUM IMPACT FEE PER SERVICE UNIT (EDU)
Park City Water Impact Fee

Fiscal Year	Maximum Impact Fee	Unit of Measure
2007	$23,049	(per service unit, EDU)
2008	$23,815	(per service unit, EDU)
2009	$24,517	(per service unit, EDU)
2010	$25,347	(per service unit, EDU)
2011	$26,094	(per service unit, EDU)

Source – Table 21

Impact fees by property type are based on the fee per service unit (EDU) and are shown beginning on page 3 – residential fees in Table 2 and Table 3 and nonresidential fees in Table 4. The single-family impact fee is assessed at a variable rate depending on unit square footage and square feet of irrigated yard area. The multifamily fee is similarly assessed, however based only on unit square footage (multifamily irrigation is separately metered, and therefore the impact fee is separately assessed). Nonresidential fees are assessed based on square feet of gross enclosed floor area. The amount of the impact fee by property type is updated annually, based on cost per EDU as shown in Table 1.



Water impact fees are assessed in order to provide added source, treatment, and distribution capacity needed to meet demand from new development. Impact fees can be used only to fund capacity expansion for new development, and maximum potential revenue generated by fees in this analysis represent only a part of the cost of water system total planned capital spending. Other capital cost attributable for example to ongoing maintenance and projects not directly related to the provision of that capacity for new development, will be funded by non-impact fee revenue (user fees, donations, and as may be identified in the future, other revenue sources).

Water impact fees have been used by Park City since 1998 as a way to fund capacity for new development and as a way to equitably apportion cost among beneficiaries. By means of impact fee assessment new development is assigned the cost of capacity it requires and existing development is assigned cost for projects related to existing service provision. The City Council has determined that impact fees are necessary – 1) as a component of its strategy to preserve the level of service now provided existing users; 2) in order to maintain an on-going "cost/benefit" relationship as to the provision of capital facilities; and 3) as an aid to the effort to provide service to new development in a timely manner.

This report documents methodology and estimating assumptions by means of which capital cost is allocated to new development, and in turn that cost is apportioned among new development units in an equitable and rational manner.

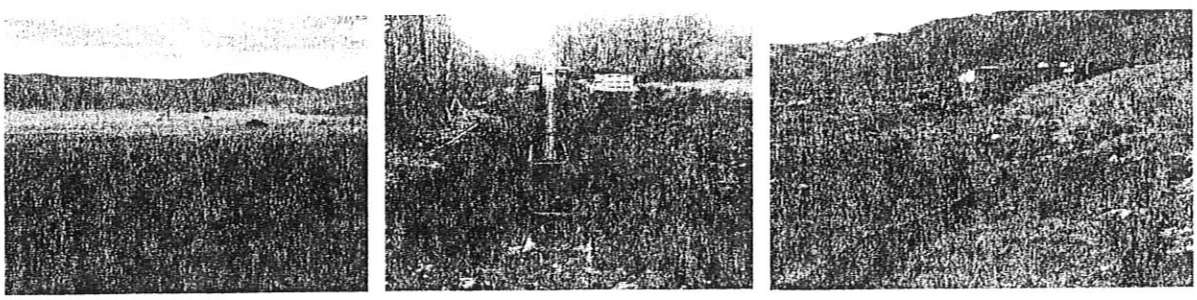


Table 2

SINGLE FAMILY VARIABLE RATE NET COST (2007)

Park City Water Impact Fee

Description		Unit of Measure	Net Cost per Service Unit (EDU)	Service Unit Generation Rate (EDU)	Net Impact Fee Amount
Unit Size (sq. ft.)	Yard Area (irrigated sq. ft.)				
Less than 1,000	0 to 2,000	(dwelling unit)		0.2800	$6,454
Less than 1,000	2,001 to 4,000	(dwelling unit)		0.4050	$9,335
Less than 1,000	4,001 to 6,000	(dwelling unit)		0.5300	$12,216
Less than 1,000	6,001 to 8,000	(dwelling unit)		0.6550	$15,097
Less than 1,000	8,001 to 10,000	(dwelling unit)		0.7800	$17,978
Less than 1,000	more than 10,000	(dwelling unit)		calculated	calculated
1,00 to 1,500	0 to 2,000	(dwelling unit)		0.3575	$8,240
1,00 to 1,500	2,001 to 4,000	(dwelling unit)		0.4825	$11,121
1,00 to 1,500	4,001 to 6,000	(dwelling unit)		0.6075	$14,002
1,00 to 1,500	6,001 to 8,000	(dwelling unit)		0.7325	$16,883
1,00 to 1,500	8,001 to 10,000	(dwelling unit)		0.8575	$19,765
1,00 to 1,500	more than 10,000	(dwelling unit)		calculated	calculated
1,501 to 3,000	0 to 2,000	(dwelling unit)		0.4350	$10,026
1,501 to 3,000	2,001 to 4,000	(dwelling unit)		0.5600	$12,907
1,501 to 3,000	4,001 to 6,000	(dwelling unit)		0.6850	$15,789
1,501 to 3,000	6,001 to 8,000	(dwelling unit)		0.8100	$18,670
1,501 to 3,000	8,001 to 10,000	(dwelling unit)		0.9350	$21,551
1,501 to 3,000	more than 10,000	(dwelling unit)		calculated	calculated
3,001 to 4,500	0 to 2,000	(dwelling unit)	$23,049	0.5125	$11,813
3,001 to 4,500	2,001 to 4,000	(dwelling unit)		0.6375	$14,694
3,001 to 4,500	4,001 to 6,000	(dwelling unit)		0.7625	$17,575
3,001 to 4,500	6,001 to 8,000	(dwelling unit)		0.8875	$20,456
3,001 to 4,500	8,001 to 10,000	(dwelling unit)		1.0125	$23,337
3,001 to 4,500	more than 10,000	(dwelling unit)		calculated	calculated
4,5001 to 6,000	0 to 2,000	(dwelling unit)		0.5900	$13,599
4,5001 to 6,000	2,001 to 4,000	(dwelling unit)		0.7150	$16,480
4,5001 to 6,000	4,001 to 6,000	(dwelling unit)		0.8400	$19,361
4,5001 to 6,000	6,001 to 8,000	(dwelling unit)		0.9650	$22,242
4,5001 to 6,000	8,001 to 10,000	(dwelling unit)		1.0900	$25,123
4,5001 to 6,000	more than 10,000	(dwelling unit)		calculated	calculated
More than 6,000	0 to 2,000	(dwelling unit)		0.6675	$15,385
More than 6,000	2,001 to 4,000	(dwelling unit)		0.7925	$18,266
More than 6,000	4,001 to 6,000	(dwelling unit)		0.9175	$21,148
More than 6,000	6,001 to 8,000	(dwelling unit)		1.0425	$24,029
More than 6,000	8,001 to 10,000	(dwelling unit)		1.1675	$26,910
More than 6,000	more than 10,000	(dwelling unit)		calculated	calculated

Source – service unit generation rate from Table 6. Net cost per service unit (EDU) from Table 1. Calculated impact fees are as defined by the Impact Fee Administrator.

Table 3

MULTI FAMILY VARIABLE RATE NET COST (2007)
Park City Water Impact Fee

Unit Size (sq. ft.)	Unit of Measure	Net Cost per Service Unit (EDU)	Service Unit Generation Rate (EDU)	Net Impact Fee Amount
Less than 1,000	(dwelling unit)	$23,049	0.1550	$3,573
1,00 to 1,500	(dwelling unit)		0.2325	$5,359
1,501 to 3,000	(dwelling unit)		0.3100	$7,145
3,001 to 4,500	(dwelling unit)		0.3875	$8,932
4,5001 to 6,000	(dwelling unit)		0.4650	$10,718
More than 6,000	(dwelling unit)		0.5425	$12,504

Source – service unit generation rate from Table 6. Net cost per service unit (EDU) from Table 1. Multifamily water impact fees apply to any private residential unit which has separately metered irrigation water service.

Table 4

NONRESIDENTIAL NET COST SCHEDULE (2007)
Park City Water Impact Fee

Property Type	Unit of Measure	Impact Fee Amount		
		Net Cost per Service Unit (EDU)	Service Unit Generation Rate (EDU)	Net Impact Fee Amount
Assembly (without fixed seat)				
Bar	1,000 square feet		1.7857	$41,159
Restaurant	1,000 square feet		3.1250	$72,028
Theater, Auditorium, Church	1,000 square feet		0.4464	$10,290
Assembly (with fixed seats)				
Bar	fixed seat		0.0125	$288
Restaurant	fixed seat		0.0219	$504
Theater, Auditorium, Church	fixed seat		0.0031	$72
Office	1,000 square feet		0.0938	$2,161
Educational	1,000 square feet			
Classroom	1,000 square feet		0.7813	$18,007
Shop/Vocational	1,000 square feet		0.3125	$7,203
Exercise Area	1,000 square feet		0.3125	$7,203
Hotel/Motel	1,000 square feet		0.1616	$3,726
Industrial	1,000 square feet	$23,049	calculated	calculated
Institutional				
Inpatient Treatment	1,000 square feet		0.6510	$15,006
Outpatient Treatment	1,000 square feet		0.0313	$720
Sleeping Area	1,000 square feet		0.0260	$600
Other			calculated	calculated
Retail	1,000 square feet		0.1167	$2,689
Swimming Pool or Skating Rink	1,000 square feet			
Rink or Pool Area	1,000 square feet		0.1250	$2,881
Decks	1,000 square feet		calculated	calculated
Warehouse	1,000 square feet		calculated	calculated
Parking Garage	1,000 square feet		calculated	calculated
Government	1,000 square feet		calculated	calculated
Library	1,000 square feet			
Reading Area	1,000 square feet		calculated	calculated
Stack Area	1,000 square feet		calculated	calculated

Source – service unit generation rates from Table 7. Net cost per service unit (EDU) from Table 1. Fees shown as "calculated" are quantified by the Director of Public Works or Impact Fee Administrator. For Assembly, use fixed seat impact fee amount for area with fixed seating and use impact fee per 1,000 square feet for areas without fixed seating.

For impact fees shown as "calculated" the Impact Fee Administrator will determine the most appropriate measure of building occupants using building square feet, number of employees, plumbing fixtures or other appropriate and available measures. To determine the peak water demand per occupant the Impact Fee Administrator will utilize the appropriate peak demand unit established by the State of Utah Division of Drinking Water where possible (see the procedure for case specific impact fee analysis on page 34).

Impact Fee Schedule Application Notes

- Note in Table 1 that the nominal amount of the impact fee is shown to increase every year. The rate of increase is based on the estimated long-run inflation rate. Annual increase is proposed as a way to maintain the impact fee at a constant or "real" amount over time – a matter of equity which helps ensure that payers in future years are assessed at the same rate as those today.[1] If fees are not increased as scheduled revenue shortfall will result.

- Also note as regards Table 1, that future fee rates should be considered valid for no more than the next two or three years, and that the impact fee analysis should be reviewed and updated no later than 2010. This ensures that estimating assumptions, growth projections and capital cost remain current, and that the impact fee continues to present a fair and defensible estimate of the cost to meet demand from new development.

- Table 2 through Table 4 show fees for typical categories of new development. Fees listed as "calculated", and those for atypical property types or sizes, or for contested applications, are calculated on a case-specific basis by the Impact Fee Administrator. The procedure for case-specific fee calculation is described on page 34.

- Impact fees for each property type are assessed at the same rate throughout the service area. This is because all areas have the same LOS, and because of a functional interdependence of the facilities which links service provision and redundant capacity throughout the service area as a whole.

- Impact fees are assessed against all development for which a building permit is certified as complete after the effective date of the resolution adopting those fees. The current impact fee schedule applies to any application certified as complete before the adoption date.

- Impact fee deferment for affordable housing is possible. The City has indicated a willingness to evaluate deferment of impact fees for qualified affordable housing projects on a case-by-case basis. Qualified projects are those which meet governing standards for affordability, utilize deed restrictions to cap rental rates or resale prices, and allow priority access to local employees.

- Fee amounts in this analysis have no effect until enacted by the City Council. The Council may adopt fees at lower rates, to the extent that it considers lower fees to be equitable and consistent with City financial planning objectives.

Maximum impact fee revenue that could accrue over the next five years if fees are assessed at the rates shown in Table 1 through Table 4, and if growth occurs as projected, is shown on the following page.

[1] This is in keeping with the requirements of the Utah Impact Fee Act and the underlying *Baneberry* criteria, which require that payments made at different times be calculated in recognition of the time value of money.

Table 5

POTENTIAL IMPACT FEE REVENUE
Maximum 5-Year Impact Fee Revenue for Water (2007 to 2012)

Fiscal Year	Projected Total Service Units (EDU)		Net Cost per Service Unit (EDU)	Potential Total Revenue
	Cumulative	Annual		
2007	5,660			
2008	5,728	68	$23,815	$1,623,537
2009	5,796	68	$24,517	$1,671,438
2010	5,864	68	$25,347	$1,728,004
2011	5,933	68	$26,094	$1,778,904
2012	6,001	68	$26,830	$1,829,100
Total		341		$8,630,983

Source – total revenue from Table 21. Projected service units from Table 23.

Impact Fee Service Area

The boundaries of the impact fee service area are the municipal boundaries of Park City, generally illustrated as follows:

Figure 1

Source – PCMC water department.

The Purpose of Impact Fees

Impact fees are assessed for the purpose of providing capital facilities needed to meet demand from new development. By means of this analysis the City intends to assess one of the seven possible impact fees allowed under U. C. A. 11-36 (the Utah *Fee Act*) – a fee for water facilities.

The objective of an impact fee analysis is to identify capital facility cost attributable to capacity expansion for new development, to identify costs attributable to existing development, and for that part attributable to demand from new development, to calculate proportionate share impact fees which assign cost to a unit of new development in a way consistent with relative service demand and level of benefit conferred (proportionate share impact fees). This means that new development is charged only for facilities that it requires, at a rate that corresponds to its demand on capacity, and that it is not charged for improvements attributable to deficiency correction or service provision upgrade for the benefit of existing development – the amount of an impact fee calculated in this way is a direct consequence of the cost of capacity.

New demand for water service in Park City is significant. Staff anticipates a 24% increase in peak demand between 2006 and potential buildout in 2026. Demand is expected to increase from 6,213 gpd to 7,728 gpd at buildout. Impact fees are considered by water department planning staff and the City Council to be a necessary component of the plan to fund that demand. They are also necessary as a matter of equity. By means of impact fees new development is assessed a part of the cost of the capacity it requires. This preserves an ongoing cost/benefit relationship whereby water system capital cost is paid by new and existing development, in proportion to benefit conferred.

Impact fees are necessary also because they enable growth to occur. The City has many capital spending priorities aside from water system capacity expansion projects for the benefit of new development – ongoing maintenance for example, necessary to preserve net asset value and optimize long-run cost for existing users. In the absence of impact fees the relative priority of projects for new development may erode and the provision of new capacity may slow. In turn this may mean slowed growth and restricted patterns of development. Staff advise that it is the City's intention to support the reasonable demands of new development and that impact fees are a necessary component of the plan to meet that objective.

The Rate and Structure of Impact Fees

An impact fee for the Park City water system can be no greater than the amount shown in this impact fee analysis. Impact fees can not be set at an amount necessary to cure existing deficiencies or to improve service for existing users, and impact fees typically are not calculated based on an increased LOS, because of the requirement to fund a deficiency correction plan.

Maximum impact fees can be charged only if the Capital Facilities Plan (the "CFP"[2]) includes sufficient projects to maintain the current LOS. If it includes fewer projects, the cost of those projects is the highest amount that could be charged. This analysis is based on the current LOS and so quantifies the maximum potential impact fee, given the quantity, cost, and timing of planned capital improvements.

The City Council may adopt fees at lower than maximum rates, which will result in a revenue shortfall

[2] The CFP, part of this analysis, identifies costs specifically attributable to demand from new development.

that will be made up from other revenue sources.

Summary of Impact Fee Calculation Methodology

Impact-fee-eligible capital costs are defined by the *Fee Act*. They include construction and financing expense for water source, storage, treatment, and distribution capital facilities.

Fees in this analysis are calculated based on the cost of a specific list of eligible projects needed to meet demand from a specific set of new development units – i.e., fees are calculated as the quotient of CFP cost and number of new service units (EDU) projected for the 20 year period between 2006 and potential buildout in 2026.

Cost per service unit defined in this manner is the basis for calculation of current and future impact fees for each property type. However the actual impact fee is a reduced amount because it includes revenue credits that account for payments by new development for existing facilities, and other costs not directly related to added capacity.

CFP cost is from the water system Capital Improvements Plan ("CIP"), which defines total long run capital spending. The CFP is a subset of this master capital spending plan. CIP cost, and the allocation of projects and parts of projects to the CFP (allocation to new development) is as defined by water department staff. Total new service units (EDU) is quantified based on current and estimated future peak daily water demand, as defined by the water master plan and recently updated demand projections by water department staff.

Note that the CIP is a planning document and is implemented – specific projects selected for construction at specific times – by means of ongoing near-term plans defined by staff and approved by the City Council. These implementation plans may contain projects attributable to new development other than those listed in this analysis and will be funded by impact fees and other revenue in a manner consistent with City financial planning and guidelines and the *Fee Act*.

The foregoing components of impact fee calculation are located in this analysis as follows:

- Total new development is calculated as shown beginning on page 17.
- Capital projects and cost are shown in Table 12 and Table 14.
- The gross impact fee ("cost per service unit") is calculated as shown in Table 11.
- Net cost per service unit (EDU) – cost including revenue credits, earned interest, and financing expense – is calculated in Table 21 and Table 22.
- Impact fees for each property type are based on demand apportionment methodology calculated as shown in Table 6 and Table 7.

Impact fee revenue credits present the most involved analysis in this report and are based on the most technical rationale. Determination of the need for credit is guided by norms of impact fee practice and

equity, and by principles of case law. That rationale can be summarized as follows:
One of the most fundamental principles of impact fees, based on both case law and norms of equity, is that impact fees should not charge new development for a higher level of service than is provided to existing development. While impact fees can be based on a higher level of service than the one existing at the time of the adoption of the fees, two things are required if this is to be done. First, another source of funding other than impact fees must be identified and committed to fund the capacity deficiency created by the higher level-of-service. Second, the impact fees must generally be reduced to ensure that new development does not pay twice for the same level of service, once through impact fees and again through general taxes that are used to remedy capacity deficiency for existing development. In order to avoid these complications, general practice is to base the fees on the existing level of service.

A corollary principle is that new development should not have to pay more than its proportionate share when multiple sources of payment are considered. As noted, if impact fees are based on a higher-than-existing level of service, the fees should be reduced by a credit that accounts for the contribution of new development toward remedying the existing deficiencies. A similar situation arises when the existing level of service has not been fully paid for. Outstanding debt on existing facilities that are counted in the existing level of service will be retired, in part, by revenue generated from new development. Given that new development will pay impact fees to provide the existing level of service for itself, the fact that new development may also pay (by virtue of being part of the tax base at-large) for facilities that provide service to existing development, could amount to paying for more than its proportionate share. Consequently, impact fees should be reduced to account for future payments that will retire outstanding debt on existing facilities.

The issue is less clear-cut when it comes to other types of revenue that may be used to make capacity-expanding capital improvements of the type being funded by the impact fee. In most cases no credit is warranted since, while new development may contribute towards such funding, so does existing development, and both benefit from the improved level of service that the additional funding makes possible. In some cases, credit may be provided for future revenue that is earmarked and dedicated for capacity-expanding improvements of the type funded by the impact fees.

Credit has also sometimes been provided for outstanding grants for capacity improvements that can reasonably be anticipated in the future. In addition to the arguments presented above (i.e., grants raise the level of service and benefit for new development as well as existing), two additional arguments can be made against applying credit for grants. First, State and Federal grants are not directly attributable to new development in a given community, in the same way that for example local gasoline or property taxes are, because grants derive from a larger tax base and the local share is often set defined by a reapportionment objective – i.e. the local grant may be larger or smaller than the local contribution. Second, future grant funding is uncertain – far more so than a dedicated revenue stream. It is often the case therefore, that credit is not provided for future Federal or State grants.

The impact fee calculation process can be illustrated by means of the following steps:

Step 1 Define the impact fee CFP (a subset of the existing long range water CIP). The CFP specifies projects and parts of projects specifically needed to meet demand from new development and is the basis for calculating the cost of capacity for new development. Based on CFP cost, quantify cost per service unit. In this analysis cost per service unit is defined in terms of cost per EDU, or cost per residential "equivalent demand unit". This is the gross impact fee amount. Both the CIP and CFP are defined by water department staff. The CIP

and CFP are specified so as to preserve the current level of service for existing development and provide service at the same level for new development. The CFP includes sufficient projects to meet demand from new development without eroding the LOS now enjoyed by existing development. CFP cost excludes projects and parts of projects not clearly attributable to new development – deficiency correction and service provision enhancements or upgrade for the benefit of existing development, for example.

Step 2 Proportionately assign CFP cost to each unit of new development. "Proportionality" is a way to recognize different levels of capacity demand presented by different types and sizes of new development. A proportionate impact fee is one that assigns cost in a way that relates to capacity demand and therefore differentiates the fee by category of new development. As an example, a single family home consumes less system capacity than does a shopping mall or restaurant. Single family is therefore assigned a lower service unit generation rate, and by means of that, a lower share of CFP cost and a lower impact fee.

For the Park City water system, proportionality is based on methodology defined by water department staff that differentiates demand based on property type, size, and irrigated yard area. Capacity demand is quantified by property type in terms of number of EDUs (equivalent residential demand units). An EDU is defined to be equal to peak day capacity demand of 1,600 gallons per day (Utah average peak day demand, as discussed on page II-2 of the water master plan[3]).

Note with respect to the calculation of relative service unit generation rates, that impact fee calculation is held to a standard of average rather than case specific impact. This means that proportionality is properly assessed based on demand attributable to a class or type of new development.

Step 3 Quantify cost per service unit (the gross impact fee or cost per EDU). This is calculated as the quotient of CFP cost and number of new demand units (EDU).

Step 4 Quantify net cost per service unit (net cost per EDU) and the actual impact fee amount by property type. Net cost is derived from cost per service unit, and includes revenue credits, earned interest, and financing expense. Net cost is the maximum potential impact fee amount. The specific fee for each property type is calculated as the product of net cost per service unit and number of service units (EDU) attributable to a unit of each property type. Number of service units by property type varies depending on calculated facility capacity demand. In this analysis, number of service units is indexed to peak day capacity demand per EDU – 1,600 gallons per day, and a service unit generation rate of one EDU. Capacity for other property types is expressed in terms of number of EDUs (1,600 gpd units) presented by that property type. Service unit generation rates are calculated specifically for each property type based on a formula defined by water department staff shown in Table 6 and Table 7.

[3] *Park City Municipal Corporation Water System Master Plan*, Hansen, Allen & Luce, Inc., March 2005.

Key Estimating Assumptions

The amount of an impact fee is the direct result of estimating assumptions, decisions, criteria, and conclusions. Key assumptions which underlie fees in this report are summarized as follows:

- CIP cost is reduced by the value of anticipated future capital contributions. These contributions are in addition to the impact fee assessment and do not offset impact fees payable by any new development units – all future new development is assumed to pay impact fees at the calculated rate.
- The CIP (Table 12 through Table 15) is allocated by purpose, in terms of three categories – CFP projects, deficiency correction projects, and projects for ongoing maintenance. CFP projects provide added capacity to meet demand from new development and are the basis for calculation of the impact fee. Deficiency projects are for the benefit of existing users, to correct current service provision deficiencies, and are the subject of an impact fee revenue credit. Projects for ongoing maintenance include maintenance, equipment, and other projects intended to maintain the facilities and preserve net asset value (projects for example that are part of the GASB 34 maintenance plan). These projects benefit new and existing development alike and are therefore not subject to revenue credit.
- Table 14 and Table 15 show CIP cost in "real" terms (constant dollars) based on a public sector construction project annual cost inflation rate equal to the rate used by the Snyderville Basin Water Reclamation District for similar (wastewater) projects. That rate is defined for the District and periodically updated by Corollo Engineers. Use of the rate has been reviewed and confirmed by PCMC water department and public works staff.
- This analysis includes bond debt service revenue credits – credits based on the 2002 water revenue bond and the 2006 community impact board bond. In both cases the credit is calculated assuming that the bonds were used to fund facilities for existing development – meaning that 100% of debt service payments are subject to credit. This assumption is made because current capital facilities are described by water department staff as having no excess capacity. (Past capacity for new development funded by the 2002 bond is assumed to have been consumed.)
- Because the system has no excess capacity, this analysis does not include a recoupment fee.
- Note that the debt service credit includes interest and principal. This is a conservative approach which defines an appropriate revenue credit – because the gross impact fee is based on CIP cost expressed in constant value terms the revenue credit should also include the cost of money (interest). (There is an alternative view which holds that a debt service credit should be based only on bond principal because the present value of the interest payments is equal or nearly equal to $0, given that the risk premium for a public entity is low or $0. Were this alternative approach to be taken the amount of the credit would decrease, and the impact fee would increase.)
- The CIB bond ($4,450,000 total, of which $700,000 remains on-hand) is assumed to be dedicated exclusively for projects for the benefit of existing development – the bond will fund no added capacity for new development).

Administration of the Impact Fee System

Impact fee administrative policies have been established by the City to implement the requirements of the *Fee Act*, and City financial planning policy. These include the following:

- Impact fee payment is required at the time of building permit issuance.

- Impact fees are accounted for separately and are spent or encumbered within the time prescribed by the *Fee Act.*

- The City will periodically review this analysis, the CIP, and the CFP, as part of its regular process of financial planning. Fee calculation methodology will also be reviewed to ensure continued, equitable and proportionate assessment. However, as conditions change (economic trends, treatment mandates, new patterns and rates of growth, etc.) and the cost of capital projects changes over time, and unless these changes occur as planned in this analysis, it is likely that the cost to meet demand from new development will change, and the impact fee may increase.

- This analysis defines fees which will be assessed based on an impact fee schedule. The fee system includes provision for case-specific impact fee calculation to allow the impact fee administrator or applicant to call for analysis in the case of contested fee amounts, or atypical property types and sizes. That procedure is described on page 34

- The City has defined an appeals procedure for contested impact fee applications, in the event the procedure for case-specific impact fee calculation does not yield resolution.

Legal Framework – the Utah Impact Fee Act

Development impact fees have been allowed in Utah by case law for over 25 years. However, until 1995 local jurisdictions did not have statutory authority to assess impact fees. The *Utah Impact Fee Act*, enacted on April 24, 1995, describes how impact fees are to be imposed and collected. This analysis has been prepared to meet the requirements of the *Fee Act.*

The *Act* limits the type of facilities and expenses for which local governments may assess and spend impact fees. The *Act* specifies that impact fees are to be used only for capital projects needed to meet demand from new development, and are not to be used to fund operations, maintenance, repair, or service provision upgrade for existing development. *The Act* also specifies certain requirements of fee calculation methodology, requirements for this impact fee CFP, and administrative requirements that guide collection, accounting and use of the funds.

Park City has adopted rules and regulations consistent with the requirements of the *Fee Act.*

Evaluation of Alternative Funding Sources – Determination that Impact Fees Are Necessary

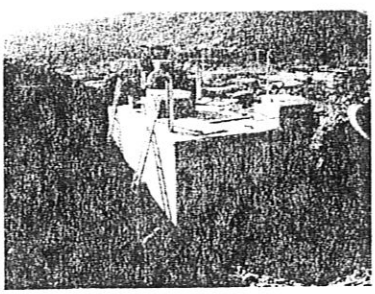
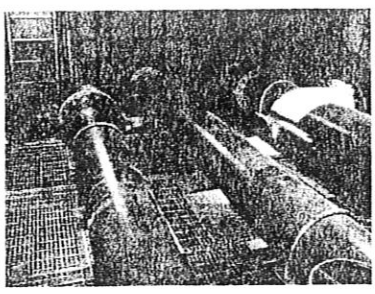
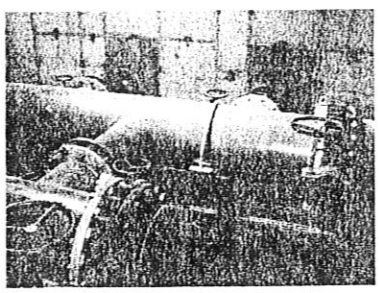
The *Fee Act* requires that all potential revenue sources be evaluated, to identify funding in addition to impact fees that may be available to pay for capital facility capacity expansion for new development. As part of this analysis, other sources potentially available to fund water capital facilities were evaluated. Certain of these – impact fees on-hand – are included as part of the plan to fund capacity for new development. Also considered were other sources such as on-hand revenue from user fees, and revenue from potential rate increase. After evaluation, both were rejected by staff as presenting undue burden on existing users and an unfair subsidy to new development.

On a practical level, and aside from the fact that the use of rate revenue (for example) would unduly burden existing users who derive no benefit from the new capacity, impact fees are necessary if demand from new development is to be met in a timely and predictable manner.

The City Council has evaluated the need for impact fees, and has determined that fees are necessary, in order to achieve an equitable allocation of the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. The District has made use of impact fees since 1998 as a way to fund capacity expansion for new development, and as a way to ensure that cost is fairly apportioned among beneficiaries – new development has in the past paid its share, and existing development has paid its share. Continuation of this strategy is viewed as a priority, and the Council has determined that impact fees as defined in this analysis are necessary in order to maintain this ongoing cost/benefit relationship.

Also in this regard, the Council has reviewed other sources of revenue which could potentially be used to fund capacity for new development, and has determined that impact fees are necessary if the current level of service is to be maintained and demand from new development met, at the same service standard. This is based on a comparison of historic funding sources (both impact fee and other revenue) and capital spending projected to be necessary to maintain current service provision and at the same time meet demand from new development. Annually recurring revenue like user fees have been, and are expected to continue to be devoted primarily to operations and maintenance expense, and are therefore not planned to be available to fund capacity expansion.

Lastly, net impact fee revenue at the end of six years is projected to be -$7.1 million (net revenue as shown in Table 22 for the year 2012). This includes impact fees, the beginning impact fee account balance, project construction cost, and all other revenue and eligible expenses – earned interest, grants, debt service and debt origination fees. This shows that, in context of all other available revenue, and given all projected costs and expenses, that impact fees are a necessary components of the funding used to provide capacity for new development.

DEMAND EQUIVELENCY

Capital facilities demand is quantified as follows, based on number of equivalent demand units (EDUs) presented by each property type. In this analysis an EDU is expressed in terms defined by the water master plan – peak day demand of 1,600 gpd. Residential demand is shown in Table 6. Nonresidential demand is shown in Table 7.

Table 6

RESIDENTIAL DEMAND EQUIVALENCY TABLE
Park City Water Impact Fee

Indoor Water Use				Outdoor Water Use			Service Unit Generation Rate (EDU per dwelling unit)
Unit Size (sq. ft.)	Unit Size Index	Indoor Water Demand (EDU)	Indoor Service Unit Generation (EDU)	Yard Area (irrigated sq. ft.)	Irrig. Demand per 1,000 sf (EDU)	Outdoor Service Unit Generation (EDU)	
Less than 1,000	0.50	0.31	0.1550	0 to 2,000	0.06250	0.13	0.2800
Less than 1,000	0.50	0.31	0.1550	2,001 to 4,000	0.06250	0.25	0.4050
Less than 1,000	0.50	0.31	0.1550	4,001 to 6,000	0.06250	0.38	0.5300
Less than 1,000	0.50	0.31	0.1550	6,001 to 8,000	0.06250	0.50	0.6550
Less than 1,000	0.50	0.31	0.1550	8,001 to 10,000	0.06250	0.63	0.7800
Less than 1,000	0.50	0.31	0.1550	more than 10,000	0.06250	0.0625 per 1,000 sq. ft.	calculated
1,00 to 1,500	0.75	0.31	0.2325	0 to 2,000	0.06250	0.13	0.3575
1,00 to 1,500	0.75	0.31	0.2325	2,001 to 4,000	0.06250	0.25	0.4825
1,00 to 1,500	0.75	0.31	0.2325	4,001 to 6,000	0.06250	0.38	0.6075
1,00 to 1,500	0.75	0.31	0.2325	6,001 to 8,000	0.06250	0.50	0.7325
1,00 to 1,500	0.75	0.31	0.2325	8,001 to 10,000	0.06250	0.63	0.8575
1,00 to 1,500	0.75	0.31	0.2325	more than 10,000	0.06250	0.0625 per 1,000 sq. ft.	calculated
1,501 to 3,000	1.00	0.31	0.3100	0 to 2,000	0.06250	0.00 0.13	0.4350
1,501 to 3,000	1.00	0.31	0.3100	2,001 to 4,000	0.06250	0.25	0.5600
1,501 to 3,000	1.00	0.31	0.3100	4,001 to 6,000	0.06250	0.38	0.6850
1,501 to 3,000	1.00	0.31	0.3100	6,001 to 8,000	0.06250	0.50	0.8100
1,501 to 3,000	1.00	0.31	0.3100	8,001 to 10,000	0.06250	0.63	0.9350
1,501 to 3,000	1.00	0.31	0.3100	more than 10,000	0.06250	0.0625 per 1,000 sq. ft.	calculated
3,001 to 4,500	1.25	0.31	0.3875	0 to 2,000	0.06250	0.00 0.13	0.5125
3,001 to 4,500	1.25	0.31	0.3875	2,001 to 4,000	0.06250	0.25	0.6375
3,001 to 4,500	1.25	0.31	0.3875	4,001 to 6,000	0.06250	0.38	0.7625
3,001 to 4,500	1.25	0.31	0.3875	6,001 to 8,000	0.06250	0.50	0.8875
3,001 to 4,500	1.25	0.31	0.3875	8,001 to 10,000	0.06250	0.63	1.0125
3,001 to 4,500	1.25	0.31	0.3875	more than 10,000	0.06250	0.0625 per 1,000 sq. ft.	calculated
4,5001 to 6,000	1.50	0.31	0.4650	0 to 2,000	0.06250	0.00 0.13	0.5900
4,5001 to 6,000	1.50	0.31	0.4650	2,001 to 4,000	0.06250	0.25	0.7150
4,5001 to 6,000	1.50	0.31	0.4650	4,001 to 6,000	0.06250	0.38	0.8400
4,5001 to 6,000	1.50	0.31	0.4650	6,001 to 8,000	0.06250	0.50	0.9650
4,5001 to 6,000	1.50	0.31	0.4650	8,001 to 10,000	0.06250	0.63	1.0900
4,5001 to 6,000	1.50	0.31	0.4650	more than 10,000	0.06250	0.0625 per 1,000 sq. ft.	calculated
More than 6,000	1.75	0.31	0.5425	0 to 2,000	0.06250	0.00 0.13	0.6675
More than 6,000	1.75	0.31	0.5425	2,001 to 4,000	0.06250	0.25	0.7925
More than 6,000	1.75	0.31	0.5425	4,001 to 6,000	0.06250	0.38	0.9175
More than 6,000	1.75	0.31	0.5425	6,001 to 8,000	0.06250	0.50	1.0425
More than 6,000	1.75	0.31	0.5425	8,001 to 10,000	0.06250	0.63	1.1675
More than 6,000	1.75	0.31	0.5425	more than 10,000	0.06250	0.0625 per 1,000 sq. ft.	calculated

Source – methodology and calculation assumptions are as defined by PCMC public works administrator. Indoor water use is the product of the unit size index and indoor water demand. Calculation of the size index is proportionate to number of bedrooms, assuming an average unit to be four bedrooms and 3,000 square feet – a 4,500 square foot unit for example, is assumed to have five bedrooms, and a demand index of 1.25 (five divided by four) . Outdoor water u se is the product of irrigated yard square footage and irrigation demand per 1000 square feet. Demand per 1000 square feet is 0.0625 EDU (100 peak gpd), as estimated by staff, based on analysis of water demand for public landscaped areas. Outdoor service unit generation is calculated based on the upper limit of category. Total service unit generation is the sum of outdoor and indoor generation rates.

Table 7

NONRESIDENTIAL DEMAND EQUIVALENCY TABLE
Park City Water Impact Fee

Property Type	Water Demand (per occupant, peak day, gpd)	LOS (peak day gpd per EDU)	Service Unit Generation Rate		
			EDU per Occupant	Floor Area per Occupant (sq. ft.)	EDU per 1,000 sq. ft. floor area
Assembly (without fixed seat)					
Bar	20	1,600	0.0125	7	1.7857
Restaurant	35	1,600	0.0219	7	3.1250
Theater, Auditorium, Church	5	1,600	0.0031	7	0.4464
Assembly (with fixed seats)					
Bar	20	1,600	0.0125		NA
Restaurant	35	1,600	0.0219		NA
Theater, Auditorium, Church	5	1,600	0.0031		NA
Office	15	1,600	0.0094	100	0.0938
Educational					
Classroom	25	1,600	0.0156	20	0.7813
Shop/Vocational	25	1,600	0.0156	50	0.3125
Exercise Area	25	1,600	0.0156	50	0.3125
Hotel/Motel	150	1,600	0.0938	580	0.1616
Industrial			calculated		calculated
Institutional					
Inpatient Treatment	250	1,600	0.1563	240	0.6510
Outpatient Treatment	5	1,600	0.0031	100	0.0313
Sleeping Area	5	1,600	0.0031	120	0.0260
Other					calculated
Retail			0.0070	60	0.1167
Swimming Pool or Skating Rink					
Rink or Pool Area	10	1,600	0.0063	50	0.1250
Decks			calculated		calculated
Warehouse			calculated		calculated
Parking Garage			calculated		calculated
Government			calculated		calculated
Library					
Reading Area			calculated		calculated
Stack Area			calculated		calculated

Source – floor area per occupant from International Building Code, 2006, Table 1004.1.1. Hotel/Motel floor area is calculated assuming 1.25 persons per room and 725 gross square feet per room (room plus common area, as shown in the May 16 2005 PCMC Impact Fee Analysis for parks). Water demand per occupant from Utah Administrative Code, Rule R309-510, Facility Design and Operation: Minimum Sizing Requirements. Hotel/Motel water demand from Utah Administrative Code, Rule R309-510-7. LOS from

Table 9. EDU per occupant is the quotient of water demand per occupant and LOS. EDU per 1,000 square feet is the product of occupants per 1,000 square feet (calculated as 1,000 ÷ floor area per occupant) and EDU per occupant. Service unit generation rates for uses shown as "calculated" are quantified by the Director of Public Works or Impact Fee Administrator. For Assembly, the impact fee is calculated using the fixed seat service unit generation rate for area with fixed seating, and using the service unit generation rate per 1,000 square feet for area without fixed seating. EDU per occupant for Commercial is as calculated by the Director of Public Works or Impact Fee Administrator.

Single-family service unit generation (Table 6) is the sum of indoor and outdoor service unit generation rates. Indoor service unit generation assumes 496 peak day gpd (0.31 EDU). Outdoor service unit generation assumes 100 gpd per 1,000 square feet of irrigated area (0.0625 EDU).
Multi-family service unit generation includes indoor consumption only, because irrigation for multi-family is separately metered and capital facilities demand is therefore separately calculated.

For service unit generation rates shown as "calculated" the Impact Fee Administrator will determine the most appropriate measure of building occupants using building square feet, number of employees, plumbing fixtures or other appropriate and available measures. To determine the peak water demand per occupant the Impact Fee Administrator will utilize the appropriate peak demand unit established by the State of Utah Division of Drinking Water where possible (see the procedure for case specific impact fee analysis on page 34).

QUANTITY OF NEW DEVELOPMENT

The number of existing and new development service units is calculated in this section. Total new development is the basis for calculation of the impact fee. Cumulative total service units (current units and projected new development) is the basis for calculation of impact fee revenue credits.

The quantity of current and projected service units is calculated based on peak water demand expressed in terms of EDUs (number of 1,600 gpd peak demand units). Water demand is defined by the water master plan, and recent updates by water department staff.

Current and projected peak day water demand is as follows:

Table 8

PARK CITY WATER DEMAND
Summary of Master Plan Demand Projection (2007, updated)

	Unit of Measure	Water Demand
2005 Peak Day Demand	(gpm)	5,990
2006 Residential Building Permits	(gpm)	223
2006 Peak Day Demand	(gpm)	6,213
Build-Out Peak Day Demand	(gpm)	7,728
Demand from New Development	(gpm)	1,515

Source – water department staff update of demand projections from the *Park City Municipal Corp. Water System Master Plan*, Hansen, Allen & Luce Inc., March 2005.

Current and projected service units are derived based on water demand from Table 8, as follows:

Table 9

CURRENT AND PROJECTED SERVICE UNITS (EDU)
Park City Water Impact Fee

	Unit of Measure	Existing Development (EDU, 2006)	Buildout (EDU)	New Development (EDU)
Peak Day Water Demand	(gpm)	6,213	7,728	1,515
Conversion Factor (minutes per day)		1,440	1,440	1,440
Peak Day Water Demand	(gpd)	8,946,720	11,128,284	2,181,564
LOS (peak day, per service unit)	(gpd)	1,600	1,600	1,600
Total Service Units (EDU)		5,592	6,955	1,363

Source – peak day demand from Table 8. LOS is from the water master plan. Total service units is calculated as the quotient of peak day demand (gpd) and LOS.

Table 10 shows a comparison of the demand projection in Table 9 and projections from two other impact fee analyses for local capital facilities (the Park City police buildings impact fee and the Snyderville Basin Water Reclamation District wastewater impact fee).

Direct comparison is not possible because the PCMC water fee derives from water demand expressed in terms of service units rather than number of units of each property type. However Table 10 does show that each analysis projects nearly identical remaining growth potential – about 19% of existing demand.

Table 10

COMPARATIVE GROWTH PROJECTIONS
Comparison of Regional Impact Fee Growth Projections (2006)

	PCMC Police Impact Fee	SBWRD Impact Fee	PCMC Water Impact Fee
	(sf and mf dwelling units)		(EDU)
Existing	9,566	8,975	5,592
Projected New Development	2,231	2,025	1,363
Buildout	11,798	11,000	6,955
New Development % of Total	19%	18%	20%

Source – SBWRD growth projection from the *Snyderville Basin Water Reclamation District Impact Fee Analysis and New Development Capital Facilities Plan*, 2006. PCMC growth projection from the *Park City Impact Fee Analysis and New Development Capital Facilities Plan*, 2005. Park City water impact fee growth projection from Table 9.

CAPITAL IMPROVEMENT NEED

This section quantifies CFP cost – the cost of capital facilities needed to meet demand from new development during a given period.

The cost of new capacity is derived from the long-run CIP which is prepared by water department staff to estimate total planned capital spending for a period of the next 20 years, for the water system as a whole. CFP cost is a subset of that total cost, calculated based on the allocation of projects and parts of projects determined by staff to be necessary to meet demand from new development.

CFP cost is the basis for calculation of the impact fee because it includes cost specifically attributable to demand from new development

Planning period average CFP cost is summarized as follows:

Table 11

COST OF DEMAND FROM NEW DEVELOPMENT (average)

Cost of Water Capital Facilites for New Development (impact fee eligible facilites, 2007)

	Total Cost	Cost per Service Unit (EDU)
Deficiency Correction	28,812,437	
System Maintenance/Upkeep	38,615,583	
CFP (projects for new development)	46,560,655	
Total	113,988,675	
Capital Projects Attributable to New Development		$46,560,655
Demand from New Development (EDU)		1,363
Average Cost per Service Unit (EDU)		$34,148

Source – Total cost from Table 14. New development water demand from Table 9. Cost per gallon is the quotient of projects for new development and new development water demand. LOS from Table 9. Cost per service unit is the product of LOS and cost per gallon.

Table 11 shows average cost – $34,148 per EDU – over the life of the 20 year planning period. Average cost is useful to illustrate the components and calculation of cost per service unit. Actual cost per service unit, which is the basis for calculation of the impact fee, is quantified in Table 21. Table 21 quantifies cost per service unit on an annual basis, in order to maintain the assessment and a constant "real" rate over time. In this way fee payers in the future are assessed at the same effective rate as those today.

Total planned capital spending, and the cost of projects needed to meet demand from new development, is defined by water department staff analysis, summarized as follows. Table 12 and Table 13 show nominal capital facility cost. Table 14 and Table 15 show real cost, and allocation by purpose – cost attributable to demand from new development, deficiency correction and ongoing maintenance.

Table 12

PARK CITY WATER CAPITAL IMPROVEMENT PLAN (part) - NOMINAL COST (2007, page 1 of 2)

Park City Water Impact Fee

Description	CFP%	Deficiency%	Project Type	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
				(fiscal year)									
Tunnel Improves	0%	0%	Other	$350,000	$470,000	$280,000	$290,000	$300,000	$220,000	$220,000	$220,000	$220,000	$220,000
Water Equipment	0%	0%	Contracted	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000
Motor Change Out	0%	0%	Other	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000
Water Recording Devices	0%	0%	Contracted	$5,000	$5,000	$5,000	$5,000	$5,000					
Master Plan Defeciency Correction Projects	0%	100%	Construction	$369,311	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000
Boothill Pumpstation	68%	32%	Construction	$1,866,493									
Rockport Water, Pipeline, and Storage	65%	35%	Contracted	$740,207	$755,331	$770,763	$786,511	$802,581	$818,978	$835,711	$852,786	$870,210	$887,990
Rockport Water, Pipeline, and Storage	65%	35%	Contracted						$11,164,000				
Old Town Water Projects	0%	100%	Other	$231,000	$150,000	$150,000	$150,000						
JSSD Water Assessment	100%	0%	Contracted	$688,417	$715,954	$744,592	$774,592	$805,350	$837,564	$871,067	$905,910	$942,146	$979,832
Meter Radio Read	0%	0%	Other	$377,466	$133,680	$137,690							
Judge Water Treatment	0%	0%	Construction	$800,100	$3,610,468								
Public Works Storage	0%	0%	Contracted	$50,000	$50,000	$50,000	$50,000	$50,000					
Mountain Regional Water Connection	100%	0%	Construction						$426,000				
Emergency Power Master Planning	0%	0%	Other		$50,000								
Corrosion Study of System	0%	0%	Other		$50,000								
Boothill Transmission Line	68%	32%	Construction			$1,650,000							
Spiro Building Maintenance	0%	0%	Other	$50,000	$50,000								
Park Meadows Golf Course Water Rights	0%	0%	Contracted		$500,000								
Round Valley Reservoir	0%	0%	Construction										
Rockport Water Treatment Plant	65%	35%	Construction										
Boothill Tank	100%	0%	Construction	$1,439,446									
Deer Valley Fire Flow	0%	0%	Construction	$50,000									
Solamere Pump Station Upgrade	100%	0%	Construction	$100,000									
Judge/Talisker NPDES	0%	0%	Other	$60,000									
Total				$7,277,440	$6,915,433	$4,163,045	$2,431,103	$2,337,931	$13,841,543	$2,301,778	$2,353,696	$2,407,356	$2,462,821

Source – CFP % and Deficiency% from water department staff. Allocation of the Rockport project is from Table 16. The Rockport treatment plant is allocated based on the same share as the Rockport pipeline because it will be implemented specifically to treat Rockport water.

Table 13

PARK CITY WATER CAPITAL IMPROVEMENT PLAN (part) - NOMINAL COST (2007, page 2 of 2)

Park City Water Impact Fee

Description	CFP%	Deficiency%	Project Type	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	Total
				(fiscal year)										
Tunnel Improves	0%	0%	Other	$220,000	$220,000	$220,000	$220,000	$220,000	$220,000	$220,000	$220,000	$220,000	$220,000	$4,990,000
Water Equipment	0%	0%	Contracted	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$1,500,000
Motor Change Out	0%	0%	Other	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$500,000
Water Recording Devices	0%	0%	Contracted											$25,000
Master Plan Defeciency Correction Projects	0%	100%	Construction	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000	$275,000	$5,594,311
Boothill Pumpstation	68%	32%	Construction											$1,866,493
Rockport Water, Pipeline, and Storage	65%	35%	Contracted	$906,132	$924,646	$943,538	$962,816	$982,488	$1,002,561	$1,023,045	$1,043,947	$1,065,277	$1,087,042	$18,062,561
Rockport Water, Pipeline, and Storage	65%	35%	Contracted											$11,164,000
Old Town Water Projects	0%	100%	Other											$681,000
JSSD Water Assessment	100%	0%	Contracted	$1,019,025	$1,059,786	$1,102,177	$1,146,265							$12,592,676
Meter Radio Read	0%	0%	Other											$648,836
Judge Water Treatment	0%	0%	Construction											$4,410,568
Public Works Storage	0%	0%	Contracted											$250,000
Mountain Regional Water Connection	100%	0%	Construction											$426,000
Emergency Power Master Planning	0%	0%	Other											$50,000
Corrosion Study of System	0%	0%	Other											$50,000
Boothill Transmission Line	68%	32%	Construction											$1,650,000
Spiro Building Maintenance	0%	0%	Other											$100,000
Park Meadows Golf Course Water Rights	0%	0%	Contracted											$500,000
Round Valley Reservoir	0%	0%	Construction	$12,100,000										$12,100,000
Rockport Water Treatment Plant	65%	35%	Construction						$6,300,000					$6,300,000
Boothill Tank	100%	0%	Construction											$1,439,446
Deer Valley Fire Flow	0%	0%	Construction											$50,000
Solamere Pump Station Upgrade	100%	0%	Construction											$100,000
Judge/Talisker NPDES	0%	0%	Other											$60,000
Total				$14,620,157	$2,579,432	$2,640,715	$2,704,080	$1,577,488	$7,897,561	$1,618,045	$1,638,947	$1,660,277	$1,682,042	$85,110,891

Source – CFP % and Deficiency% from water department staff. Allocation of the Rockport project is from Table 16. The Rockport treatment plant is allocated based on the same share as the Rockport pipelined because it will be implemented specifically to treat Rockport water.

"Project Type" is descriptive of a cost inflation category, used to calculate project "real" cost (shown in Table 14). Construction projects are assumed to increase at 6.50% per year (based on an estimate for wastewater facilities prepared Carollo Engineers for the Snyderville Basin Water Reclamation District). Contracted projects are assumed to be completed for a fixed (contracted) price and therefore have 0% annual cost increase. Cost for "Other" projects – those for ongoing maintenance and in the purchase of operations capital equipment – are estimated to increase at an annual rate of 4.1%.

Table 14 and Table 15 show total capital cost summarized by purpose – CFP projects, projects for deficiency correction, and projects for routine maintenance. CFP projects are those required to meet demand from new development. Deficiency projects are for work to correct service provision deficiencies, for existing development. Maintenance projects are for ongoing capital facilities upkeep and represent a cost which benefits the user base as a whole – spending for equipment or general maintenance and ongoing projects to maintain the asset-value of the system, for example (projects in connection with the GASB 34 maintenance plan).

Table 14

PARK CITY WATER CAPITAL IMPROVEMENT PLAN (part) - REAL COST (2007, page 1 of 2)
Park City Water Impact Fee

Description	CFP%	Deficiency%	Annual Cost Inflation Rate	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
				(fiscal year)									
Tunnel Improves	0%	0%	4.10%	$350,000	$489,270	$303,431	$327,152	$352,309	$268,953	$279,980	$291,459	$303,409	$315,849
Water Equipment	0%	0%	0.00%	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000
Motor Change Out	0%	0%	4.10%	$25,000	$26,025	$27,092	$28,203	$29,359	$30,563	$31,816	$33,120	$34,478	$35,892
Water Recording Devices	0%	0%	0.00%	$5,000	$5,000	$5,000	$5,000	$5,000	$0	$0	$0	$0	$0
Master Plan Defeciency Correction Projects	0%	100%	6.50%	$369,311	$292,875	$311,912	$332,186	$353,778	$376,774	$401,264	$427,346	$455,124	$484,707
Boothill Pumpstation	68%	32%	6.50%	$1,866,493	$0	$0	$0	$0	$0	$0	$0	$0	$0
Rockport Water, Pipeline, and Storage	65%	35%	0.00%	$740,207	$755,331	$770,763	$786,511	$802,581	$818,978	$835,711	$852,786	$870,210	$887,990
Rockport Water, Pipeline, and Storage	65%	35%	0.00%	$0	$0	$0	$0	$0	$11,164,000	$0	$0	$0	$0
Old Town Water Projects	0%	100%	4.10%	$231,000	$156,150	$162,552	$169,217	$0	$0	$0	$0	$0	$0
JSSD Water Assessment	100%	0%	0.00%	$688,417	$715,954	$744,592	$774,592	$805,350	$837,564	$871,067	$905,910	$942,146	$979,832
Meter Radio Read	0%	0%	4.10%	$377,466	$139,161	$149,212	$0	$0	$0	$0	$0	$0	$0
Judge Water Treatment	0%	0%	6.50%	$800,100	$3,845,148	$0	$0	$0	$0	$0	$0	$0	$0
Public Works Storage	0%	0%	0.00%	$50,000	$50,000	$50,000	$50,000	$50,000	$0	$0	$0	$0	$0
Mountain Regional Water Connection	100%	0%	6.50%	$0	$0	$0	$0	$0	$583,657	$0	$0	$0	$0
Emergency Power Master Planning	0%	0%	4.10%	$0	$52,050	$0	$0	$0	$0	$0	$0	$0	$0
Corrosion Study of System	0%	0%	4.10%	$0	$52,050	$0	$0	$0	$0	$0	$0	$0	$0
Boothill Transmission Line	68%	32%	6.50%	$0	$0	$1,871,471	$0	$0	$0	$0	$0	$0	$0
Spiro Building Maintenance	0%	0%	4.10%	$50,000	$52,050	$0	$0	$0	$0	$0	$0	$0	$0
Park Meadows Golf Course Water Rights	0%	0%	0.00%	$0	$500,000	$0	$0	$0	$0	$0	$0	$0	$0
Round Valley Reservoir	0%	0%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Rockport Water Treatment Plant	65%	35%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Boothill Tank	100%	0%	6.50%	$1,439,446	$0	$0	$0	$0	$0	$0	$0	$0	$0
Deer Valley Fire Flow	0%	0%	6.50%	$50,000	$0	$0	$0	$0	$0	$0	$0	$0	$0
Solamere Pump Station Upgrade	100%	0%	6.50%	$100,000	$0	$0	$0	$0	$0	$0	$0	$0	$0
Judge/Talisker NPDES	0%	0%	4.10%	$60,000	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total				$7,277,440	$7,206,064	$4,471,025	$2,547,861	$2,473,377	$14,155,489	$2,494,838	$2,585,622	$2,680,367	$2,779,269
Capital Facilities Plan (CFP)				$3,974,532	$1,203,163	$2,514,356	$1,281,913	$1,323,037	$9,150,573	$1,410,124	$1,455,980	$1,503,455	$1,552,609
Deficiency Correction (existing developent)				$1,460,342	$717,147	$1,346,935	$780,593	$638,672	$4,630,401	$697,919	$730,062	$764,024	$799,919
Maintenance & Upkeep				$1,842,566	$5,285,754	$609,735	$485,355	$511,668	$374,516	$386,796	$399,580	$412,887	$426,741

Source – real cost is estimated based on nominal cost from Table 12, and the annual cost inflation rate. Inflation rate is derived as discussed on page 20.

Table 15

PARK CITY WATER CAPITAL IMPROVEMENT PLAN (part) - REAL COST (2007, page 2 of 2)
Park City Water Impact Fee

Description	CFP%	Deficiency%	Annual Cost Inflation Rate	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	Total
				(fiscal year)										
Tunnel Improves	0%	0%	4.10%	$328,799	$342,279	$356,313	$370,922	$386,129	$401,961	$418,441	$435,597	$453,457	$472,048	$7,247,759
Water Equipment	0%	0%	0.00%	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$1,500,000
Motor Change Out	0%	0%	4.10%	$37,363	$38,895	$40,490	$42,150	$43,878	$45,677	$47,550	$49,500	$51,529	$53,642	$752,224
Water Recording Devices	0%	0%	0.00%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$25,000
Master Plan Defeciency Correction Projects	0%	100%	6.50%	$516,213	$549,767	$585,501	$623,559	$664,090	$707,256	$753,228	$802,188	$854,330	$909,861	$10,771,271
Boothill Pumpstation	68%	32%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$1,866,493
Rockport Water, Pipeline, and Storage	65%	35%	0.00%	$906,132	$924,646	$943,538	$962,816	$982,488	$1,002,561	$1,023,045	$1,043,947	$1,065,277	$1,087,042	$18,062,561
Rockport Water, Pipeline, and Storage	65%	35%	0.00%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$11,164,000
Old Town Water Projects	0%	100%	4.10%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$718,919
JSSD Water Assessment	100%	0%	0.00%	$1,019,025	$1,059,786	$1,102,177	$1,146,265	$0	$0	$0	$0	$0	$0	$12,592,676
Meter Radio Read	0%	0%	4.10%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$665,839
Judge Water Treatment	0%	0%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$4,645,248
Public Works Storage	0%	0%	0.00%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$250,000
Mountain Regional Water Connection	100%	0%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$583,657
Emergency Power Master Planning	0%	0%	4.10%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$52,050
Corrosion Study of System	0%	0%	4.10%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$52,050
Boothill Transmission Line	68%	32%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$1,871,471
Spiro Building Maintenance	0%	0%	4.10%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$102,050
Park Meadows Golf Course Water Rights	0%	0%	0.00%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$500,000
Round Valley Reservoir	0%	0%	6.50%	$22,713,363	$0	$0	$0	$0	$0	$0	$0	$0	$0	$22,713,363
Rockport Water Treatment Plant	65%	35%	6.50%	$0	$0	$0	$0	$0	$16,202,598	$0	$0	$0	$0	$16,202,598
Boothill Tank	100%	0%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$1,439,446
Deer Valley Fire Flow	0%	0%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$50,000
Solamere Pump Station Upgrade	100%	0%	6.50%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$100,000
Judge/Talisker NPDES	0%	0%	4.10%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$60,000
Total				$25,595,896	$2,990,373	$3,103,020	$3,220,711	$2,151,586	$18,435,054	$2,317,264	$2,406,232	$2,499,593	$2,597,594	$113,988,675
Capital Facilities Plan (CFP)				$1,603,505	$1,656,208	$1,710,785	$1,767,307	$633,732	$11,097,802	$659,892	$673,375	$687,133	$701,172	$46,560,655
Deficiency Correction (existing developent)				$837,865	$877,991	$920,431	$965,332	$1,012,846	$6,814,613	$1,116,381	$1,172,760	$1,232,474	$1,295,731	$28,812,437
Maintenance & Upkeep				$23,154,525	$456,175	$471,803	$488,072	$505,008	$522,638	$540,991	$560,097	$579,986	$600,690	$38,615,583

Source – real cost is estimated based on nominal cost from Table 12, and the annual cost inflation rate. Inflation rate is derived as discussed on page 20.

The Rockport project is planned as a way to meet demand from new development and to provide added source redundancy, needed in increasing measure as development continues. Allocation of the cost of the Rockport project is calculated on the following page, based on proportionate water demand – i.e. based on the share of project total capacity (3,100 gpm) attributable to new and existing development, for source redundancy and consumption.

Table 16 shows demand by category of beneficiary and use (consumption and redundancy). Table 17 shows source redundancy demand by beneficiary.

Table 16

ROCKPORT PROJECT - WATER DEMAND BY BENEFICIARY
Park City Water Impact Fee

Beneficiary	Build-Out Water Demand (EDU)		Water Demand by Use and Class of Beneficiary (gpm)				
	Total	% Total	Source Redundancy	New Demand	Unallocated	Total	% Total
Existing Development	5,592	80%	721		379	1,100	35%
New Development	1,363	20%	392	1,515	93	2,000	65%
Total	6,955		1,113	1,515	472	3,100	

Source – buildout water demand and new demand is from Table 9. Source redundancy is from Table 17. New demand is from Table 8. Unallocated is the remainder of total supply from the Rockport project (3,100 gpm), allocated to existing and new development based on proportionate buildout water demand.

As presently planned, Rockport shows some unallocated capacity. This is viewed by water department planners as necessary to meet unanticipated, additional demand which may be presented by new development. Considering both consumption and source redundancy, unallocated Rockport capacity may be adequate to serve roughly 270 additional service units (EDU).

The requirement for source redundancy increases as growth continues. Part of Rockport supply is planned to meet this need for both existing and new development. Source redundancy demand projected through buildout, is calculated as follows.

Table 17

ROCKPORT PROJECT- SOURCE REDUNDANCY ALLOCATION
Allocation of Added Source Redundancy by Class of Beneficiary

	Redundancy Goal (buildout)	Redundancy by Class of Beneficiary				Required New Capacity
		Existing Development			New Development	
		Actual	Goal	Shortfall		
	(gpm)					
Total Demand	7,728	6,213			1515	
Existing Supply		7,100				
Redundant Source Capacity	2,000	887	1,608	721	392	1,113
Redundancy %	26%	14%	26%		26%	

Source – total demand from Table 8. The buildout redundancy goal (2,000 gpm) is from the water master plan. Demand from existing development is from Table 8. Existing supply is from Table 18. Redundant source capacity attributable to existing development is the difference between current supply and demand. The redundancy goal for existing development is 26% of demand (equal to the city-total redundancy goal at buildout, specified by the master plan). The shortfall attributable to existing development is the difference between actual and planned redundancy. For new development, total demand is from Table 8. Redundant capacity is 26% of total demand.

The buildout redundancy goal of 2,000 gpm is defined by the water master plan and is 26% of buildout demand. Current source redundancy is 14% of demand. This means that for existing development, an additional 721 gpm is needed to achieve the goal of 1,608 gpm. The cost for that share of Rockport capacity is allocated to existing development as deficiency correction (part of the 35% allocation shown in Table 16). For new development, 392 gpm is required for redundancy (26% of projected total demand). Total redundant capacity provided by Rockport is 1,113 gpm.

Table 18 shows current source capacity. Design capacity is lower than average year capacity because design capacity is adjusted to account for reduced flows during dry years.

Note in that source capacity attributable to existing development in Table 17 is conservatively estimated based on design capacity, which is consistent with water department long-range demand planning.

Table 18

CURRENT SOURCE CAPACITY (2007)
Park City Water Impact Fee

	Design Capacity	Average Year Capacity
	(gpm)	
Thiriot Springs	400	1,100
Spiro Tunnel	2,000	2,100
Judge Tunnel	700	1,400
Park Meadows Well	950	950
Divide Well	1,000	1,000
Middle School Well	1,050	1,200
JSSD Connection	1,000	1,000
Total	7,100	8,750

Source – water master plan, as updated by Water Department staff.

The contracted cost of the Rockport project is paid over a period of 40 years beginning in 2008. The project is needed specifically to meet demand from new development, and cost is therefore attributable entirely to new development. Because buildout is expected to occur earlier than expiration of the contract, the cost of the project must be amortized over a period shorter than the life of the contract (it must be amortized over the current 20 year planning period). Table 19 shows how 20 year CFP cost is matched against the longer term, 40 year, contract price.

CFP cost is calculated based on the total cost of the project, reduced by interest earnings during the 20 year amortization period. Total cost for the project is $23.5 million. Net CFP cost is $18.1 million. Earned interest reduces CFP cost by $5.4 million.

Table 19

ROCKPORT PROJECT - CFP COST
Park City Water Impact Fee

Fiscal Year	Capital Cost						CFP Cost					
							Total					
	Weber Basin District Water	Weber Basin BOR Project Water	Coanda Diversion & pump station	MR Pump Station Upgrade	MR Buy-in Cost 2008	Total	EDU	Cost per EDU	CFP Cost	Annual Net Revenue	Earned Interest	Account Balance
Annual Rate								2.04%			4.13%	
2007							68	$10,858	$740,207	$740,207	$31,884	$772,091
2008	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$11,079	$755,331	$66,462	$33,957	$872,511
2009	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$11,306	$770,763	$81,895	$38,517	$992,923
2010	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$11,537	$786,511	$97,643	$43,926	$1,134,492
2011	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$11,773	$802,581	$113,712	$50,235	$1,298,438
2012	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$12,013	$818,978	$130,110	$57,493	$1,486,042
2013	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$12,259	$835,711	$146,843	$65,757	$1,698,642
2014	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$12,509	$852,786	$163,918	$75,081	$1,937,641
2015	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$12,765	$870,210	$181,342	$85,526	$2,204,508
2016	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$13,025	$887,990	$199,121	$97,154	$2,500,783
2017	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$13,291	$906,132	$217,264	$110,029	$2,828,077
2018	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$13,563	$924,646	$235,778	$124,220	$3,188,075
2019	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$13,840	$943,538	$254,670	$139,798	$3,582,542
2020	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$14,123	$962,816	$273,947	$156,838	$4,013,328
2021	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$14,411	$982,488	$293,619	$175,417	$4,482,364
2022	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$14,706	$1,002,561	$313,693	$195,618	$4,991,675
2023	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$15,006	$1,023,045	$334,177	$217,525	$5,543,377
2024	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$15,313	$1,043,947	$355,079	$241,229	$6,139,685
2025	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$15,626	$1,065,277	$376,408	$266,823	$6,782,917
2026	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868	68	$15,945	$1,087,042	$398,173	$294,405	$7,475,495
2027	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868				($688,868)	$300,690	$7,087,316
2028	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868				($688,868)	$284,322	$6,682,770
2029	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868				($688,868)	$267,264	$6,261,165
2030	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868				($688,868)	$249,486	$5,821,783
2031	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868				($688,868)	$230,959	$5,363,873
2032	$221,425	$107,838	$71,458	$195,154	$92,994	$688,868				($688,868)	$211,651	$4,886,656
2033	$221,425	$107,838	$71,458	$195,154		$595,875				($595,875)	$193,489	$4,484,270
2034	$221,425	$107,838	$71,458	$195,154		$595,875				($595,875)	$176,522	$4,064,917
2035	$221,425	$107,838	$71,458	$195,154		$595,875				($595,875)	$158,839	$3,627,881
2036	$221,425	$107,838	$71,458	$195,154		$595,875				($595,875)	$140,411	$3,172,417
2037	$221,425	$107,838	$71,458	$195,154		$595,875				($595,875)	$121,206	$2,697,748
2038	$221,425	$107,838				$329,263				($329,263)	$106,812	$2,475,298
2039	$221,425	$107,838				$329,263				($329,263)	$97,432	$2,243,467
2040	$221,425	$107,838				$329,263				($329,263)	$87,657	$2,001,862
2041	$221,425	$107,838				$329,263				($329,263)	$77,469	$1,750,068
2042	$221,425	$107,838				$329,263				($329,263)	$66,852	$1,487,657
2043	$221,425	$107,838				$329,263				($329,263)	$55,787	$1,214,182
2044	$221,425	$107,838				$329,263				($329,263)	$44,256	$929,175
2045	$221,425	$107,838				$329,263				($329,263)	$32,238	$632,150
2046	$221,425	$107,838				$329,263				($329,263)	$19,714	$322,601
2047	$221,425	$107,838				$329,263				($329,263)	$6,661	$0
Total	$8,857,000	$4,313,500	$2,143,740	$5,854,629	$2,324,840	$23,493,709	1,363		$18,062,561	($5,431,149)	$5,431,149	

Source – annual capital cost from water department staff. Number of EDUs from Table 23. Cost per EDU is the quotient of total capital cost less earned interest, and assumes a nominal annual increase of 2.0% to maintain a constant real value (rate from Table 21). CFP cost is the product of number of EDUs and cost per EDU. Annual net revenue is the difference between CFP cost and total capital cost. Interest is calculated on the average annual balance, based on the Utah Public Treasurers Investment Fund average interest rate for the last 10 years (1997 to February 2007).

NET COST PER SERVICE UNIT (EDU)

The previous section quantifies the cost of capital facilities needed to meet demand from new development – cost per service unit or the "gross" impact fee amount.

This section quantifies the net payable impact fee, which is a lesser amount because the fee is reduced to account for revenue credits – grants earmarked for capital facilities for new development, and future debt service payments by new development for existing service provision.

This section also includes calculation of pro forma earned interest, debt service expense and debt origination fees, which together with water fund general revenue contributed to offset impact fee revenue credits and the beginning water impact fee account balance (2006), go to make up the net payable impact fee.

Impact Fee Calculation

Net cost per service unit is calculated as follows.

Table 20

NET COST PER SERVICE UNIT (average)
Park City Water Impact Fee

	Total Cost	Cost per Service Unit (EDU)
Average Construction Cost per Service Unit (EDU)		$34,148
Other Eligible Costs of Service		
Grants (earmarked for new capacity)	$0	
Interest (pro forma debt)	$2,388,530	
Debt Origination & Legal Fees (pro forma debt)	$136,608	
Earned Interest	($624,811)	
Water Fund General Revenue (offset revenue credits)	($3,671,592)	
Impact Fee Account Beginning Balance	($2,037,273)	
Total		($3,806,537)
Demand from New Development (EDU)		1,363
		($2,793)
Net Cost per Service Unit (planning period average, EDU)		$31,355

Source – cost to meet demand from new development from Table 11. Grants are from Table 24. Pro forma debt interest is the difference between pro forma debt and debt P & I from Table 22. Debt origination and legal fees from Table 22. Earned interest is from Table 22. Water fund general revenue is the amount of the impact fee revenue credits from Table 21. Impact fee account beginning balance is the year-end 2006 fee account balance from Table 22. Cost per service unit is the quotient of total cost and number of new development service units from Table 9.

Table 20 shows average cost per service unit for the entire planning period. It is useful as a way to illustrate the revenue and expense components which make up the impact fee.

Actual net cost per service unit – the amount of the impact fee – is quantified on an annual basis as shown in Table 21 and Table 22 (below). The fee is calculated based on an inflation-adjusted, nominal rate which increases every year in order to maintain the assessment at a constant amount over time so the fee payers in the future are assessed at the same "real" rate as payers today.

Table 21 and Table 22 show calculation of impact fee revenue credits (the present value of future payments), debt service expense and origination fees, earned interest, and pro forma debt needed to maintain the account balance at or slightly above $0 throughout the planning period.

Calculation methodology in Table 21 and Table 22 is iterative – each year's fee amount depends on the prior year ending balance, earned interest, amount of borrowing, and debt service – and is subject to the following constraints:

- The calculated impact fee is the minimum amount required to maintain the account balance at or above $0, every year during the planning period. This means that the fee is set at a minimum amount, such that total revenue equals total spending.

- Pro Forma debt and debt service is minimized, and occurs "just-in-time". This minimizes the amount of the impact fee. (Debt is "pro forma" because an actual debt schedule has not been defined.)

- Earned interest, accrued during years in which the fee account shows a positive balance, is included as part of cash available to meet annual expenses. This also minimizes the amount of the impact fee.

- Impact fee revenue credits are assumed to be funded by the City (from non-impact fee revenue) every year, rather than at the end of the planning period. This simulates actual funding and also reduces the amount of the fee.

- The fee account shows a zero balance at the end of the planning period. This means that the fee is set at the minimum amount needed in order to meet cash flow requirements – revenue is set to match expenses, and the fee is minimized.

- Prior impact fee receipts are included by means of the beginning account balance in 2006 (Table 22). This reduces the amount of the impact fee.

- The method of fee calculation in Table 21 and Table 22 shows that this analysis is calculated in "real", constant value terms. Costs are expressed in terms of cost at the time of construction. Nominal fee amounts are escalated annually at the estimated inflation rate, so that the amount of the assessment in later years is equal in "real" terms to the assessment in year one.

Table 21

NET COST PER SERVICE UNIT (annual, page 1 of 2, EDU)

Park City Water Impact Fee

Fiscal Year	Payments For Existing Facilities	Revenue Credit (future payments for existing facilities)			Impact Fee per Service Unit (EDU)			Total Impact Fee Revenue
		Per Service Unit (EDU)		Total	Cost	Revenue Credit	Net Cost	
		Annual	Total (PV)					
Ann. Rate			4.53%		2.04%			
2006								
2007	$2,250,151	$397.56	$4,857	$331,107	$27,906	($4,857)	**$23,049**	$1,571,345
2008	$1,819,956	$317.73	$4,661	$317,785	$28,476	($4,661)	$23,815	$1,623,537
2009	$2,450,185	$422.72	$4,541	$309,549	$29,058	($4,541)	$24,517	$1,671,438
2010	$1,884,566	$321.36	$4,305	$293,457	$29,652	($4,305)	$25,347	$1,728,004
2011	$1,741,516	$293.55	$4,164	$283,859	$30,257	($4,164)	$26,094	$1,778,904
2012	$5,734,494	$955.63	$4,046	$275,807	$30,876	($4,046)	$26,830	$1,829,100
2013	$1,801,446	$296.83	$3,230	$220,208	$31,506	($3,230)	$28,276	$1,927,706
2014	$1,832,800	$298.64	$3,066	$209,037	$32,150	($3,066)	$29,084	$1,982,762
2015	$1,867,710	$300.99	$2,893	$197,231	$32,807	($2,893)	$29,914	$2,039,350
2016	$1,903,174	$303.37	$2,710	$184,722	$33,477	($2,710)	$30,768	$2,097,555
2017	$1,941,310	$306.12	$2,515	$171,477	$34,161	($2,515)	$31,646	$2,157,431
2018	$1,191,166	$185.84	$2,309	$157,435	$34,859	($2,309)	$32,550	$2,219,056
2019	$1,233,836	$190.47	$2,220	$151,328	$35,571	($2,220)	$33,352	$2,273,717
2020	$1,278,687	$195.33	$2,121	$144,615	$36,298	($2,121)	$34,177	$2,329,978
2021	$1,325,871	$200.46	$2,013	$137,251	$37,040	($2,013)	$35,027	$2,387,902
2022	$7,128,028	$1,066.67	$1,895	$129,187	$37,797	($1,895)	$35,902	$2,447,558
2023	$1,429,871	$211.81	$866	$59,028	$38,569	($866)	$37,703	$2,570,364
2024	$1,486,010	$217.93	$684	$46,609	$39,357	($684)	$38,673	$2,636,505
2025	$1,545,169	$224.36	$487	$33,192	$40,161	($487)	$39,674	$2,704,742
2026	$1,608,556	$231.27	$274	$18,708	$40,982	($274)	$40,707	$2,775,166
2027	$313,605	$45.09	$45	$0	$41,819	($45)	$0	$0
2028	$0	$0.00	$0	$0	$42,673	$0	$0	$0
2029	$0	$0.00	$0	$0	$43,545	$0	$0	$0
2030	$0	$0.00	$0	$0	$44,435	$0	$0	$0
2031	$0	$0.00			$45,343	$0	$0	$0
Total	$43,768,107			$3,671,592	$46,423,710			$42,752,118

Source – payments by new development for existing facilities from Table 25. The annual value of the per-unit revenue credit is the quotient of payments for existing facilities and total service units from Table 23. Discount rate is the three month average of state and local bond indices from the Federal Reserve Board website (H15, selected interest rates, #15 state and local bond interest rates),as of September 27, 2006. The annual per-unit revenue credit is the sum of the present value of future payments. Cost per service unit is construction cost plus interest and debt origination fees, less earned interest, and the beginning balance. Net cost is cost less revenue credits. Total impact fee revenue is the product of net cost per service unit and total new service units from Table 23. The nominal fee inflation rate is the 10 year annual change in the GDP deflator between 1995 and 2005 from Economic History Services (http://www.eh.net/hmit/gdp/ – 2005 is the most recent year for which data is available).

- The per-unit value of the revenue credit is the present value of future debt service payments for existing facilities, and future payments (by means of rate revenue) for deficiency correction items shown in Table 14 and Table 24.

- Net cost per service unit (cost per EDU) is the maximum potential impact fee – calculated each year as cost per service unit less impact fee revenue credits.

- Total impact fee revenue is the product each year, of net cost per service unit and total new service units (from Table 23).

Table 22

NET COST PER SERVICE UNIT (annual, page 2 of 2, EDU)
Park City Water Impact Fee

Fiscal Year	Pro Forma Cost, Net Fee Revenue & Fund Balance						Pro Forma Debt
	Construction Cost	Debt P & I	Debt Orig. & Legal Fees	Interest Earnings	Net Revenue	Impact Fee Account Balance	
		4.15%	1.25%	4.13%			
2006						$2,037,273	
2007	$3,974,532			$34,555	($2,037,525)	$1,917	$2,169
2008	$1,203,163	$167	$0	$8,756	$746,747	$748,664	
2009	$2,514,356	$167	$0	$13,509	($520,028)	$228,636	
2010	$1,281,913	$167	$0	$18,649	$758,029	$986,666	
2011	$1,323,037	$167	$0	$50,154	$789,713	$1,776,378	
2012	$9,150,573	$167	$66,350	$30,410	($7,081,773)	$2,631	$5,308,026
2013	$1,410,124	$507,661	$0	$314	$230,442	$233,074	
2014	$1,455,980	$507,661	$0	$10,020	$238,177	$471,251	
2015	$1,503,455	$507,661	$0	$20,044	$245,507	$716,758	
2016	$1,552,609	$507,661	$0	$30,369	$252,375	$969,133	
2017	$1,603,505	$507,661	$0	$40,976	$258,717	$1,227,850	
2018	$1,656,208	$507,661	$0	$51,844	$264,465	$1,492,315	
2019	$1,710,785	$507,661	$0	$62,767	$269,366	$1,761,680	
2020	$1,767,307	$507,661	$0	$73,885	$273,510	$2,035,190	
2021	$633,732	$507,661	$0	$109,782	$1,493,541	$3,528,731	
2022	$11,097,802	$507,661	$68,753	$68,779	($9,028,693)	$277	$5,500,239
2023	$659,892	$2,028,283	$742	$0	($59,525)	$104	$59,352
2024	$673,375	$2,049,731	$505	$0	($40,497)	$23	$40,417
2025	$687,133	$2,071,206	$258	$0	($20,663)	$0	$20,640
2026	$701,172	$2,092,702	$0	$0	($0)	($0)	
2027	$0	$0	$0	$0	$0	($0)	
2028	$0	$0	$0	$0	$0	($0)	
2029	$0	$0	$0	$0	$0	($0)	
2030	$0	$0	$0	$0	$0	($0)	
2031	$0	$0	$0	$0	$0	($0)	
Total	$46,560,655	$13,319,373	$136,608	$624,811			$10,930,842

Source – construction cost is the net cost of facilities attributable to demand from new development, as shown in Table 24. The debt interest rate and origination and legal fees rate are estimates based on rates for current PCMC debt. The interest earnings rate is the average nominal rate for the Utah Public Treasurers Investment Fund for the period of the last 10 years (1997 to 2007). FY 2006 account balance from 2006 PCMC CAFR, page 96.

- Construction cost is CFP cost (from Table 15).

- Pro Forma Debt is an estimate of debt required during years of high capital spending, needed in order to maintain the account balance above $0. (Pro forma debt can be viewed as a series of draws on a yet to be defined loan. It is "pro forma" because specific loan terms are not yet defined.)

- P & I for pro forma debt is calculated assuming that debt originated during this planning period will be extinguished by the end of this planning period – i.e. each "draw" has a different term depending on the origination year, such that each will be repaid within 20 years, or at the latest by 2031.

- Debt origination and legal fees are calculated as 1.25% of principal.

- The impact fee account balance is cumulative net revenue, derived as the sum of the beginning account balance (prior year's net impact fee revenue) total annual impact fee revenue, earned interest, and water fund revenue contributions in the amount of the impact fee revenue credit, less construction cost, debt principal and interest expense, and origination fees.

Table 23 shows calculation of the projected annual rate of new development. Total new development is derived from master plan water demand projections shown in Table 9. The rate of new development, used for calculation of interest expense for pro forma debt and for calculation of the present value of impact fee revenue credits, assumes a constant annual rate of development, where 5.0% of development potential is completed each year, until buildout.

Table 23

PROJECTED NEW DEVELOPMENT
Park City Water Impact Fee

Fiscal Year	New Service Units (EDU)		
	% of Total	Units per Year	Total
2006			5,592
2007	5.0%	68	5,660
2008	5.0%	68	5,728
2009	5.0%	68	5,796
2010	5.0%	68	5,864
2011	5.0%	68	5,933
2012	5.0%	68	6,001
2013	5.0%	68	6,069
2014	5.0%	68	6,137
2015	5.0%	68	6,205
2016	5.0%	68	6,273
2017	5.0%	68	6,342
2018	5.0%	68	6,410
2019	5.0%	68	6,478
2020	5.0%	68	6,546
2021	5.0%	68	6,614
2022	5.0%	68	6,682
2023	5.0%	68	6,751
2024	5.0%	68	6,819
2025	5.0%	68	6,887
2026	5.0%	68	6,955
2027		0	6,955
2028			6,955
2029			6,955
2030			6,955
2031			6,955
Total	100%	1,363	

Source – current total demand units and total new development from Table 9.

Table 24 shows a summary of annual planned capital spending. Note that water department planning staff anticipate no grant revenue that is either earmarked or available, to fund capacity for new development. (There have been EPA grants in the amount of $1.8 million, received between 2003 and 2006, which were used to fund capital projects for existing service provision.)

Table 24

PRO FORMA ANNUAL CAPITAL SPENDING

Park City Water Impact Fee

Fiscal Year	CIP Total Cost	Cost Attributable to New Development			Deficiency Correction	On-going Maintenance/Upkeep
		Total Cost	Grants	Net Cost		
	(real cost)					
2006						
2007	$7,277,440	$3,974,532	$0	$3,974,532	$1,460,342	$1,842,566
2008	$7,206,064	$1,203,163	$0	$1,203,163	$717,147	$5,285,754
2009	$4,471,025	$2,514,356	$0	$2,514,356	$1,346,935	$609,735
2010	$2,547,861	$1,281,913	$0	$1,281,913	$780,593	$485,355
2011	$2,473,377	$1,323,037	$0	$1,323,037	$638,672	$511,668
2012	$14,155,489	$9,150,573	$0	$9,150,573	$4,630,401	$374,516
2013	$2,494,838	$1,410,124	$0	$1,410,124	$697,919	$386,796
2014	$2,585,622	$1,455,980	$0	$1,455,980	$730,062	$399,580
2015	$2,680,367	$1,503,455	$0	$1,503,455	$764,024	$412,887
2016	$2,779,269	$1,552,609	$0	$1,552,609	$799,919	$426,741
2017	$25,595,896	$1,603,505	$0	$1,603,505	$837,865	$23,154,525
2018	$2,990,373	$1,656,208	$0	$1,656,208	$877,991	$456,175
2019	$3,103,020	$1,710,785	$0	$1,710,785	$920,431	$471,803
2020	$3,220,711	$1,767,307	$0	$1,767,307	$965,332	$488,072
2021	$2,151,586	$633,732	$0	$633,732	$1,012,846	$505,008
2022	$18,435,054	$11,097,802	$0	$11,097,802	$6,814,613	$522,638
2023	$2,317,264	$659,892	$0	$659,892	$1,116,381	$540,991
2024	$2,406,232	$673,375	$0	$673,375	$1,172,760	$560,097
2025	$2,499,593	$687,133	$0	$687,133	$1,232,474	$579,986
2026	$2,597,594	$701,172	$0	$701,172	$1,295,731	$600,690
2027						
2028						
2029						
2030						
2031						
Total	$113,988,675	$46,560,655	$0	$46,560,655	$28,812,437	$38,615,583

Source – CFP total cost, cost attributable to new development, deficiency correction and ongoing maintenance from Table 14 and Table 15. Grants are as projected by public works administrator.

Table 25 shows future payments attributable to existing service provision – payments for deficiency correction and debt service for existing facilities. This is the basis for calculation of the impact fee revenue credit in Table 21.

Table 25

PAYMENTS FOR EXISTING FACILITIES
Park City Water Impact Fee

Fiscal Year	Deficiency Correction	Debt Service	Total
2006			$0
2007	$1,460,342	$789,809	$2,250,151
2008	$717,147	$1,102,809	$1,819,956
2009	$1,346,935	$1,103,251	$2,450,185
2010	$780,593	$1,103,974	$1,884,566
2011	$638,672	$1,102,844	$1,741,516
2012	$4,630,401	$1,104,094	$5,734,494
2013	$697,919	$1,103,527	$1,801,446
2014	$730,062	$1,102,738	$1,832,800
2015	$764,024	$1,103,686	$1,867,710
2016	$799,919	$1,103,255	$1,903,174
2017	$837,865	$1,103,445	$1,941,310
2018	$877,991	$313,175	$1,191,166
2019	$920,431	$313,405	$1,233,836
2020	$965,332	$313,355	$1,278,687
2021	$1,012,846	$313,025	$1,325,871
2022	$6,814,613	$313,415	$7,128,028
2023	$1,116,381	$313,490	$1,429,871
2024	$1,172,760	$313,250	$1,486,010
2025	$1,232,474	$312,695	$1,545,169
2026	$1,295,731	$312,825	$1,608,556
2027	$0	$313,605	$313,605
2028	$0	$0	$0
2029	$0	$0	$0
2030	$0	$0	$0
2031	$0	$0	$0
Total	$28,812,437	$14,955,670	$43,768,107

Source – deficiency correction from Table 14. Debt service from Table 26. Debt service excludes the final 2006 Community Impact Board Revenue Bond payment, which occurs after the end of this planning period (2027).

Table 26 on the following page shows annual debt service payments for current water fund debt.

Table 26

CURRENT DEBT SERVICE
Park City Water Impact Fee

Fiscal Year	2002 Water Revenue Bond			2006 Comm. Impact Board Revenue Bond			Total Debt Service
	Interest	Principal	Total	Interest	Principal	Total	
2006							
2007	$270,809	$519,000	$789,809				$789,809
2008	$253,059	$537,000	$790,059	$155,750	$157,000	$312,750	$1,102,809
2009	$233,996	$556,000	$789,996	$150,255	$163,000	$313,255	$1,103,251
2010	$213,424	$577,000	$790,424	$144,550	$169,000	$313,550	$1,103,974
2011	$191,209	$599,000	$790,209	$138,635	$174,000	$312,635	$1,102,844
2012	$167,549	$623,000	$790,549	$132,545	$181,000	$313,545	$1,104,094
2013	$142,317	$648,000	$790,317	$126,210	$187,000	$313,210	$1,103,527
2014	$116,073	$674,000	$790,073	$119,665	$193,000	$312,665	$1,102,738
2015	$88,776	$702,000	$790,776	$112,910	$200,000	$312,910	$1,103,686
2016	$60,345	$730,000	$790,345	$105,910	$207,000	$312,910	$1,103,255
2017	$30,780	$760,000	$790,780	$98,665	$214,000	$312,665	$1,103,445
2018				$91,175	$222,000	$313,175	$313,175
2019				$83,405	$230,000	$313,405	$313,405
2020				$75,355	$238,000	$313,355	$313,355
2021				$67,025	$246,000	$313,025	$313,025
2022				$58,415	$255,000	$313,415	$313,415
2023				$49,490	$264,000	$313,490	$313,490
2024				$40,250	$273,000	$313,250	$313,250
2025				$30,695	$282,000	$312,695	$312,695
2026				$20,825	$292,000	$312,825	$312,825
2027				$10,605	$303,000	$313,605	$313,605
Total	$1,768,335	$6,925,000	$8,693,335	$1,812,335	$4,450,000	$6,262,335	$14,955,670

Source – debt Service from PCMC Budget Debt and Grants Department.

Cost for Atypical or Contested Impact Fee Applications

Impact fees in this analysis are calculated as the product of service unit generation rate (number of EDUs) and net cost per service unit. Net cost is from Table 1. (As an example, net cost per service unit in 2007 is $23,049.) Service unit generation rates for typical categories of new development are shown in Table 6 and Table 7.

For atypical property types and sizes, and for contested fee applications, impact fees are calculated by the Impact Fee Administrator, generally according to the following:

Net Cost per EDU × Number of EDUs = Impact Fee Amount

The Impact Fee Administrator will determine number of EDUs (the service unit generation rate) based on the most appropriate measure of building occupants using building square feet, number of employees, plumbing fixtures or other appropriate and available measures. To determine the peak water demand per occupant the Administrator will utilize the appropriate peak demand unit established by the State of Utah Division of Drinking Water (where possible).

Service unit generation calculation may also use some or all of the following parameters:

- EDU= 1,600 gpd (peak day).
- Average residential indoor demand (1,501 to 3,000 sq. ft. unit) = 0.31 EDU (496 gpd).
- Typical irrigation demand = 0.0625 EDU (100 gpd per 1000 sq. ft. irrigated area).

IMPACT FEE SPEND OR ENCUMBER DEADLINE

The City expects water impact fees to be spent within the six-year timeframe allowed by the *Fee Act*[4] if growth and capital spending follow the plan outlined in this analysis.

Table 27 shows that for the next six years, projected CFP cost substantially exceeds projected impact fee revenue – a deficit in the short-run of about -$7.3. (Over the long run, Table 22 shows that impact fee revenue exactly matches the net cost of facilities needed to meet demand from new development.)

In the event that growth in water demand does not occur as planned – for example, the rate of development and capital spending slows sufficiently so that impact fee revenue exceeds requisite capital spending – the *Fee Act* allows for the retention of collected impact fees for a time longer than six years. According to the *Fee Act*, impact fees can be held for longer time given "... an extraordinary and compelling reason why the fees should be held longer" and ""... an absolute date by which the fees will be expended."[5] In the event that the rate of development slows or construction cost for the CFP exceeds funds available to support capacity expansion, the City will hold the impact fees until sufficient funds are available to pay construction cost. In any case, the fees accumulated in the first six years of collection will be spent no later than June 30, 2022 (the exact date being dependent on the rate of growth, and total impact fees available).

Table 27

SIX YEAR IMPACT FEE ACCOUNT NET REVENUE
Park City Water Impact Fee

Fiscal Year		Impact Fee Revenue	Capital Project Construction Cost	Projected Net Revenue
Ending Bal FY2006		$2,037,273		
1	2007	$1,571,345	$3,974,532	
2	2008	$1,623,537	$1,203,163	
3	2009	$1,671,438	$2,514,356	
4	2010	$1,728,004	$1,281,913	
5	2011	$1,778,904	$1,323,037	
6	2012	$1,829,100	$9,150,573	
Total		$12,239,601	$19,447,574	($7,207,973)

Source – impact fee revenue from Table 21. FY 2006 balance and capital cost from Table 22. If net revenue is defined to include all other eligible revenue and expenses – earned interest, interest payable, debt service fees, etc. – the shortfall is also substantially negative – -$7.1 million.

[4] Utah Code Ann. §11-36-302
[5] Utah Code Ann. §11-36-302

PROPORTIONATE SHARE ANALYSIS

Impact fees in this analysis are roughly proportionate and reasonably related to the impacts caused by the planned development activity. Consistent with Section 11-36-201 (5) (b) of the *Fee Act*, the following factors have been considered in determining the amount of the impact fee:

- The cost of existing public facilities.
- The manner of financing those facilities.
- The relative extent to which the newly developed properties have already contributed to the cost of facilities.
- The relative extent to which the newly developed properties and other properties will contribute to the cost of existing public facilities in the future.
- The extent to which the newly developed properties are entitled to a credit to offset the costs of system improvements that the development will install.
- Extraordinary costs in servicing the newly developed properties, and
- The time/price differential inherent in fair comparisons of amounts paid at different times.

Cost of existing public facilities.

Not applicable. Existing facilities are not included in calculation of the impact fee, and are not part of the assessment to new development.

Manner of financing existing facilities

Financing for existing facilities has been considered in calculating the amount of the impact fee. Water department staff advise that two debt service issues are outstanding. The impact fee is reduced by a revenue credit in the amount of the present value of future payments by new development applied to that debt service.

This analysis includes a procedure for case-specific impact fee calculation. Any individual property owner who claims to have contributed to existing improvements in ways not acknowledged in this analysis may apply for a fee reduction at the time of fee payment by means of the procedure for case-specific impact fee calculation.

Relative extent to which newly developed properties and existing properties have already contributed to the cost of existing public facilities.

Existing capacity has been funded by impact fees, and possibly by some small amount of user fee revenue. New development has not contributed to the cost of existing facilities because neither impact fees nor rate revenue has been paid by new development units (rate revenue is assessed only against units which are connected to the water system, and impact fees are paid only by new units in process of construction).

Relative extent to which newly developed properties and existing properties will contribute to the cost of existing public facilities.

New development will not contribute in the future to the cost of existing facilities because the impact fee is reduced by revenue credits in the amount of the present value of future debt service payments attributable to current facilities. Future new capital facility capacity for new development will be paid by impact fees, which are attributable only to new development.

Credit for system improvements to be provided by new development.

The City has in the past obtained certain water system capital facilities by means of contribution from new development. The cost of those improvements is not included in calculation of the impact fee. To the extent that new development contributes in the future to facilities that are included in the CFP, impact fees for that particular new development project will be reduced by the value of the contributed facilities as shown in the CFP.

Extraordinary costs required to service new development.

No extraordinary costs are anticipated in servicing new development.

Time- price differential.

Past and future payments, impact fee amounts, and CFP cost, are calculated in this analysis in present value terms. The analysis will be periodically reviewed and as necessary updated, to maintain those calculations in "real" (constant value) terms.

Ordinance No. 07-34

AN ORDINANCE APPROVING AMENDMENTS TO THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, TO ADDRESS A REVISION TO CHAPTER 15-11-3 HISTORIC PRESERVATION (BOARD), ORGANIZATION.

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 reviews the General Plan and Land Management Code on an annual basis and identifies necessary amendments to the Land Management Code to address substantive revisions;

WHEREAS, Chapter 15-11-3 Historic Preservation, Organization presently requires only three (3) members of the Historic Preservation Board to constitute a quorum for purposes of taking action, including the Chairman;

WHEREAS, it is in the best interests of the public to have applications acted on in an expedient manner;

WHEREAS, in order to allow for action when the Chairman is absent, a Chairman Pro Tem should be appointed by the members present, to act as Chairman for purposes of constituting a quorum;

WHEREAS, Chapter 15-11-1 was amended in 2006 by Ordinance No. 06-09, requiring seven (7) members rather than five (5) members, but the quorum was not amended at that time;

WHEREAS, this amendment is a needed change identified since the 2006 Land Management Code revisions;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at its regularly scheduled meeting on May 23, 2007, and forwarded a positive recommendation to the City Council;

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on June 14, 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.

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

SECTION 1.INCORPORATION. The above recitals are hereby incorporated as findings of fact and conclusions of law.

SECTION 2. AMENDMENT TO CHAPTER 15-11-3 OF THE LAND MANAGEMENT CODE. Chapter 15-11-3 is hereby amended to read as attached hereto on Exhibit A, pursuant to the to the Findings of Facts, Conclusions of Law. Any conflicts or cross-references from other provisions of the LMC to Chapter 15-11-3 shall be resolved by the Planning Director.

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

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

EXHIBIT A

15-11-3. ORGANIZATION.

(A) **CHAIRMAN**. The HPB shall elect one of its members to serve as Chairman for a term of one (1) year at its first meeting in March. The Chairman may be elected to serve for one (1) consecutive additional term, but not for more than two (2) successive terms. If the Chairman is absent from any meeting where a quorum would otherwise exist, the members may appoint a Chairman Pro Tem to act as Chairman solely for that meeting.

(B) **QUORUM**. No Business shall be conducted without a quorum at the meeting. A quorum shall exist when the meeting is attended by ~~three (3)~~ four (4) of the appointed members, including the Chairman or Chairman Pro Tem.

(C) **VOTING**. All actions of the HPB shall be represented by a vote of the membership. A simple majority of the members present at the meeting in which action is taken shall approve any action taken. The Chairman or Chairman Pro Tem may vote at the meetings.

Ordinance No. 07-33

AN ORDINANCE APPROVING THE ROUNDABOUT SUBDIVISION CREATING TWO LOTS OF RECORD AT 300 DEER VALLEY LOOP ROAD, PARK CITY, UTAH.

WHEREAS, the owner of the property known as 300 Deer Valley Loop Road, has petitioned the City Council for approval of a subdivision; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 11, 2007 and May 23, 2007 to receive input on the Roundabout Subdivision.

WHEREAS, the Planning Commission, on May 23, 2007, forwarded a positive recommendation to the City Council; and

WHEREAS, on June 14, 2007 the City Council approved the Roundabout Subdivision; and

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

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 Roundabout 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 300 Deer Valley Loop Road.
2. The metes and bounds parcel is 24,877 square feet in size.
3. The property is located in the Residential (R-1) District.
4. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
5. The subdivision will create two lots of record. Lot One will be 12,658 square feet. Lot Two will be 12,219 square feet.
6. There are no existing structures on the metes and bounds parcel.
7. Access to the property is from Deer Valley Loop Road within 50 feet of Deer Valley Drive.
8. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.
9. A duplex dwelling is an allowed use in the R-1 zone.
10. The maximum height limit in the HR-1 zone is 28 feet from existing grade.
11. Minimum setbacks for the lots are 5' on the side yard, 15' in the front yard, and 10 feet in the rear yard.
12. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.

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.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision 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. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing vegetation shall be included in the Construction Mitigation Plan (CMP).
3. Prior to the receipt of a building permit for construction on the lots, the applicant shall submit a building application that will be reviewed by the Planning Department for compliance with applicable Architectural Design Guidelines and the Land Management Code.
4. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
5. The applicant stipulates to restricting the development to a single family home or duplex dwelling on each lot.
6. The footprint on each lot will not exceed 3200 square feet.
7. Shared access for the proposed lots will be accessed off of Deer Valley Loop Road.
8. An encroachment agreement will be created for improvements to the platted 3rd Street prior to building permit issuance on either lot.
9. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including the fire hydrant, bus pull-off, improvements to Deer Valley Drive, and lighting, prior to plat recordation.

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

PASSED AND ADOPTED this 14th day of June 2007.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

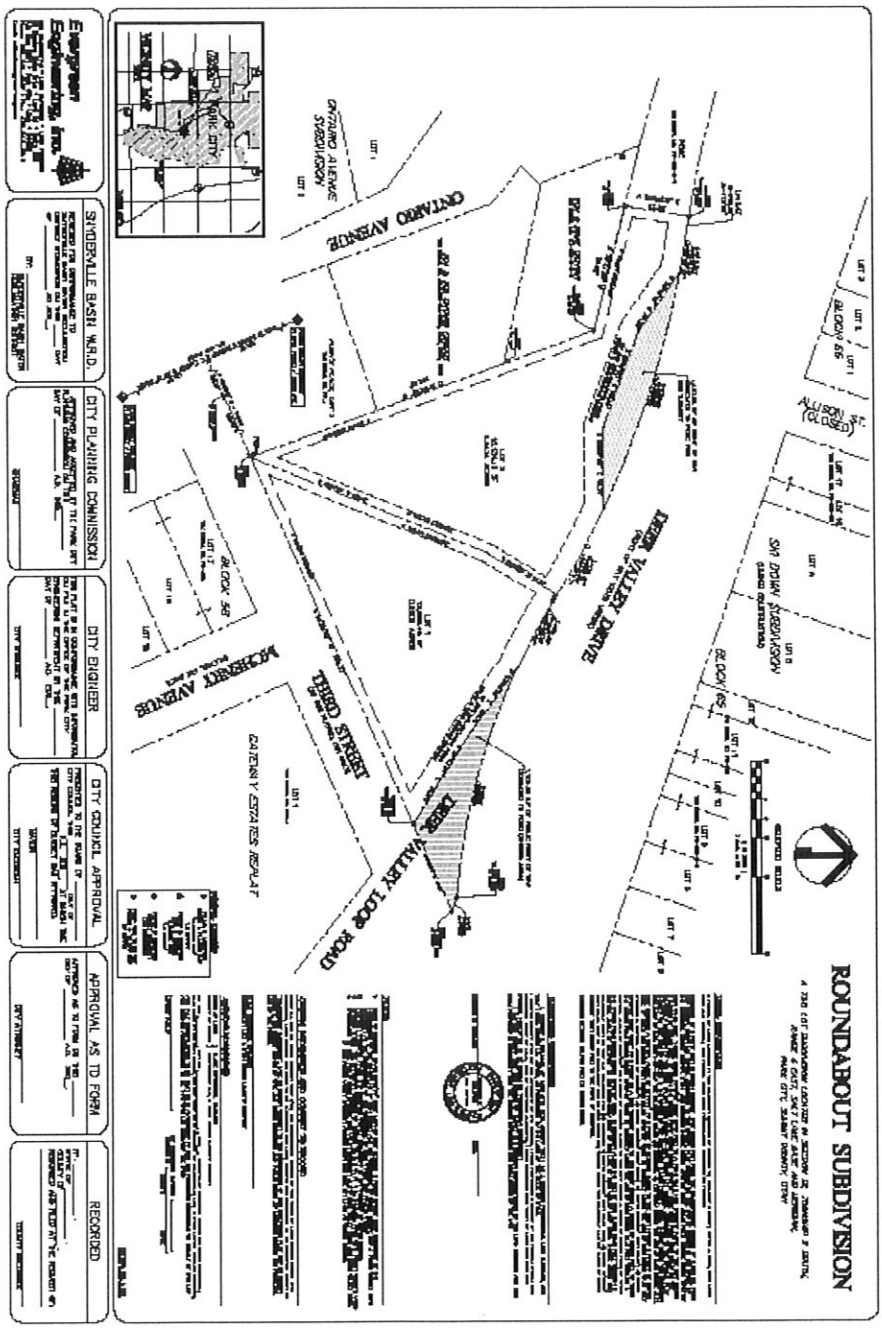
Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

Exhibit A: Proposed Subdivision



Ordinance No. 07-32

ORDINANCE ESTABLISHING COMPENSATION FOR THE MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS FOR FISCAL YEAR 2007 – 2008 IN PARK CITY, UTAH

WHEREAS, the City Council has the power to establish compensation schedules pursuant to UCA Section 10-3-818; and

WHEREAS, the number of duties for the Mayor and City Council is significant and each elected officer is required to devote considerable time and expense to public service and community affairs; and

WHEREAS, a public hearing was duly advertised and held on June 7, 2007;

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

SECTION 1. REPEALER: All previous compensation ordinances regarding elected and statutory officers hereby are repealed.

SECTION 2. COMPENSATION FOR MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS ADOPTED: The following salary levels are hereby adopted:

	FY 2006-2007
Mayor	$1,879.67 per month
City Council	$ 950.42 per month
City Manager	$110,000 - $130,700 per year
City Attorney	$105,070 - $127,000 per year
City Treasurer	$80,647 - $102,000 per year
City Engineer	$71,400 - $94,860 per year
City Recorder	$25,459 - $39,062 per year

SECTION 3. BENEFITS: The Mayor and each member of the City Council shall receive family medical insurance. This benefit may be received as cash in lieu of the insurance coverage. The Mayor shall also receive $250 per month in car allowance. In addition, the Mayor and Mayor Pro-Term shall receive $100 per wedding performed. Statutory officers are eligible for all benefits available to regular FTE, unless otherwise determined by the Mayor and City Council.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on July 1, 2007.

PASSED AND ADOPTED this 7th day of June, 2007

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark Harrington, City Attorney

Ordinance No. 07-31

AN ORDINANCE AMENDING THE ETHICS CODE, TITLE 3, CHAPTER 3 OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, Title 3, Chapter 3 of the Ethics Code has been adopted by the City Council of Park City, Utah to require campaign disclosure by City candidates; and

WHEREAS, Legal Staff has reviewed and incorporated current legislative amendments and requirements of the Utah State Code for municipalities in recommendation of the following amendments to Chapter 3 of the Ethics Code; and

WHEREAS, the City Council finds that the proposed changes to Chapter 3 of the Ethics Code are appropriate and necessary to reflect State legislative amendments and requirements, and the City's requirements, concerning municipal campaign disclosure.

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

SECTION 1. AMENDMENT TO TITLE 3, CHAPTER 3, OF THE PARK CITY MUNICIPAL CODE Title 3, Chapter 3, of the Municipal Code of Park City is hereby amended as follows and table of contents adjusted accordingly:

TITLE 3 - ETHICS

CHAPTER 3 - CAMPAIGN DISCLOSURE

3- 3- 1. PURPOSE.

It is the intent of this section to encourage candidates for the office of Mayor or Council member to follow the basic principles of decency, honesty, and fair play in order that, there be fairly conducted campaigns and that the citizens of Park City may exercise their constitutional right to vote, free from dishonest and unethical practices.

3- 3- 2. DEFINITIONS.

(A) **CAMPAIGN STATEMENT**. Sworn election campaign contribution and expenditure statement prepared and executed by a candidate.

(B) **CAMPAIGN COMMITTEE**. A committee of citizens formed to campaign for a specific candidate.

(C) **CANDIDATE**. Any person who:

(1) Files a declaration of candidacy for an elected office of the City; or

(2) Received contributions or made expenditures or consents to another person receiving contributions or making expenditures with a view to bringing about such person's nomination or election to such office; or

(3) Causes on his or her behalf, any written material or advertisement to be printed, published, broadcast, distributed or disseminated which indicates an intention to seek such office.

(D) **CONTRIBUTION**.

(1) Any of the following when done for political purposes:

(a) A gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value, or on behalf of a candidate, or a candidate's election committee.

(b) An express, legally-enforceable contract, promise, or agreement to make a gift, subscription, donation, loan, advance, or deposit of money or anything of value to or on behalf of a candidate, or a candidate's election committee.

(c) Any transfer of funds from a political committee, a party committee, another candidate, an officeholder, or a campaign committee to a candidate, or a candidate's election committee.

(d) Compensation paid by any person or committee, other than the candidate, or the candidate's election committee, for person services rendered for, but without charge to, the candidate or the candidate's election committee;

(e) Goods or services provided at less than fair market value to, or for the benefit of a candidate, or a candidate's election committee.

(2) For the purposes of this Chapter, contributions other than money or its equivalent shall be deemed to have a value equivalent to the fair market value of the contribution.

(3) "Contribution" does not include:

(a) services provided without compensation by an individual or individuals volunteering their time on behalf of a candidate, or a candidate's election committee;

(b) money lent to a candidate or a candidate's election committee, at market rate, in the ordinary course of business.

(E) **DISBURSEMENT**. Monies, transfers, or other withdrawals from a fund for any purpose.

(F) **EXPENDITURE**.

(1) Any disbursement from contributions, receipts or from the separate bank account as required by this Chapter; ~~in Section 3-3-3;~~

(2) A purchase, payment, donation, distribution, loan, advance, deposit, gift of money or anything of value, made by or on behalf of a candidate or a candidate's election committee for political purposes;

(3) An express, legally-enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money or anything of value, by or on behalf of a candidate or the candidate's election committee for political purposes;

(4) A transfer of funds between political or party committees and a candidate's election committee; or

(5) Goods or services provided to or for the benefit of another candidate or another candidate's election committee for political purposes at less than fair market value.

(6) Expenditure does not mean services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate.

(G) **ELECTION OFFICIAL**. The City Recorder or designee.

(H) **FINANCIAL STATEMENT**. A statement disclosing contributions, expenditures, receipts, donations, or disbursements that is required by this Chapter.

(I) **POLITICAL PURPOSE**. An act done with the intent or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any candidate for public office at any primary or general election.

(J) **SUROGATE**. Any committee, party, organization, or other person or group who holds or maintains a fund for the benefit of an elected official.

3- 3- 3. SEPARATE BANK ACCOUNT REQUIRED.

(A) Each candidate or candidate's personal election committee shall deposit each contribution received in one or more separate campaign accounts in a financial institution.

(B) The candidate or candidate's personal campaign committee may use the monies in those accounts for political purposes only.

(C) A candidate or a candidate's personal campaign committee may not deposit or mingle any contributions received in a personal or business account.

(D) If a person is no longer a candidate, surplus campaign funds must be dispersed pursuant to criteria in Section 3- 3- 6 below and reported in the candidate's final campaign statement.

3- 3- 4. CONTRIBUTIONS TO CANDIDATES - LIMITATIONS.

(A) No person shall make cash contributions, the total of which exceeds fifty dollars ($50.00), during any one campaign, to any candidate or his or her authorized election campaign committee, with respect to any election for City office; however, there shall be no limit as to the amount contributed by a person or entity to an election committee or candidate if that contribution is made in the form of a personal or certified check or bank draft.

(B) The acceptance of anonymous contributions is prohibited. Any anonymous contribution received by a candidate or election committee shall be transmitted to the City Treasurer for deposit in the general fund.

3- 3- 5. CAMPAIGN CONTRIBUTIONS AND EXPENDITURES TO BE REPORTED.

Each candidate or election campaign committee must file a sworn campaign contribution and expenditure finance statement, that reports all of the candidate's itemized and total campaign contributions, including in-kind and other non-monetary contributions, and campaign expenditures, as of the reporting date; as follows:

(A) **SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE FINANCE STATEMENT - CONTENT**. The campaign finance statements shall include a detailed listing of each monetary and service contribution received and expenditure made, as follows:

(1) **Contributions**. A list of campaign contributions more than fifty dollars ($50.00) received by, or on behalf of, the candidate or his/her election committee, including:

(a) the name and address of the contributor;

(b) the date contribution was received;

(c) dollar amount contributed or fair market value of service contributed; and

(f) a net balance of contributions for the period.

(2) **Contributions Fifty Dollars ($50.00) or Less**.

(a) For all individual contributions or public service assistance $50 or less, a single aggregate figure may be reported without separate detailed listings.

(b) Two (2) or more contributions from the same source that have an aggregate total more than $50 may not be reported in the aggregate, but shall be reported separately per section (1) above.

(3) **Expenditures**. A list of expenditures made and obligations incurred as a part of the campaign effort shall include:

(a) the name and address of every recipient to whom disbursement was made;

(b) the amount expended or for each nonmonetary expenditure, the fair market value of the expenditure;

(c) the date of payment; and

(d) a net balance of expenditures for the period.

(4) **Statements Balances**. Each campaign statement shall include the net balance from the previous statement, if any, and show a net balance from the last statement plus all receipts minus all expenditures.

~~(B) **REPORTING FIRST SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE STATEMENT - DEADLINE**. Every candidate running for the office of Mayor or City Council shall file a first campaign statement with the election official at least seven (7) calendar days preceding the date of the primary election. See criteria outlined in Section (A) above.~~

(B~~C~~) **REPORTING ~~FINAL~~ SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE FINANCE STATEMENT ~~FOR~~ BY CANDIDATE(S) ELIMINATED IN PRIMARY - DEADLINE**. Those candidates eliminated in the primary election must file a final campaign finance statement with the election officer within thirty (30) calendar days after the primary election reporting campaign contributions, including in-kind and other non-monetary contributions received before the close of the reporting date, and campaign expenditures made through the close of the reporting date, pursuant to criteria outlined in ~~See~~ Section (A) ~~criteria~~ above.

The final campaign finance statement shall contain a paragraph signed by the candidate certifying that, to the best of the candidate's knowledge, all receipts and all expenditures have been reported as of the date the statement is executed, and that there are no bills or obligations outstanding and unpaid except as set forth in that report.

Refer to Section 3-3-6 below concerning disposition of surplus campaign funds.

(C~~D~~) **REPORTING ~~SECOND~~ SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE FINANCE STATEMENT PRECEDING MUNICIPAL GENERAL ELECTION - DEADLINE**. Following the primary election or in the event of no primary election, every candidate ~~still~~ eligible for the office of Mayor or City Council in the general election shall file a campaign finance statement with the election official at least seven (7) calendar days preceding the date of the general municipal election reporting campaign contributions, including in-kind and other non-monetary contributions received before the close of the reporting date, and campaign expenditures made through the close of the reporting date, pursuant to criteria outlined in ~~See~~ Section (A) ~~criteria~~ above.

(D~~E~~) **REPORTING FINAL SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE FINANCE STATEMENT - DEADLINE**. All candidates in the general election must file a final campaign finance statement with the election official within thirty (30) days after the general election reporting campaign contributions, including in-

kind and other non-monetary contributions received before the close of the reporting date, and campaign expenditures made through the close of the reporting date, pursuant to criteria outlined in ~~See~~ Section (A) ~~criteria~~ above.

The final campaign finance statement shall contain a paragraph signed by the candidate certifying that, to the best of the candidate's knowledge, all receipts and all expenditures have been reported as of the date the statement is executed, and that there are no bills or obligations outstanding and unpaid except as set forth in that report.

Refer to Section 3-3-6 below concerning disposition of surplus campaign funds.

(E~~F~~) **AMENDED FINAL SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE FINANCE STATEMENT**. In the event a candidate or candidate's campaign committee receives a contribution or makes an expenditure after the candidate's final campaign finance statement has been submitted to the election officer, an amended final sworn campaign finance statement must be filed with the election official within five (5) days of receipt of the contribution.

~~(G) **FAILURE TO FILE A CAMPAIGN CONTRIBUTION AND EXPENDITURE STATEMENT**.~~

~~(1) If a candidate fails to file an election campaign contribution and expenditure statement due before the municipal general election, the election officer shall, after making a reasonable attempt to discover if the report was timely mailed, shall,~~

~~(a) if practicable, remove the name of the candidate by blacking out the candidate's name before the ballots are delivered to voters; or~~

~~(b) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and~~

~~(c) may not count any votes for that candidate.~~

~~(2) Notwithstanding Subsection (1) above, a candidate is not disqualified if:~~

~~(a) the candidate files the reports required by this section; and~~

~~(b) those reports are completed, detailing accurately and completely the information required by this section except for inadvertent omissions or insignificant errors or inaccuracies; and~~

~~(c) those omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.~~

~~(H) **CIVIL ACTION**.~~

~~(1) Any private party in interest may bring a civil action in district court to enforce the provisions of this section or any ordinance adopted under this section.~~

~~(2) In a civil action filed under Subsection (H)(1), the court may award costs and attorney's fees to the prevailing party.~~

(Amended by Ord. No. 02-05)

3- 3- 6. DISBURSEMENT ~~DISPOSITION~~ OF SURPLUS CAMPAIGN FUNDS.

Surplus campaign funds held by the candidate or candidate's committee must be disbursed at the end of the campaign. Disbursement ~~Disposition~~ is normally accomplished by returning contributed monies or other tangible contributions to the contributor, or donating the contributions to a non-profit organization.

The disbursement ~~disposition~~ of any surplus campaign funds must be reported in the final campaign finance statement.

3- 3- 7. FAILURE TO FILE CAMPAIGN FINANCE STATEMENT.

(A) If a candidate fails to file a campaign statement before the municipal election by the deadline specified in Municipal Code Section 3-3-5(C):

(1) The election official shall if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or

(2) If removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

(3) The election official may not count any votes for that candidate.

(B) Notwithstanding Sections (A) above, a candidate who files a campaign finance statement seven (7) days before a municipal general election is not disqualified if the statement details accurately and completely the information required under Section 3-3-5(A), except for inadvertent omissions or insignificant errors or inaccuracies; and the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

3- 3- 8. NOTIFICATION BY ELECTION OFFICIAL.

The municipal clerk, recorder or election official shall, at the time the candidate for municipal office files a declaration of candidacy and again fourteen (14) days before each municipal general election, notify the candidate in writing of:

(A) the provisions of this Chapter and U.C.A. Section 10-3-208(4), governing the disclosure of campaign contributions and expenditures;

(B) the dates when the candidate's campaign finance statement is required to be filed; and

(C) the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.

3- 3- ~~7~~9. PUBLIC INSPECTION.

The election official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall make them available as a public record open for public inspection.

3- 3- 10. CIVIL ACTION.

(A) Any private party in interest may bring a civil action in district court to enforce the provisions of this section or any ordinance adopted under this section.

(B) In a civil action filed under Subsection (A), the court may award costs and attorney's fees to the prevailing party.

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

PASSED AND ADOPTED this 31st day of May, 2007.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Ordinance No. 07-30

AN ORDINANCE APPROVING THE 2036 PROSPECTOR CONDOMINIUMS PLAT LOCATED AT 2036 PROSPECTOR AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 2036 Prospector Avenue have petitioned the City Council for approval of the 2036 Prospector Condominiums plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 9, 2007, to receive input on the 2036 Prospector Condominiums plat;

WHEREAS, the Planning Commission, on May 9, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 31, 2007, the City Council approved the 2036 Prospector Condominiums plat and

WHEREAS, it is in the best interest of Park City, Utah to approve the 2036 Prospector Condominiums 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 2036 Prospector Condominium 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 2036 Prospector Avenue.
2. 2036 Prospector Avenue is Lot 19A of the Prospector Square Subdivision.
3. The zoning is General Commercial (GC) within the Prospector Overlay.
4. The lot is 2200 square feet in size.
5. A triplex is listed as a Conditional Use within the GC zoning district.
6. A Conditional Use Permit (CUP) for a triplex at 2036 Prospector Avenue was approved on June 14, 2006 by the Planning Commission.
7. The 3 condominium units are exactly proportionate in size. Each unit has Limited Common decks of 165 square feet and a private area of 1,425.37 square feet. The Common Area for the building totals 1,379.89 square feet.
8. The findings within the Analysis section are incorporated within.

9. There is no parking required separately for this building. All properties within the Prospector Square Subdivision jointly own in common the parking lots within the subdivision.

Conclusions of Law:

1. There is good cause for this condominium 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 Prospector Subdivision shall continue to apply.
4. All conditions of approval of the Conditional Use Permit for the Triplex as approved June 14, 2006 shall continue to apply.

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

PASSED AND ADOPTED this 31st day of May, 2007.

PARK CITY MUNICIPAL CORPORATION

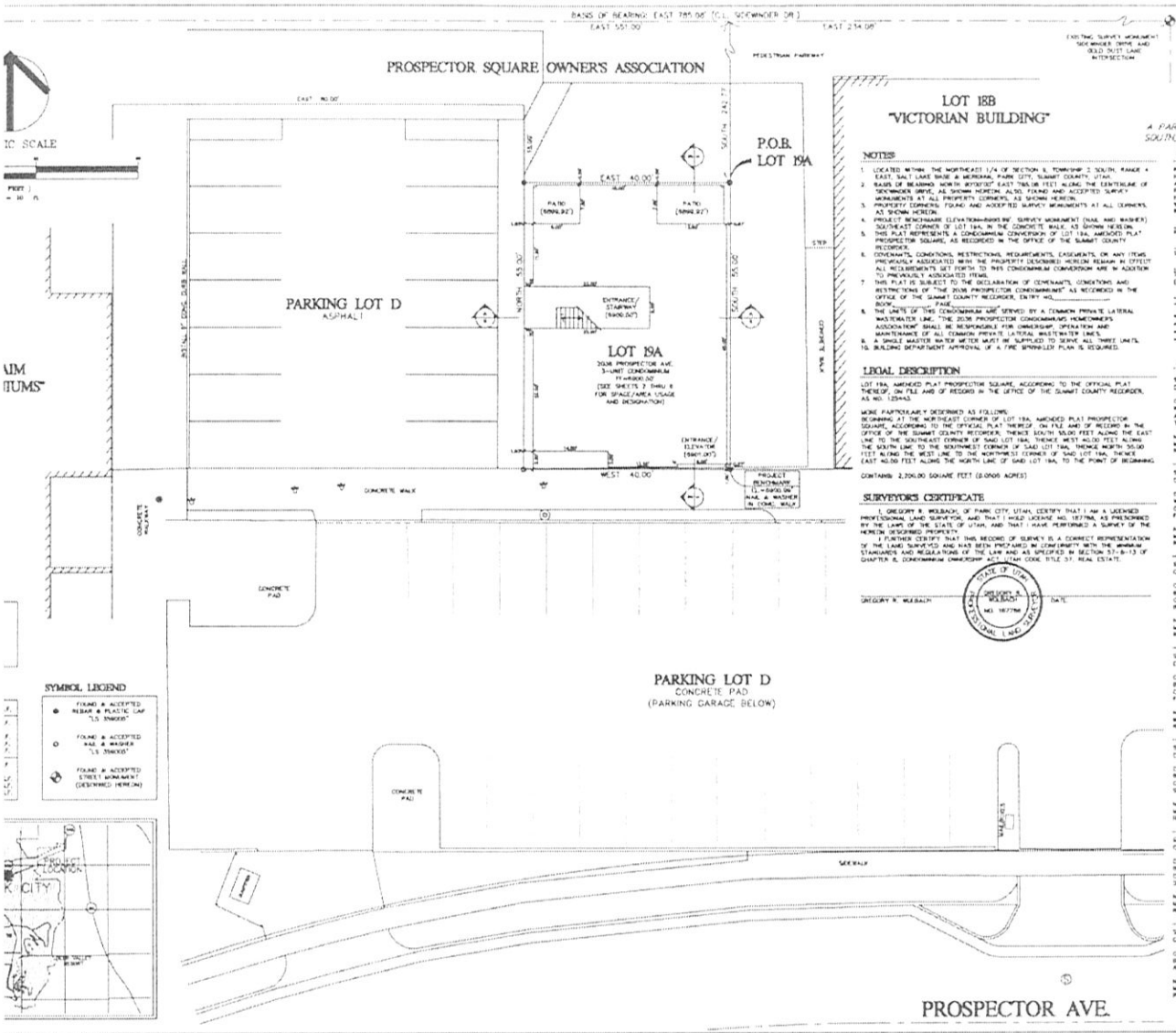
Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



RECORD OF SURVEY MAP

THE 2036 PROSPECTOR CONDOMINIUMS

– A 3 UNIT CONDOMINIUM PROJECT –

A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

NOTES

1. LOCATED WITHIN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.
2. BASIS OF BEARING: NORTH 20°30'07" EAST 795.08 FEET ALONG THE CENTERLINE OF SIDEWINDER DRIVE, AS SHOWN HEREON, ALSO, FOUND AND ACCEPTED SURVEY MONUMENTS AT ALL PROPERTY CORNERS, AS SHOWN HEREON.
3. PROPERTY CORNERS: FOUND AND ACCEPTED SURVEY MONUMENTS AT ALL CORNERS, AS SHOWN HEREON.
4. PROJECT BENCHMARK ELEVATION=6909.86', SURVEY MONUMENT (NAIL AND WASHER) SOUTHEAST CORNER OF LOT 19A, IN THE CONCRETE WALK, AS SHOWN HEREON.
5. THIS PLAT REPRESENTS A CONDOMINIUM CONVERSION OF LOT 19A, AMENDED PLAT PROSPECTOR SQUARE, AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
6. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ANY ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH IN THIS CONDOMINIUM CONVERSION ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
7. THIS PLAT IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE 2036 PROSPECTOR CONDOMINIUMS" AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, ENTRY NO. _____, BOOK _____, PAGE _____.
8. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. "THE 2036 PROSPECTOR CONDOMINIUMS HOMEOWNER'S ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.
9. A SINGLE MASTER WATER METER MUST BE SUPPLIED TO SERVE ALL THREE UNITS.
10. BUILDING DEPARTMENT APPROVAL OF A FIRE SPRINKLER PLAN IS REQUIRED.

LEGAL DESCRIPTION

LOT 19A, AMENDED PLAT PROSPECTOR SQUARE, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, AS NO. 125443.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 19A, AMENDED PLAT PROSPECTOR SQUARE, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER; THENCE SOUTH 55.00 FEET ALONG THE EAST LINE TO THE SOUTHEAST CORNER OF SAID LOT 19A; THENCE WEST 40.00 FEET ALONG THE SOUTH LINE TO THE SOUTHWEST CORNER OF SAID LOT 19A; THENCE NORTH 55.00 FEET ALONG THE WEST LINE TO THE NORTHWEST CORNER OF SAID LOT 19A; THENCE EAST 40.00 FEET ALONG THE NORTH LINE OF SAID LOT 19A, TO THE POINT OF BEGINNING

CONTAINS: 2,200.00 SQUARE FEET (0.0505 ACRES)

SURVEYORS CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187766, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HEREON DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THIS RECORD OF SURVEY IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8, CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57, REAL ESTATE.

GREGORY R. WOLBACH — DATE

STATE OF UTAH — GREGORY R. WOLBACH — NO. 187766 — PROFESSIONAL LAND SURVEYOR

OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "THE 2036 PROSPECTOR CONDOMINIUMS", CERTIFY THAT WE HAVE CAUSED THIS SURVEY TO BE MADE AND THIS RECORD OF SURVEY PLAT TO BE PREPARED. WE DO HEREBY CONSENT TO THE RECORDATION OF THIS SURVEY PLAT AND OFFER FOR DEDICATION ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED TO BE PUBLIC SHOWN HEREON IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

WE CERTIFY THAT THE BUILDING CONTAINING UNITS SHOWN ON THIS PLAT, UNDER CONSTRUCTION AT THE TIME THE PLAT IS RECORDED, WILL, WHEN COMPLETED, BE SUBSTANTIALLY AS SHOWN ON THIS PLAT.

Robert A. McCallister — Carolyn Green-McCallister

Scott B. McCallister — Jennifer McCallister

Stuart McCallister, Trustee (McCallister Revocable Family Trust) — Carol McCallister, Trustee (McCallister Revocable Family Trust)

James R. Dixey, Jr.

* Robert A. McCallister and Carolyn Green-McCallister, husband and wife as joint tenants (33.33% interest)
* Scott B. McCallister and Jennifer McCallister, husband and wife as joint tenants (22.22% interest)
* Stuart McCallister and Carol McCallister, as trustees of the McCallister Revocable Family Trust, (22.22% interest)
* James R. Dixey, Jr., a married man (22.22% interest)

ACKNOWLEDGMENTS

STATE OF _____ } Robert A. McCallister
COUNTY OF _____ }

ON THE _____ DAY OF _____, 2007, PERSONALLY APPEARED BEFORE ME Robert A. McCallister, WHO BEING BY ME DULY SWORN, DID SAY THAT HE AND Carolyn Green-McCallister, HUSBAND AND WIFE AS JOINT TENANTS, ARE OWNER'S OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT HE AUTHORIZES THE FOREGOING INSTRUMENT.

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

STATE OF _____ } Carolyn Green-McCallister
COUNTY OF _____ }

ON THE _____ DAY OF _____, 2007, PERSONALLY APPEARED BEFORE ME Carolyn Green-McCallister, WHO BEING BY ME DULY SWORN, DID SAY THAT SHE AND Robert A. McCallister, HUSBAND AND WIFE AS JOINT TENANTS, ARE OWNER'S OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT SHE AUTHORIZES THE FOREGOING INSTRUMENT.

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

STATE OF _____ } Scott B. McCallister
COUNTY OF _____ }

ON THE _____ DAY OF _____, 2007, PERSONALLY APPEARED BEFORE ME Scott B. McCallister, WHO BEING BY ME DULY SWORN, DID SAY THAT HE AND Jennifer McCallister, HUSBAND AND WIFE AS JOINT TENANTS, ARE OWNER'S OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT HE AUTHORIZES THE FOREGOING INSTRUMENT.

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

STATE OF _____ } Jennifer McCallister
COUNTY OF _____ }

ON THE _____ DAY OF _____, 2007, PERSONALLY APPEARED BEFORE ME Jennifer McCallister, WHO BEING BY ME DULY SWORN, DID SAY THAT SHE AND Scott B. McCallister, HUSBAND AND WIFE AS JOINT TENANTS, ARE OWNER'S OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT SHE AUTHORIZES THE FOREGOING INSTRUMENT.

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

STATE OF _____ } Stuart McCallister, Trustee
COUNTY OF _____ } McCallister Revocable Family Trust

ON THE _____ DAY OF _____, 2007, PERSONALLY APPEARED BEFORE ME Stuart McCallister, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS ONE OF THE TWO TRUSTEES OF THE McCallister Revocable Family Trust, OWNER'S OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF SAID TRUST.

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

STATE OF _____ } Carol McCallister, Trustee
COUNTY OF _____ } McCallister Revocable Family Trust

ON THE _____ DAY OF _____, 2007, PERSONALLY APPEARED BEFORE ME Carol McCallister, WHO BEING BY ME DULY SWORN, DID SAY THAT SHE IS ONE OF THE TWO TRUSTEES OF THE McCallister Revocable Family Trust, OWNER'S OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT SHE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF SAID TRUST.

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

STATE OF _____ } James R. Dixey, Jr.
COUNTY OF _____ }

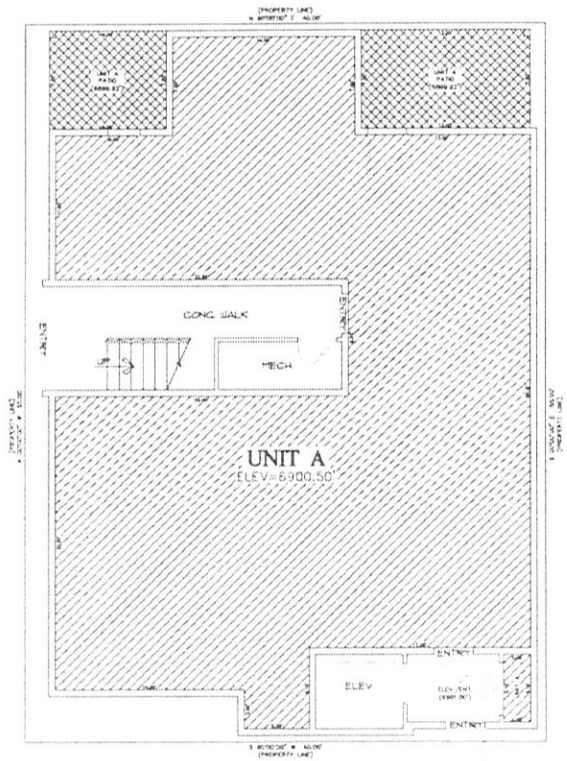
ON THE _____ DAY OF _____, 2007, PERSONALLY APPEARED BEFORE ME James R. Dixey, Jr., WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS AN OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT.

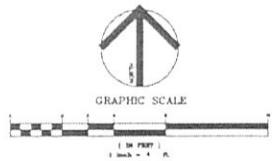
NOTARY PUBLIC
MY COMMISSION EXPIRES _____
RESIDING IN _____ COUNTY, _____ STATE

RECEIVED
MAR 20 2007
RECORDED
PARK CITY
PLANNING DEPT.

Inc.
* Land Planning
* Suite 200
* 84060
435-649-9219

CITY ENGINEER	SNYDERVILLE BASIN W.R.D.	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	CITY COUNCIL APPROVAL	
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 2007.	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ AD 2007.	APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 2007	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 2007	PRESENTED TO THE BOARD OF PARK CITY CITY COUNCIL THIS _____ DAY OF _____ A.D. 2007 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	N°. _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF
CITY ENGINEER	BY: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CHAIRMAN	CITY ATTORNEY	MAYOR / CITY RECORDER	COUNTY RECORDER





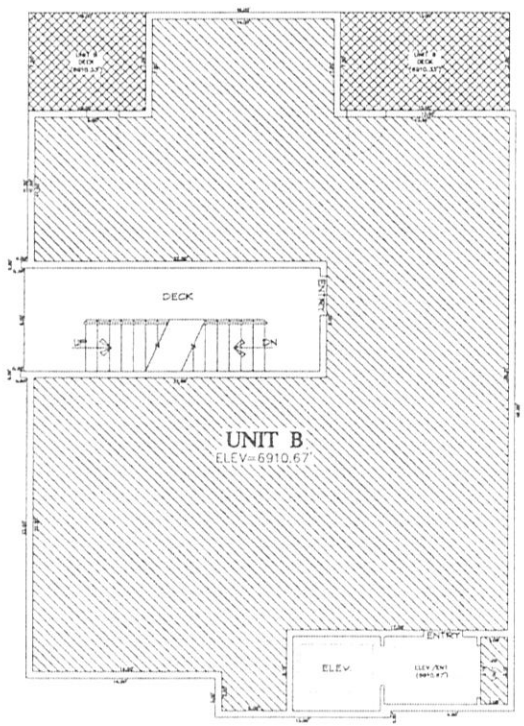
HATCHING LEGEND

- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

AREA TABULATIONS

LEVEL 1 – UNIT A		
PRIVATE AREA	–	1,425.37 SF
LIMITED COMMON AREA	–	165.00 SF

LEVEL 1 –		
COMMON AREA	–	609.63 SF



GRAPHIC SCALE

HATCHING LEGEND

- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

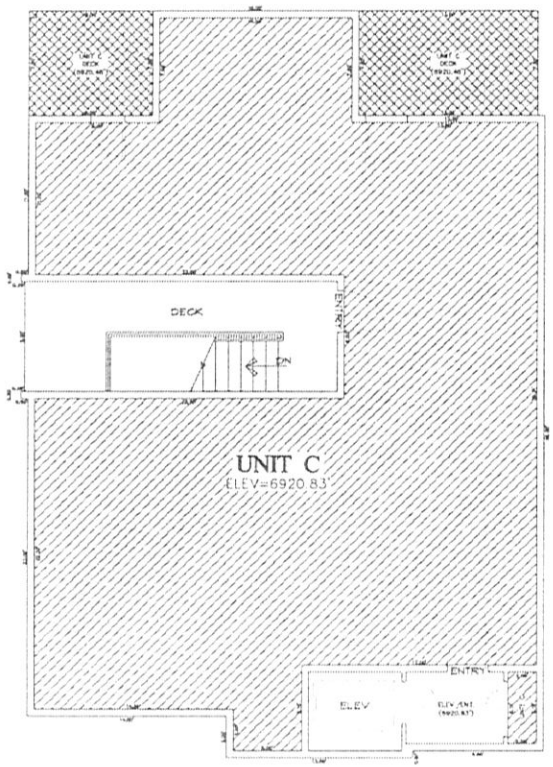
AREA TABULATIONS

LEVEL 2 – UNIT B		
PRIVATE AREA	–	1,425.37 SF
LIMITED COMMON AREA	–	165.00 SF

LEVEL 2 –		
COMMON AREA	–	385.13 SF

RECEIVED
MAR 20 2007
PARK CITY
PLANNING DEPT.

NO.
DATE
STATE OF
CITY OF
RECORDED AT THE REQUEST OF
FEES
CITY RECORDER



GRAPHIC SCALE

(IN FEET)

HATCHING LEGEND

- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

AREA TABULATIONS

LEVEL 3 – UNIT C		
PRIVATE AREA	–	1,425.37 SF
LIMITED COMMON AREA	–	165.00 SF

LEVEL 3 –		
COMMON AREA	–	385.13 SF

Ordinance No. 07-29

AN ORDINANCE APPROVING THE 260 MAIN STREET SUBDIVISION COMBINING PORTIONS OF LOTS 14 AND 15 OF BLOCK 70 AND PORTIONS OF LOTS 14 AND 15 OF BLOCK 21 OF THE PARK CITY SURVEY, PARK CITY, UTAH, INTO ONE LOT OF RECORD.

WHEREAS, the owner of the property known as 260 Main Street, has petitioned the City Council for approval of a plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 9, 2007, to receive input on the 260 Main Street Subdivision.

WHEREAS, the Planning Commission, on May 9, 2007, forwarded a positive recommendation to the City Council; and

WHEREAS, on May 31, 2007 the City Council approve the 260 Main Street Subdivision; and

WHEREAS, it is in the best interest of Park City Utah to approve the 260 Main Street Subdivision.

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 260 Main Street Subdivision as shown in Exhibit B 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 260 Main Street.
2. The zoning is Historic Commercial Business (HCB).
3. The HCB zone is a commercial business zone characterized by a mix of commercial, residential, recreational and institutional uses that enhance and foster the economic and cultural vitality of the City.
4. The amendment will combine portions of Lots 14 and 15 of Block 70 and portions of Lots 14 and 15 in Block 21 of the Park City Survey into one lot of record.
5. The lot is vacant.
6. Access to the property is from Main Street and Swede Alley.

7. The proposed lot measures approximately 30' x 115.26'.
8. The proposed lot is 3,514 square feet in size.
9. The minimum lot size in the HCB zone is 1,250 square feet.
10. Dedication of a street right-of-way has been offered to the city measuring 20 feet westerly of the centerline of the existing asphalt of Swede Alley.
11. Minimal construction staging area is available along Swede Alley and Main Street.
12. The applicant may measure the maximum building volume and height from the original rear yard property line as it existed prior to the right-of-way dedication. The rear building plane may rise vertically from the new rear property line 31'5" from the average natural grade

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.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision 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. 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 will be void.
4. The applicant will record the plat amendment at the County prior to issuance of a building permit.
5. Future building plans must respect the existing easement for vehicular ingress and egress for the neighboring building at 268 Main Street, as recorded.
6. The applicant will submit a flood proofing certificate for new construction prior to issuance of a building permit.
7. The applicant will submit a trash collection and storage plan for new construction prior to issuance of a building permit.
8. Building plans will include a fire sprinkler system that is compliant with the modified 13-D regulations.

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

PASSED AND ADOPTED this 31st day of May 2007.

PARK CITY MUNICIPAL CORPORATION

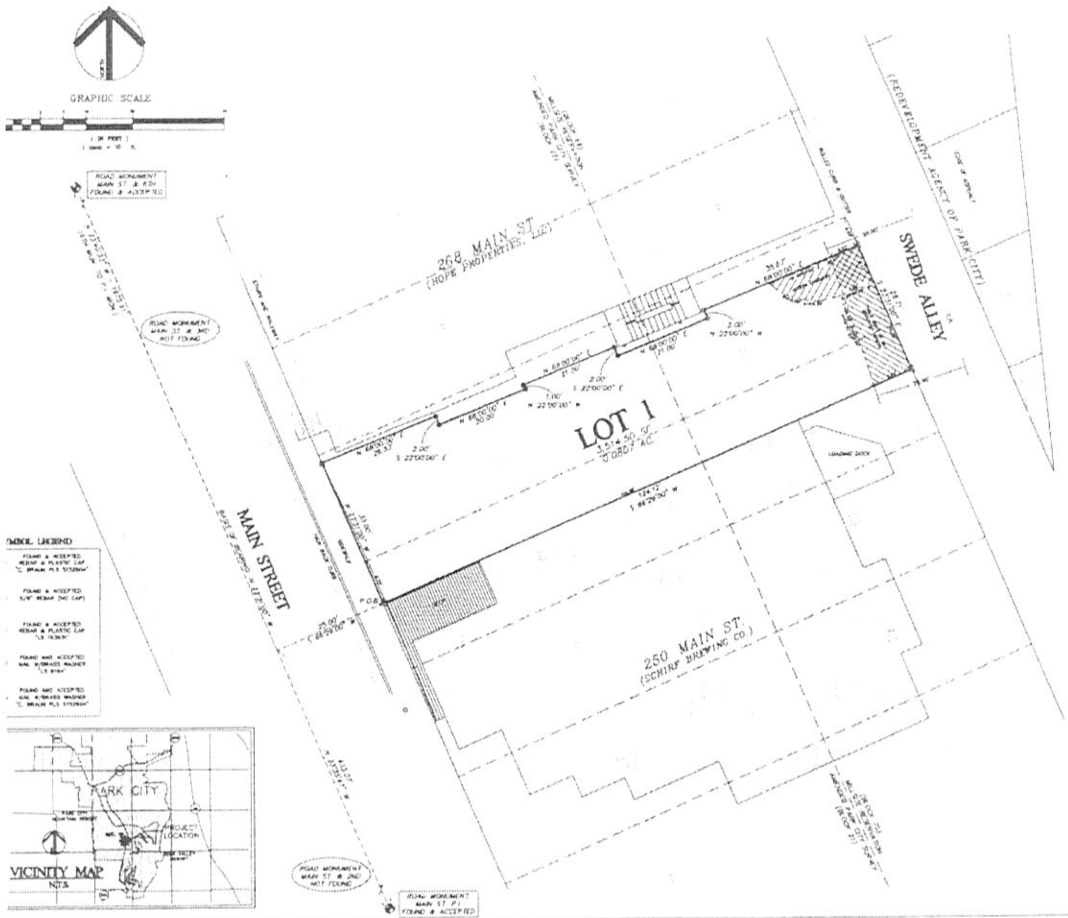
Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



FINAL SUBDIVISION PLAT

260 MAIN STREET SUBDIVISION

— A SINGLE LOT SUBDIVISION —

A PARCEL OF LAND LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION

EXISTING ACCESS EASEMENT

NARRATIVE

SURVEYOR'S CERTIFICATE

OWNERS DEDICATION AND CONSENT TO RECORD

ACKNOWLEDGMENT

Evergreen Engineering, Inc.

CITY ENGINEER	SNYDERVILLE BASIN W.R.D.	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	CITY COUNCIL APPROVAL	RECORDED
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF ____ A.D. 2006	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF ____ A.D. 2006 BY ____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF ____ A.D. 2006	APPROVED AS TO FORM ON THIS ____ DAY OF ____ A.D. 2006	PRESENTED TO THE BOARD OF ____ CITY COUNCIL THIS ____ DAY OF ____ A.D. 2006 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED	N° ____ STATE OF ____ COUNTY OF ____ RECORDED AND FILED AT THE REQUEST OF: ____
CITY ENGINEER		CHAIRMAN	CITY ATTORNEY	MAYOR / CITY RECORDER	COUNTY RECORDER

Ordinance No. 07-28

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

WHEREAS, Park City has an interest in promoting vibrancy and activity in the historic Main Street downtown area located in the Historic Commercial Business (HCB) and the Historic Recreation Commercial (HRC) Districts and finds it is essential to the City's long term economic and financial well-being; and

WHEREAS, Park City's Economic Development Plan identifies the following as Top Priorities: Facilitation and establishment of more "attractions/areas of interest" for both visitors and residents; Maintain and improve the balance of Sustainable Community goals by going beyond just economic initiatives to include social and environmental strategies; and Protect, preserve, and promote the historic Main Street downtown area as the heart of the region; and

WHEREAS, Park City's Economic Development Strategic Plan identifies the following as High Priorities: Further develop and market the uniqueness of Park City and why it is set apart from other mountain resort communities; Proactively target business sectors that will fill voids left by departing companies or for smart redevelopment reasons; and

WHEREAS, the proliferation of Private Clubs that do not allow the general public to access them in the HCB and HRC Districts will diminish the diverse and eclectic mix of uses and attractions necessary to sustain Park City's unique vibrant Main Street core for the general public, visitors, quests, and locals; and

WHEREAS, the City monitors the downtown business mix and sales tax generation as part of its financial health assessment and finds a diversified business mix is an element of Main Street's attractiveness and a destination center for visitors and locals; and

WHEREAS, a preliminary discussion was held at the joint Planning Commission/City Council work session on April 5, 2007 regarding legislative remedies available to ensure the continuation of a successful business mix on historic Main Street; and

WHEREAS, the "privatization" of Main Street by prohibiting the general public to have the ability to access Private Clubs will have a negative effect upon the overall economy and vitality of the downtown core as visitors find fewer businesses in which to shop or restaurants in which to eat. A reduction in visitor traffic will have a net negative impact to sales tax overall. A reduction in visitor numbers will also signal a change in the culture of Main Street into an elite area that is less inviting to the majority of Park City's visitors, guests, and locals.

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 adoption.

PASSED AND ADOPTED this 24th day of May, 2007.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

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 unless the general public may join the club, either as an annual member or a temporary visitor, and the cost of that annual membership or temporary 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 as described in Sections 4-6-2 and 4-6-3 unless the general public may join the club, either as a annual member or a temporary visitor, and the cost of that annual membership or temporary visitor card is not more than $50.00.

Ordinance No. 07-27

AN ORDINANCE APPROVING THE AMENDED PLAT OF LOTS 21 AND 22, BLOCK 26 SNYDER'S ADDITION TO THE PARK CITY SURVEY, LOCATED AT 1287 EMPIRE AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property known as Lots 21, 22, and a portion of vacated 13TH Street at 1287 Empire Avenue, has petitioned the City Council for approval of a plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 25, 2007 to receive input on the Amended plat of lots 21 and 22, Block 26 Snyder's Addition to Park City.

WHEREAS, the Planning Commission, on April 25, 2007, forwarded a positive recommendation to the City Council; and

WHEREAS, on May 17, 2007 the City Council approve the Amended plat of lots 21 and 22, Block 26 Snyder's Addition to Park City; and

WHEREAS, it is in the best interest of Park City Utah to approve the Amended plat of lots 21 and 22, Block 26 Snyder's Addition to Park City.

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 plat of lots 21 and 22, Block 26 Snyder's Addition to Park City as shown in Exhibit B is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is Lots 21, 22, and a portion of the adjacent vacated Calhoun (13th) Street of Block 26, of Snyder's Addition to the Park City Survey.
2. The zoning is Recreational Commercial (RC).
3. The property is located within two blocks of the HR-1 zone. Therefore, any future applications must meet the criteria in the Historic District Design Guidelines, per LMC Section 15-2.16-7(B).
4. The Recreation Commercial zone is characterized by a mix of contemporary residences, smaller historic homes, and condominiums.
5. The amendment will combine two lots and one parcel into two lot of record.
6. There is an existing non-historic single family home on the property.
7. Access to the property is from Empire Avenue.
8. The proposed lots measures 32.5' x 75'.
9. Each proposed lot is 2437.5 square feet in size.
10. The minimum lot size for a single family home in the RC zone is 1,875 square feet.
11. The maximum building footprint for each of the proposed lots is 1,062 square feet.

12. The maximum height limit in the RC zone for a single family home is 27 feet above existing grade.
13. Setbacks for the lot are 3' on the sides, and 10' in the front and rear.
14. Minimal construction staging area is available along Empire Avenue.
15. All other facts within the Analysis section of this report are incorporated within.

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 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. 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 will be void.
4. Demolition of the existing home on the subject lot must occur prior to plat recordation.

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

PASSED AND ADOPTED this 17th day of May 2007.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

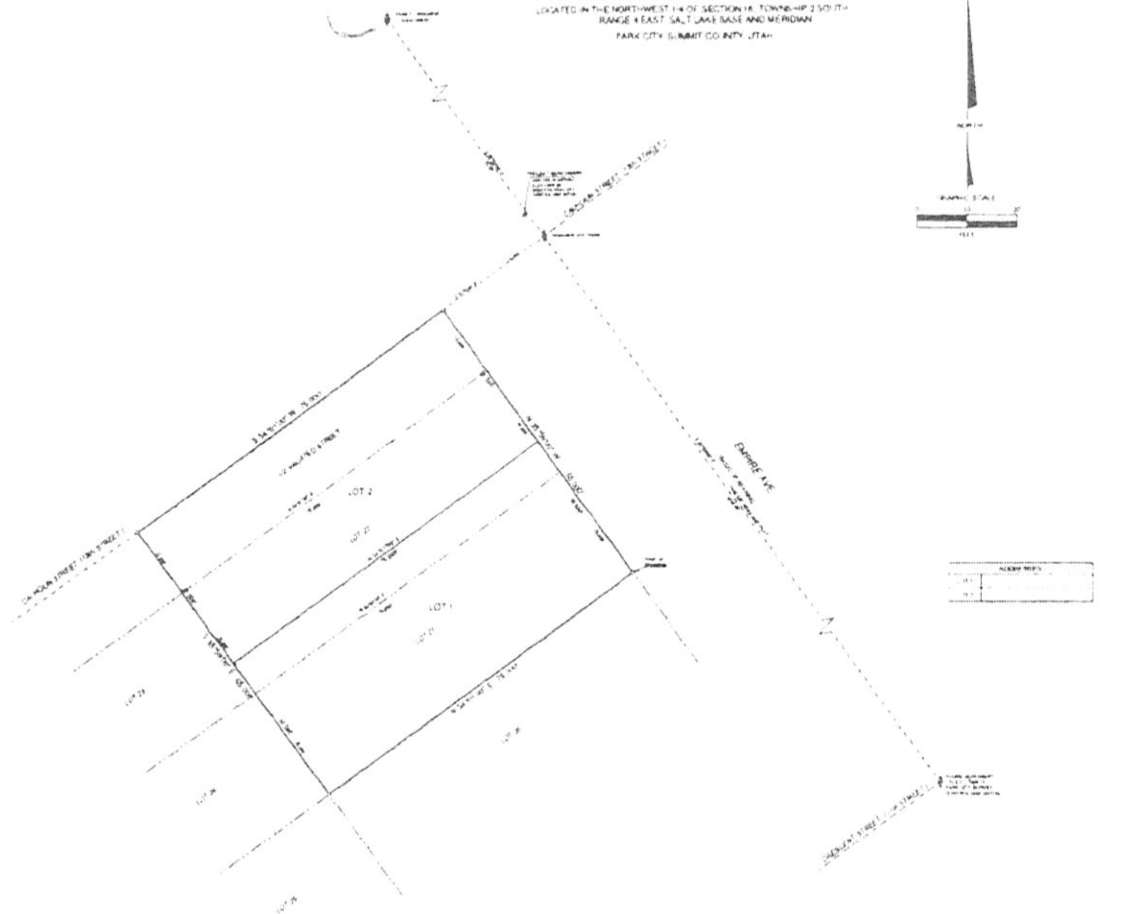
Mark D. Harrington

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

AMENDED PLAT OF LOTS 21 AND 22
BLOCK 26, SNYDERS ADDITION TO PARK CITY

LOCATED IN THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 2 SOUTH
RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYORS CERTIFICATE

AMENDED PLAT OF LOTS 21 AND 22
BLOCK 26, SNYDERS ADDITION TO PARK CITY

BOUNDARY DESCRIPTION

NARRATIVE

OWNERS DEDICATION

AMENDED PLAT OF LOTS 21 AND 22
BLOCK 26, SNYDERS ADDITION TO PARK CITY

ACKNOWLEDGEMENT

AMENDED PLAT OF LOTS 21 AND 22
BLOCK 26, SNYDERS ADDITION TO PARK CITY

LOCATED IN THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 2 SOUTH
RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

CURTIS & ASSOCIATES, INC.

SNYDERVILLE BASIN IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDER
IMPROVEMENT DISTRICT	CHAIR, PARK CITY PLANNING COMMISSION	PARK CITY ENGINEER	PARK CITY ATTORNEY	PARK CITY RECORDER	MAYOR	SUMMIT COUNTY RECORDER

Ordinance No. 07-26

AN ORDINANCE APPROVING THE MUSEUM SUBDIVISION, COMBINING AN ADJACENT PARCEL AND REPLATTING PART OF LOT 4, LOTS 5 AND 6, PART OF LOT 7, BLOCK 24 OF THE PARK CITY SURVEY, PARK CITY, UTAH

WHEREAS, the owner of the property known as 528 Main Street, has petitioned the City Council for approval of a subdivision plat for the Park City Museum to combine part of Lot 4, Lots 5 and 6, part of Lot 7 of Block 24 of the Park City Survey with an adjacent 3,144 square foot parcel to create a single lot of record, as shown in Exhibit A; and

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

WHEREAS, on April 25, 2007, the Planning Commission held a public hearing to receive public input on the proposed subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on May 17, 2007, the City Council held a public hearing on the proposed subdivision; and

WHEREAS, the proposed subdivision creates one lot of record for the historic buildings at 528 Main Street; and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision plat, creating one lot of record for the historic buildings at 528 Main Street, to allow compliance with the Land Management Code and the current Building and Fire Codes, and to allow expansion of the Park City Museum.

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 following are also adopted by City Council.

Findings of Fact

1. The property is located in the Historic Commercial Business (HCB) zone.
2. The HCB zone is a commercial zone characterized by a mix of historic and contemporary commercial structures, parking, and government uses.
3. The subdivision plat will combine two lots and parts of two adjacent lots, as well as a 3,230 sf un-platted City owned parcel into a single lot of record.
4. The property is currently occupied by the historic buildings at 528 Main Street and associated plazas, landscaping, and public access ways. A non-historic addition is located on a portion of Lot 4.

5. Access to the property is from platted Main Street as well as from Swede Alley. The property is in close proximity to the City's transit center. The pedestrian sidewalks and access ways are a hub of pedestrian activity between Main Street and Swede Alley.
6. The proposed lot is 9,704.4 square feet in lot area.
7. The minimum lot size in the HCB zone is 1,250 square feet.
8. There are no minimum setbacks in the HCB zone and the maximum building floor area ratio is 4.0.
9. Minimal construction staging area is available on the property.
10. Several construction projects are contemplated to be underway in this area, during the proposed museum expansion. Sharing off-site construction staging areas and delivery would help mitigate construction impacts on pedestrians and vehicle activity on Swede Alley and Main Street.
11. Snow removal is necessary for emergency access, and snow storage areas are necessary for good snow removal.
12. Landscaping, walkway treatment, appropriate signs, and public art will be important to both highlight the building as a museum as well as draw pedestrians from the transit center to Main Street via the pedestrian ways associated with this property.
13. The City Council is currently reviewing an amended lease for the Park City Historical Society regarding use of this 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.
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 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. Recordation of this plat is a condition precedent to receipt of a building permit for construction on this lot.
3. Recordation of this plat is conditioned on City Council approval of the amended lease for the property.
4. Approval of a Historic Design Review, for compliance with applicable Historic District Design Guidelines, is a condition precedent to issuance of a building permit on this Property.
5. Prior to the receipt of a building permit for construction on this Property, the applicant shall submit a detailed construction phasing plan and a construction mitigation plan,
6. A fire protection plan shall be included with the building permit submittal for

review and approval by the Building Department prior to permit issuance.

7. The applicant shall record the subdivision 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.
8. A landscape plan shall be submitted for the public access, plaza areas, and snow storage areas, at the time of the conditional use permit.
9. Proposals for placement of public art and historic artifacts on this Property are subject to Land Management Code requirements found in Section 15-4-15 – Outdoor Display of Works of Art on City-Owned Property.
10. Specific public use of the walkways and plazas shall be considered by the City, as property owner, and incorporated into any lease involving this Property.
11. Any proposed signs shall be reviewed for compliance with the City's Sign Code and shall be issued a sign permit prior to installation.

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

PASSED AND ADOPTED this 17th day of May 2007.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

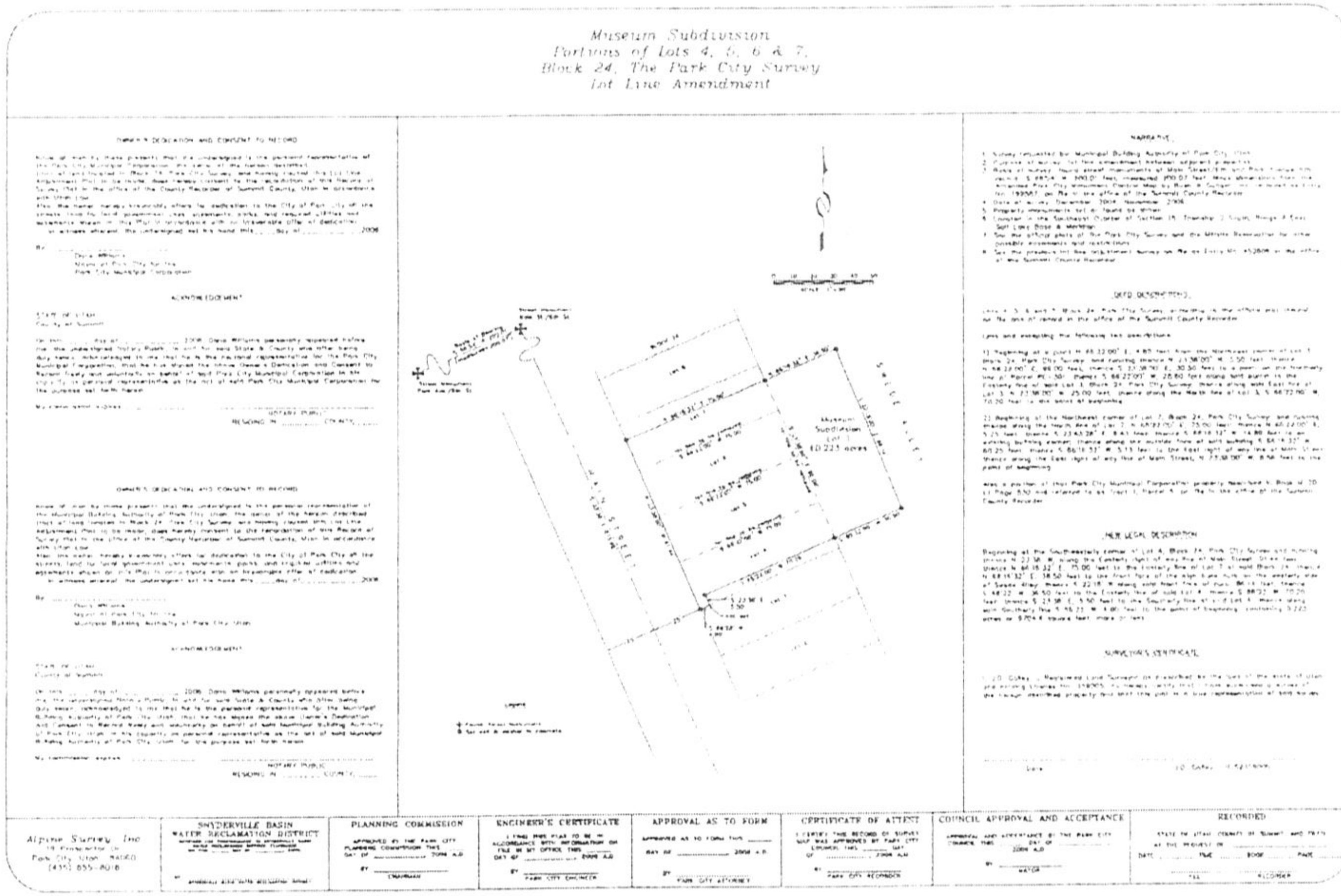
Attest:

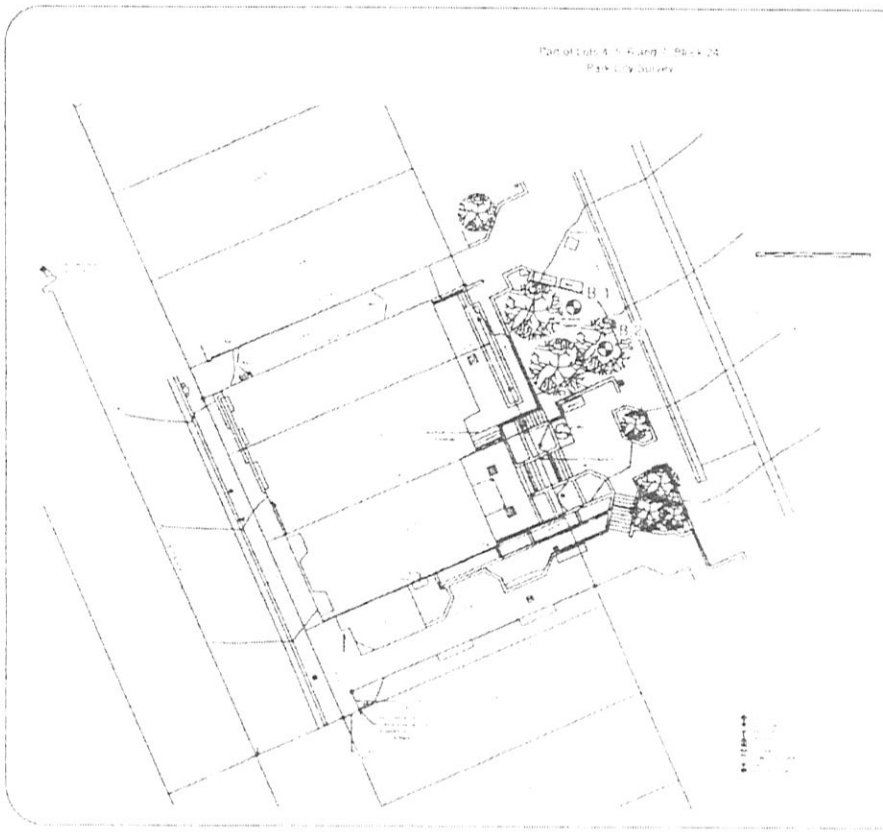
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884


Museum Subdivision
Portions of Lots 4, 5, 6 & 7,
Block 24, The Park City Survey
Lot Line Amendment
OWNER'S DEDICATION AND CONSENT TO RECORD
ACKNOWLEDGEMENT
NARRATIVE
DEED DESCRIPTIONS
NEW LEGAL DESCRIPTION
SURVEYOR'S CERTIFICATE
Alpine Survey, Inc.
Park City, Utah 84060
(435) 655-8016
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
PLANNING COMMISSION
ENGINEER'S CERTIFICATE
APPROVAL AS TO FORM
CERTIFICATE OF ATTEST
COUNCIL APPROVAL AND ACCEPTANCE
RECORDED



Legend

Existing Lot Lines

Park City Historical Society & Museum
528 Main Street
Park City, Utah 84060

EXHIBIT A

101

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of 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 5, Architectural Review); International 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 Planning Department, Planning Commission, or Historic Preservation Board 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 Planning Department, Planning Commission and/or Historic Preservation Board 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 Planning, Building, and Engineering Departments. 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 Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist

the Planning 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 Planning, Building, and Engineering Departments, 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 according to the LMC, 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 Planning 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 City Engineer, posted prior to occupancy.

13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation 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 approvals are transferable 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 Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.