

**Ordinance No. 07-50**

**AN ORDINANCE APPROVING THE CHRISTOPHER HOMES AT EMPIRE PASS  
CONDOMINIUMS, PHASE I RECORD OF SURVEY PLAT LOCATED AT LOT 2 OF THE  
SILVER STRIKE SUBDIVISION, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Christopher Homes at Empire Pass Condominiums, Phase I, Lot 2 of the Silver Strike Subdivision, have petitioned the City Council for approval of the Christopher Homes at Empire Pass Condominiums, Phase I record of survey; and

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

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

WHEREAS, the Planning Commission held a public hearing on August 8, 2007, to receive input on the Christopher Homes at Empire Pass Condominiums, Phase I record of survey;

WHEREAS, the Planning Commission, on August 8, forwarded a positive recommendation to the City Council; and,

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

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The Christopher Homes at Empire Pass Condominiums, Phase I record of survey as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located on Lot 2 of the Silver Strike subdivision.
2. The Christopher Homes Condominiums is located in the RD-MPD zoning district.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.
4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The MPD identified the area of this proposed subdivision as the location for 18 PUD-style detached single family homes, similar to the Paintbrush units currently under construction in other parts of Empire Pass.
5. On June 29, 2006, the City Council approved the Silver Strike Subdivision creating two lots of record. Lot 1 is 4.37 acres in size while lot 2 contains 1.99 acres.
6. The approved maximum house size is 5,000 square feet of Gross Floor Area, as defined by the LMC. An additional 600 square feet is allowed for a garage.
7. At the time of final construction and re-platting all floor area including basement area and garage space greater than the 600 square foot exception will be counted towards the Unit Equivalents allowed by the Flagstaff Development Agreement.

8. The proposed record of survey is consistent with the approved Master Planned Development for the Village at Empire Pass.
9. Two parking spaces are required for each unit.
10. Each building is required to conform to the 28+5 foot height requirement of the RD zone.

Conclusions of Law:

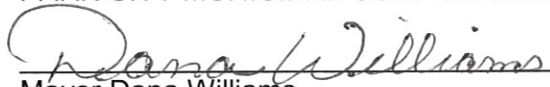
1. There is good cause for this record of survey.
2. The record of survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed record of survey.
4. Approval of the record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

Conditions of Approval:


1. The City Attorney and City Engineer will review and approve the final form and content of the record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All conditions of approval of the Village at Empire Pass Master Planned Development and the Silver Strike Subdivision plat shall continue to apply.
4. A fire protection plan requiring the use of modified 13D sprinklers is required for review by the Building Department prior to any building permit.
5. Plat Note #1 will be amended to require amending the record of survey after construction of the units. At the time of final construction and re-platting all floor area including basement area and garage space greater than the 600 square foot exception will be counted towards the Unit Equivalents allowed by the Flagstaff Development Agreement.

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

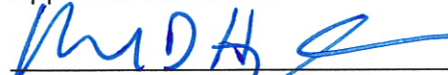
PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney







**Ordinance No. 07-49**

**AN ORDINANCE APPROVING AN AMENDMENT TO  
THE LAND MANAGEMENT CODE, 15-4-7 OF PARK CITY, UTAH, REGARDING  
ACCESSORY APARTMENTS**

WHEREAS, the Land Management Code chapter 15-4-7 presently permits the granting of accessory apartments in all zones, except the PUT zone; and

WHEREAS, the current Land Management Code (15-4-7) allows for nightly rentals of a main residence, but prohibits nightly rentals of accessory apartments, and also requires that the owner of the property reside in either the main house or the accessory apartment; and

WHEREAS, the Planning Commission conducted a work session on this issue on June 13, 2007; and

WHEREAS, the current Deed Restriction required under the present ordinance requires that the approval of an Accessory Apartment permit is automatically revoked upon sale of the property to a subsequent owner; and

WHEREAS, a one-year review of the Accessory Apartments has shown to be ineffective, and such use should be able to be reviewed anytime reasonable complaints are made; and

WHEREAS, the Planning Commission duly noticed and conducted a Public Hearing at its regularly scheduled meeting on June 25, 2007 and forwarded a positive recommendation to the City Council; and

WHEREAS, the City Council duly noticed and conducted a Public Hearing at its regularly scheduled meeting on August 9th, 2007; and

WHEREAS, the strongly expressed intent of Ordinance 94-4 originally allowing Accessory Apartments, was to create opportunities for Affordable Housing; and

WHEREAS, nightly rentals in traditional residential neighborhoods increases the intensity of use, often creating negative impacts to the neighborhood, and

WHEREAS, Accessory apartments should not be granted without a compelling reason and imposing conditions to mitigate impacts; and

WHEREAS, the city should be able to review Accessory Apartments periodically to determine if conditions imposed to mitigate impacts are continuing to be met; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to require owners of homes receiving approval for an accessory apartment to forego the ability to rent the main house nightly; and

WHEREAS, it is within the power of the City to regulate nightly rentals.

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

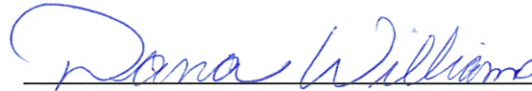
**SECTION 1. INCORPORATION.** The above recitals are hereby incorporated as Findings of Fact and Conclusions of Law.

**SECTION 2. APPROVAL OF AMENDMENT** CHAPTER 15-4-7 of the Land Management Code is hereby amended to read as attached hereto on Exhibit "A", pursuant to the Findings of Fact and Conclusions of Law. Any conflicts or cross-references from other provisions of the Land Management Code shall be resolved by the Planning Director.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be effective upon publication.

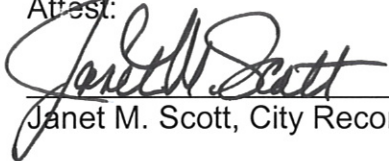
PASSED AND ADOPTED this 8<sup>th</sup> day of August, 2007

PARK CITY MUNICIPAL CORPORATION



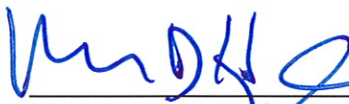
Dana Williams, Mayor

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark Harrington, City Attorney



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## EXHIBIT A

### 15-4-7. ACCESSORY APARTMENTS.

Accessory Apartments are subject to the following criteria:

#### (A) CRITERIA FOR USE.

(1) **SIZE.** Accessory Apartments may be no more than one third (1/3) of the dwelling size, shall be limited to a maximum floor Area of 1,000 square feet and shall be no less than 400 square feet with no more than two (2) Bedrooms. An Accessory Apartment may not increase the floor Area of a Structure over the maximum floor Area as specified in the Land Management Code or Subdivision approval.

(2) **PARKING.** One (1) Parking Space per Bedroom must be provided in addition to the existing requirement for the primary residence. Parking Spaces for Accessory Apartments need not be covered and may be provided in tandem subject to one of the following criteria:

(a) One (1) Parking Space for an Accessory Apartment may be provided in tandem if the existing driveway length equals or exceeds twenty-five feet (25') as measured from the Property Line. Parking is permitted only within approved garages and on paved driveways.

(b) One (1) Parking Space for an Accessory Apartment may be provided in tandem in an effort to preserve existing Significant Vegetation and when all other parking alternatives are undesirable.

(c) **Historic District Zones.** One (1) tandem Parking Space, parking one vehicle behind another, for an Accessory Apartment proposed in any residential Historic District Zone may be provided when the Applicant has secured a Conditional Use permit and the Planning Commission has made the following findings:

(i) Tandem Parking will not create an undue hardship for the neighborhood.

(ii) Other parking options are less desirable than the proposed tandem space.

(ii) Reasonable efforts, such as automatic garage door openers, lease provisions and/or limitation of garage storage, have been made to encourage the Use of all Off-Street Parking.

(3) **APARTMENTS PER LOT.** No more than one (1) Accessory Apartment may be located on a Lot.

(4) **REQUIREMENTS FOR REVIEW.** The Applicant for an Accessory Apartment must submit a floor plan, architectural elevations, and Site plan showing any proposed changes to the Structure or Site.

(5) **DENSITY LIMITS.** A permit for an Accessory Apartment may not be granted if more than three (3) of the homes within three hundred feet (300') of the Applicant's Property boundary contain other established Accessory Apartments. There may be no more than four (4) Accessory Apartment within a three hundred foot (300') radius.

(6) **OWNERSHIP.** One (1) unit, either the main Dwelling Unit or the Accessory Apartment shall be occupied by the Owner of the Structure and the Accessory Apartment shall not be sold separately.

(7) **DEED RESTRICTION.** A deed restriction "Notice to Purchaser" must be filed with the County Recorder, which states:

"A permit for an Accessory Apartment was issued to \_\_\_\_\_, the current Owner of this Property on \_\_\_\_\_. This permit ~~does not~~ runs with the land and is automatically ~~invalidated~~ transferred to the new owner by the sale or transfer of this Property, provided however, if the use by the new owner does not continue to comply with the conditions of approval, the permit may be invalidated by the Planning Department, pursuant to Chapter 15-4-7(B)(1). Prospective purchasers should be advised that only one (1) unit on the Property may be rented; the other must be occupied by the Owner.

~~Prospective purchasers who intend to reside in one of the units on the Property may apply with the Planning Department for an Accessory Apartment permit. If the Apartment already exists and all of the conditions required by zoning continue to be met, a new permit will typically be granted.~~ The Owner shall strictly adhere to all the conditions of approval and the prohibition of the ~~Use~~ rental of the accessory either Dwelling Unit Structure as a Nightly Rental for short term rentals of less than thirty (30) days.

(8) **NIGHTLY RENTALS.** ~~Accessory Apartments are intended for long term rental of thirty (30) days or more and may not be used for Nightly Rentals.~~

If an Accessory Apartment permit is granted, neither the main Dwelling Unit nor the Accessory Apartment may be rented for periods of time less than thirty (30) days.

(9) **HOMEOWNERS ASSOCIATION REGISTRATION AND NOTIFICATION.**

All Accessory Apartments shall be subject to the Homeowners Association and notification requirements established in LMC Chapter 15-1-12 (E).

(B) **REGULATED USE REVIEW.** The Planning Department shall review Accessory Apartments in those zones where the Apartments are a Regulated Use. This includes all Zoning Districts where Accessory Apartments are an Allowed Use and not a Conditional Use. After submission of a complete Application and payment of the Application fee as established by the fee schedule, the Planning Department shall approve a permit if the requested Accessory Apartment complies with the criteria for Use in Section 15-4-7 (A), established herein. ~~The Regulated Use permit shall be subject to the one (1) year review outlined in Section 15-4-7(D).~~ The Planning Department shall impose reasonable conditions to mitigate any impacts to the surrounding neighborhood.

(1) **PERMIT REVOCATION.** The Accessory Apartment permit may be revoked by the Planning Department for non-compliance with the criteria of this Chapter. The permittee may appeal the determination to the Board of Adjustment, which will evaluate the Planning Department's determination of permit non-compliance and decide if permit revocation should occur.

(C) **CONDITIONAL USE REVIEW.** In those zones where Accessory Apartments are subject to a Conditional Use permit, the Planning Commission shall review the requested Use. After submission of a complete Application and payment of the Application fee as established by the fee schedule, the Planning Commission shall approve a permit if the requested Accessory Apartment complies with the criteria established in Section 15-4-7 (A) herein. In addition, prior to issuance of a Conditional Use permit, the Planning Commission shall determine that parking and other impacts as outlined in LMC Chapter 15-1-10 have been mitigated. ~~The Conditional Use permit shall be subject to the one (1) year review outlined in Section 15-4-7(D).~~

(1) **PERMIT REVOCATION.** The Accessory Apartment permit may be revoked by the Planning Department for non-compliance with the criteria of this Chapter. The permittee may appeal the determination to the Board of Adjustment, which will evaluate the Planning Department's determination of permit non-compliance and decide if permit revocation should occur.

~~(D) **ONE YEAR REVIEW.** Both regulated Use permits and Conditional Use permits for Accessory Apartments shall be subject to a one (1) year review by the Planning Department. The review shall occur one (1) year after issuance of the Accessory Apartment permit. If no complaints have been filed and the Planning Department finds~~



~~that the Owner and tenants are complying with the conditions of the permit, then the permit may be extended until ownership of the Property is transferred. If (E)~~

~~complaints have been filed, the Planning Department shall ensure that the Owner of the Property is complying with the requirements of the Accessory Apartment permit.~~

(D) **EXISTING NON-CONFORMING ACCESSORY APARTMENTS**. Existing non-conforming Accessory Apartments may be approved by the Planning Department provided that the Accessory Apartment meets all of the criteria outlined in Section 15-4-7 (A). If the existing Accessory Apartment does not meet the criteria as specified, the Planning Commission shall review the Use. ~~Permits for non-conforming Accessory Apartments shall be subject to the one (1) year review provisions of Section 15-4-7 (D).~~ The Planning Commission shall approve the request only if the following findings can be made:

- (1) The Apartment contains no more than two (2) Bedrooms;
- (2) One (1) Parking Space per Bedroom is provided for Use by the Accessory Apartment occupants. On-Street parking shall not be counted to fulfill parking requirements;
- (3) One (1) unit is Owner-occupied; ~~and~~
- (4) Impacts of the Use can be mitigated; ~~and~~
- (5) ~~Neither Dwelling Unit is proposed to be rented for periods less than thirty (30) days.~~
- (6) ~~All significant impacts to the surrounding neighborhood are reasonably mitigated and continue to be mitigated.~~

**Ordinance No. 07-48**

**AN ORDINANCE APPROVING THE 1375 PARK AVENUE SUBDIVISION PLAT AMENDMENT LOCATED AT 1375 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 1375 Park Avenue have petitioned the City Council for approval of the 1375 Park Avenue Subdivision plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on July 25, 2007, to receive input;

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

WHEREAS, on August 9, 2007, the City Council approved the 1375 Park Avenue Subdivision plat amendment; and

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

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

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

Findings of Fact:

1. The property is located at 1375 Park Avenue in the Historic Residential (HRM) zone.
2. The HRM zone is a residential zone characterized by a mix of larger contemporary residences and smaller historic homes.
3. The applicant is the owner of two 68' x 31' metes and bounds parcels located in Block 24 of the Snyder's Addition to the Park City Survey.
4. There is an existing non-historic commercial structure on the property.
5. The applicant is proposing to join the parcels into one lot of record to accommodate a residential duplex on the property.
6. The proposed lot will be 4,061 square feet in size.
7. The maximum height for the zone is 27 feet above existing grade.
8. Access to the property comes from both Park Avenue and Woodside Avenue.
9. The applicant will be required to apply for a Determination of Historical Significance prior to any modifications being made to the existing commercial building. The application will be reviewed by the Historic Preservation Board per the requirements of LMC Chapter 15-2-11.

Conclusions of Law:

1. There is good cause for this plat amendment.

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. Prior to the issue of a building permit, the applicant shall submit for review and approval a historic district design guideline review application.
4. A determination of historical significance will be reviewed by the Historic Preservation Board, and a finding that the structure is not historically significant shall be made prior to the demolition of the building on site.
5. No remnant parcel shall be created as part of this application.

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

PASSED AND ADOPTED this 9<sup>th</sup> day of August, 2007.

PARK CITY MUNICIPAL CORPORATION

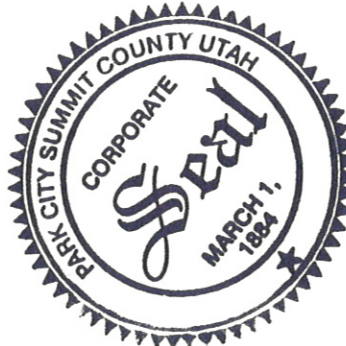
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney







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Recorded at the request of and return  
to: Park City Municipal Corp.  
Attn: City Recorder  
P. O. Box 1480, Park City, UT 84060

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

PC-705 PC-700-B-1-A  
PC-678-1-H-1

**Ordinance No. 07-47**

**AN ORDINANCE APPROVING A STREET VACATION AND PLAT AMENDMENT,  
FOR THE PROPERTY DESCRIBED AS LOTS 27-32 BLOCK 75 AND ALL OF  
LOTS 18 AND 19 OF BLOCK 76 OF THE PARK CITY SURVEY,  
ALSO KNOWN AS 147 RIDGE AVENUE SUBDIVISION, PARK CITY, UTAH**

WHEREAS, the owner of the property located at 147 Ridge Avenue has petitioned the City Council for approval of the 147 Ridge Avenue Subdivision 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 June 27, 2007, to receive input;

WHEREAS, the Planning Commission, on June 27, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 2, 2007, the City Council approved the 147 Ridge Avenue Subdivision plat amendment; and

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

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

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

Findings of Fact:

1. The property is located in the Historic Residential Low Density (HRL) zone.
2. The purpose of the HRL zone is to provide an area of lower density residential use within the old portion of Park City.
3. The applicant is the owner of lots 27-32 Block 75, and all of lots 18-19 Block 76 on the Park City Survey.
4. There is an existing historic single family home and detached concrete garage on lots 27-32, that encroach onto Platted Ridge Avenue. Lots 17 and 18 are vacant.
5. Platted Ridge Avenue separates Blocks 75 and 76.

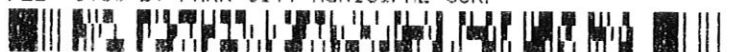
**ENTRY NO. 00830116**

11/07/2007 04:25:37 PM B: 1898 P: 0980

Ordinance PAGE 1/4

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 0.00 BY PARK CITY MUNICIPAL CORP



6. Existing Ridge Avenue runs along the east property line, switches back and bisects the property between Blocks 75 and 76 (outside of the platted r-o-w).
7. Existing King Road runs through the west side of lots 18 and 19 of Block 76.
8. The applicant is requesting a plat amendment that would combine the lots on Block 75 into one lot of record, and the lots on Block 76 into another lot of record.
9. The applicant is proposing that the City vacate the section of platted Ridge Avenue encroached upon by the existing home and garage in exchange for two street right-of-way dedication parcels along portions of existing Ridge Avenue and King Road on the platted Block 76 lots.
10. The applicant is proposing no increase in the density currently allowed on the property by the HRL zone regulations.
11. The plat amendment would create a lot of approximately 8,478 square feet, and a possible building footprint of 2,631 square feet at 147 Ridge Avenue.
12. The plat amendment would create a lot of approximately 2,250 square feet, and a possible building footprint of 991 square feet between existing King Road and Ridge Avenue.
13. The HRL zone requires a minimum lot size of 3,750 square feet.
14. On October 18, 2005 the applicant received a variance from the Board of Adjustment reducing the minimum lot size from 3,750 square feet to 2,250 square feet on lots 18 and 19 of Block 76.
15. This plat amendment enables an exchange of property between the City and the applicant that would compensate the City for the loss of square footage by conveying a like amount of square footage back.
16. As proposed, the applicant would receive approximately 2,978 square feet of platted Ridge Avenue in exchange for 1,269 square feet of the King Road lot facing King Road as well as 1,609 square feet of the King Road lot facing Ridge Avenue, for a total of 2,878 square feet.
17. The 1984 Streets Master Plan lists the platted Ridge Avenue R-O-W as "excess R-O-W" meaning it is not of significant value to the City.
18. The proposed Ridge Avenue R-O-W would measure 27 feet in width with approximately 12 feet of pavement running through it. The City Engineer has reviewed the proposed vacation, and found that the unique circumstance of the historic building encroachments into the existing R-O-W, the steep slope of the King Road lots, and the continued accessibility to adjacent properties the reduced R-O-W configuration is appropriate for the property.
19. The vacation as it stands will continue to provide access to property owners farther to the south on platted Ridge Avenue.
20. The applicant consents to the conditions of approval.

Conclusions of Law:

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



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

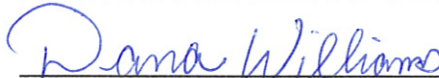
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. Prior to the issue of a building permit for either lot, the applicant shall submit for review and approval a historic district design guideline review application.
3. A note shall be added to the plat establishing the maximum footprint for 147 Ridge Avenue at 1,500 square feet.
4. A note shall be added to the plat indicating that the home shall have a modified 13-D sprinkler fire protection system installed prior to the issue of a certificate of occupancy by the Building Department.
5. 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.

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

PASSED AND ADOPTED this 2<sup>nd</sup> day of August, 2007.

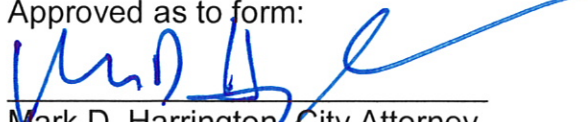
PARK CITY MUNICIPAL CORPORATION

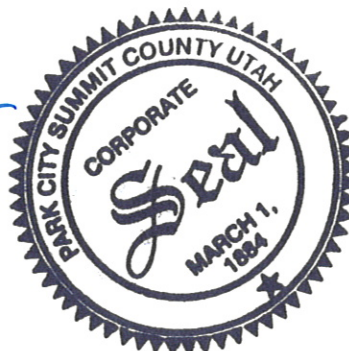
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**SURVEYOR'S CERTIFICATE**

I, John D. [Name], certify that I am a Registered Land Surveyor and that I have prepared this plat in accordance with the laws of the State of Utah. I have personally surveyed the land hereon shown and have caused the same to be surveyed and plotted in accordance with the laws of the State of Utah. I have caused the same to be surveyed and plotted in accordance with the laws of the State of Utah. I have caused the same to be surveyed and plotted in accordance with the laws of the State of Utah.

Date: \_\_\_\_\_  
 John D. [Name]  
 Surveyor

**BOUNDARY DESCRIPTION**

A parcel of land bounded in the northward by the north line of Section 21, Township 2 South, Range 4 East, Salt Lake Basin and Meridian, and parcel being more particularly described as follows: [Detailed boundary description text]

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

KNOW ALL MEN BY THESE PRESENTS that the undersigned [Name] of the County of [County], State of Utah, do hereby certify that the land hereon shown is the land of [Name] and that the same is being dedicated to the public use of the State of Utah. I, [Name], do hereby certify that the land hereon shown is the land of [Name] and that the same is being dedicated to the public use of the State of Utah.

**ACKNOWLEDGMENT**

In witness whereof, the undersigned set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.  
 [Name]  
 Owner

**PLANNING COMMISSION**

Approved by the Park City Planning Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2007 A.D.  
 [Name]  
 Chairman

**ENGINEER'S CERTIFICATE**

I, [Name], a Professional Engineer in the State of Utah, do hereby certify that the plat hereon shown is a true and correct representation of the land hereon shown and that the same is being dedicated to the public use of the State of Utah.

**APPROVAL AS TO FORM**

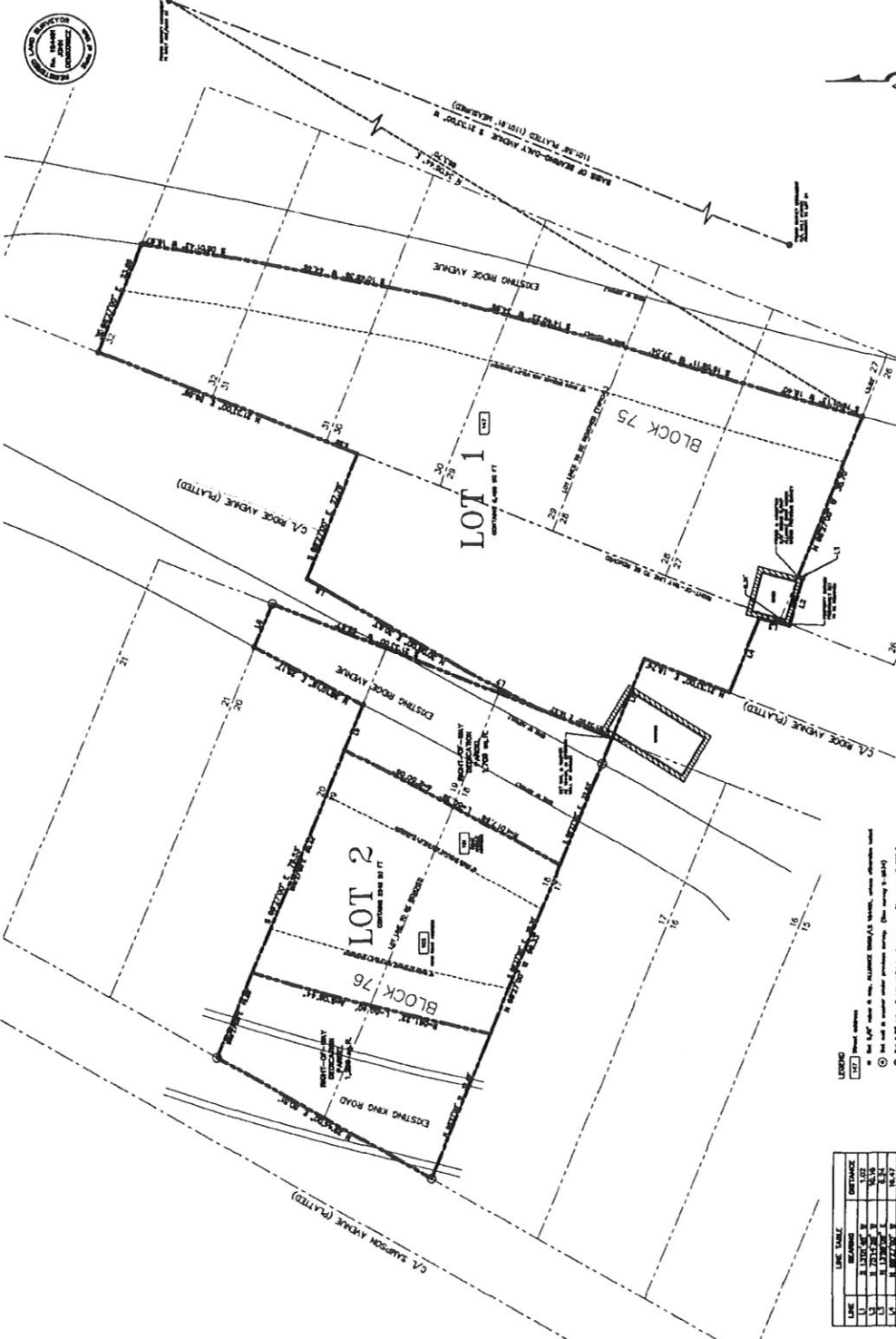
Approved as to form by the Park City Attorney on \_\_\_\_\_ day of \_\_\_\_\_, 2007 A.D.  
 [Name]  
 Park City Attorney

**CERTIFICATE OF ATTORNEY**

I, [Name], a Lawyer at Law in the State of Utah, do hereby certify that the plat hereon shown is a true and correct representation of the land hereon shown and that the same is being dedicated to the public use of the State of Utah.

**COUNCIL APPROVAL AND ACCEPTANCE**

Approved and accepted by the Park City Council on \_\_\_\_\_ day of \_\_\_\_\_, 2007 A.D.  
 [Name]  
 Mayor



**147 RIDGE AVENUE SUBDIVISION**

LOCATED IN SECTION 21  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN  
 PARK CITY, SUMMIT COUNTY, UTAH

LINE	BEARING	DISTANCE
1	S 89° 57' 00" E	120.00
2	S 00° 00' 00" E	120.00
3	S 89° 57' 00" W	120.00
4	S 00° 00' 00" W	120.00
5	S 89° 57' 00" E	120.00
6	S 00° 00' 00" E	120.00
7	S 89° 57' 00" W	120.00
8	S 00° 00' 00" W	120.00
9	S 89° 57' 00" E	120.00
10	S 00° 00' 00" E	120.00
11	S 89° 57' 00" W	120.00
12	S 00° 00' 00" W	120.00

- NOTES**
1. The boundaries depicted on this plat are for the purpose of the subdivision.
  2. The plat is subject to the provisions of the Utah Subdivision Map Act.



**Ordinance No. 07-46**

**AN ORDINANCE APPROVING THE RECORD OF SURVEY PLAT FOR THE CARIBOU LODGE ON DEER VALLY DRIVE LOCATED AT 522 DEER VALLEY DRIVE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 522 Deer Valley Drive have petitioned the City Council for approval of the Caribou Lodge on Deer Valley Drive record of survey plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on July 11, 2007, to receive input on the Caribou Lodge on Deer Valley Drive record of survey plat;

WHEREAS, the Planning Commission, on July 11, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 19, 2007, the City Council approved the Caribou Lodge on Deer Valley Drive record of survey plat and

WHEREAS, it is in the best interest of Park City, Utah to approve the Caribou Lodge on Deer Valley Drive record of survey 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 Caribou Lodge on Deer Valley Drive record of survey 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 522 Deer Valley Drive.
2. The property at 522 Deer Valley Drive is referred to as the Caribou Lodge.
3. The zoning is Residential Medium Density (RM).
4. The area of the lot is 8114.3 square feet.
5. The existing conditions comply with the 60 percent open space requirement of the zone.
6. A triplex is an allowed use within the RM zoning district.
7. The triplex at 522 Deer Valley Drive complies with the setback requirements and the open space requirements for multifamily dwellings in the RM district.
8. The LMC requires two parking spaces per unit for a triplex.

9. Each unit within the Caribou Lodge has two dedicated parking spaces within the garage.
10. The findings within the Analysis section are incorporated within.

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.

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

PASSED AND ADOPTED this 19<sup>th</sup> day of July, 2007.

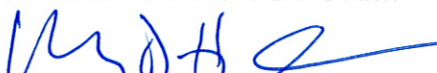
PARK CITY MUNICIPAL CORPORATION

  
Dana Williams, MAYOR

ATTEST:

  
Jan Scott, City Recorder

APPROVED AS TO FORM:

  
Mark Harrington, City Attorney

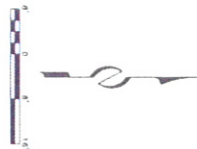




DEER VALLEY DRIVE



Table with 2 columns: Item, Description. Lists various items and their corresponding descriptions.



Map of the City of Salt Lake County, Utah, showing the location of the project.



SEWERAGE DIVISION

SEWERAGE DIVISION  
2021 11 15 10:00 AM  
2021 11 15 10:00 AM

COMPLIANT DECISION

COMPLIANT DECISION  
2021 11 15 10:00 AM  
2021 11 15 10:00 AM

OWNER'S DECISION AND COMMENT TO RECORD

OWNER'S DECISION AND COMMENT TO RECORD  
2021 11 15 10:00 AM  
2021 11 15 10:00 AM

ACKNOWLEDGMENT

ACKNOWLEDGMENT  
2021 11 15 10:00 AM  
2021 11 15 10:00 AM

RECORD OF SURVEY PLAT  
CARIBOU LODGE ON DEER VALLEY DRIVE

A COMMERCIAL PROJECT LOCATED IN SECTION 10, TOWNSHIP 2 SOUTH, PARK CITY, SALT LAKE COUNTY, UTAH



SYDNEYVILLE BASIN WATER RECLAMATION DISTRICT  
APPROVED AS TO COMPLIANCE TO SYDNEYVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DATE BY SEWER

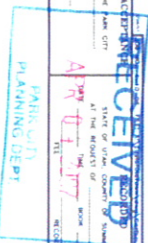
PLANNING COMMISSION  
APPROVED AS TO THE CITY PLANNING COMMISSION THIS DATE BY COMMISSION

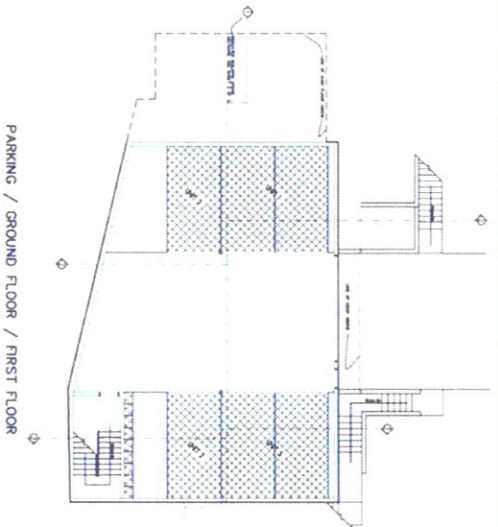
ENGINEER'S CERTIFICATE  
APPROVED AND PAID TO ME AS AN ENGINEER ON THIS DATE BY FARM CITY ENGINEER

APPROVAL AS TO FORM  
APPROVED AS TO FORM THIS DATE BY FARM CITY ATTORNEY

CERTIFICATE OF ATTORNEY  
I, CLAYTON HENDRICKSON, ATTORNEY AT LAW, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD OF SURVEY PLAT ON THIS DATE BY FARM CITY RECORDS

COUNCIL APPROVAL AND ATTENTION  
APPROVED AND ACCEPTED BY THE CITY COUNCIL ON THIS DATE BY CITY CLERK

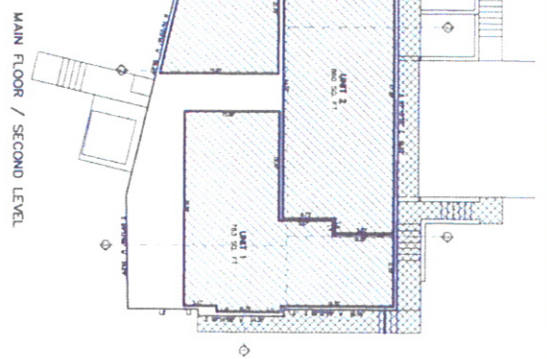




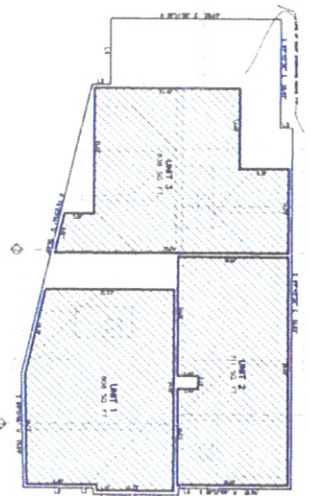
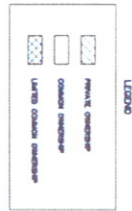
PARKING / GROUND FLOOR / FIRST FLOOR

UNIT TABLE

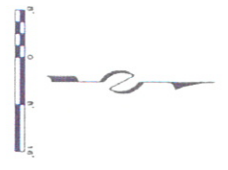
UNIT NO.	UNIT TYPE	SQ. FT.	NO. OF UNITS
101	1-BED	1,200	1
102	1-BED	1,200	1
103	1-BED	1,200	1
104	1-BED	1,200	1
105	1-BED	1,200	1
106	1-BED	1,200	1
107	1-BED	1,200	1
108	1-BED	1,200	1
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110	1-BED	1,200	1
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131	1-BED	1,200	1
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134	1-BED	1,200	1
135	1-BED	1,200	1
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138	1-BED	1,200	1
139	1-BED	1,200	1
140	1-BED	1,200	1
141	1-BED	1,200	1
142	1-BED	1,200	1
143	1-BED	1,200	1
144	1-BED	1,200	1
145	1-BED	1,200	1
146	1-BED	1,200	1
147	1-BED	1,200	1
148	1-BED	1,200	1
149	1-BED	1,200	1
150	1-BED	1,200	1



MAIN FLOOR / SECOND LEVEL



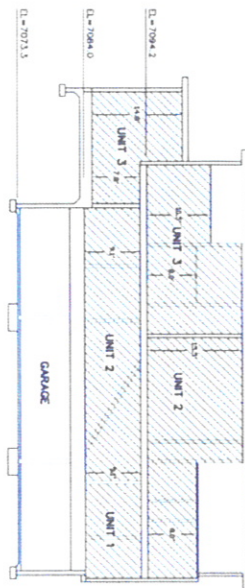
UPPER FLOOR / THIRD LEVEL



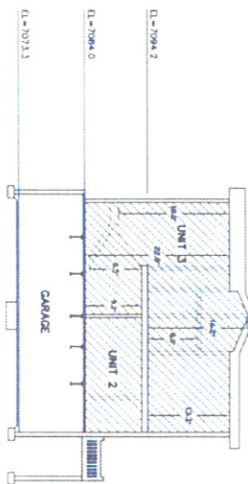
**CARIBOU LODGE ON DEER VALLEY DRIVE**



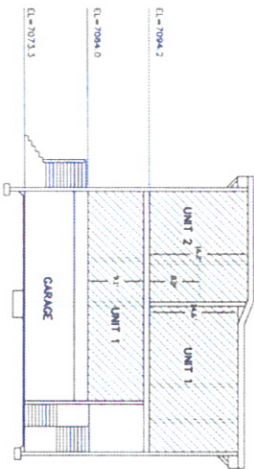
**RECEIVED**  
 PLANNING DEPT.  
 DATE: 10-20-07  
 BY: [Signature]  
 PARK CITY  
 PLANNING DEPT.



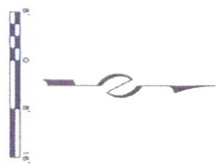
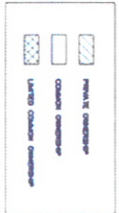
BUILDING CROSS SECTION 1



BUILDING CROSS SECTION 2



BUILDING CROSS SECTION 3



**CARIBOU LODGE ON DEER VALLEY DRIVE**



**RECEIVED**  
 APR 04 2013  
 PARK CITY  
 PLANNING DEPT.

RECORDED  
 STATE OF UTAH, COUNTY OF SUMMIT, AND PLD  
 AT THE OFFICE OF  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 TITLE \_\_\_\_\_ RECORD NO. \_\_\_\_\_

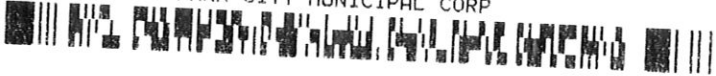
**ENTRY NO. 00820752**

07/30/2007 11:55:43 AM B: 1879 P: 1757

Ordinance PAGE 1/5

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 0.00 BY PARK CITY MUNICIPAL CORP



Recorded at the request:  
Park City Municipal Corporation  
City Recorder  
P O Box 1480  
Park City, UT 84060

Fee Exempt Per Utah Code

**Ordinance No. 07-45**

**AN ORDINANCE APPROVING A PLAT AMENDMENT TO REMOVE A PLAT NOTE FROM THE PARCEL 2- AMENDED WALTER DANIELS SUBDIVISION PLAT, LOCATED AT 615 AND 621 WOODSIDE AVENUE, PARK CITY, UTAH.**

**WHEREAS**, the owner of the properties known as 615 and 621 Woodside Avenue, has petitioned the City Council for approval of a plat amendment to remove a plat note regarding a parking easement on Lot 2 for the benefit of Lot 1 on the Parcel 2-Amended Walter Daniels Subdivision, as shown on 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 December 13, 2006 and May 23, 2007, the Planning Commission held public hearings to receive public input on the proposed plat amendment and on July 11, 2007 the Commission forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, on July 19, 2007, the City Council held a public hearing on the proposed plat amendment; and

**WHEREAS**, the proposed plat amendment removes the note that states the following, "So long as the Old Miner's Lodge remains a lodging facility, parking shown on Lot 2 shall be designated for the use and enjoyment of Lot 1, and so as not to have Merger by Deed, Park City Municipal Corporation shall be a third party beneficiary to said easement"; and

**WHEREAS**, it is in the best interest of Park City, Utah to approve the plat amendment allowing parking and egress for Lot 2 to be unencumbered by parking associated with Lot 1.

**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 as findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The property is located in the Historic Residential (HR-1) zone.



2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and a mix of smaller and larger historic homes.
3. The property at 615 Woodside consists of a 50' to 100' wide by 150' deep lot, known as Lot 1 of the "Parcel 2- Amended Walter Daniels Subdivision". The lot contains 0.26 acres.
4. On Lot 1, there is a 7,000 sf historic structure, with 12 bedrooms and 12 attached baths, previously used as a Bed and Breakfast Inn known as the Old Miner's Lodge. The structure has the appearance of a large single family house with a single entry door facing the street, a large wrap around porch, and a residential front lawn. There are no commercial signs on the property. There is no off-street parking, and no lobby or check-in areas. This structure is used as a Nightly Rental.
5. As a nightly rental, no meals, daily maid service, or concierge services are provided, and there is not a manager or owner on-site. The entire structure is rented to one person or entity and is cleaned once after the Nightly Rental is vacated.
6. The property at 621 Woodside consists of a 50' wide by 75' deep lot, known as Lot 2 of the "Parcel 2-Amended Walter Daniels Subdivision" approved by the City Council via Ordinance No. 97-45. The lot contains 3,750 square feet.
7. On Lot 2 there is a contemporary house with a two car garage setback 11' from the property line (24' from the back of curb on Woodside).
8. The structure on Lot 1, located at 615 Woodside, is an historic structure previously used as a Bed and Breakfast Inn and known as the Old Miner's Lodge. The structure located on Lot 2 is a contemporary house, previously used as a caretaker's unit for the Bed and Breakfast Inn.
9. The applicant has petitioned the City for a plat amendment to remove a plat note and parking easement from the Parcel 2- Amended Walter Daniels Subdivision plat. The existing plat note reads as follows: "So long as the Old Miner's Lodge remains a lodging facility, parking shown on Lot 2 shall be designated for the use and enjoyment of Lot 1, and so as not to have Merger by Deed, Park City Municipal Corporation shall be a third party beneficiary to said easement".
10. As of April 21, 2005, Park City business license records indicate that no Bed and Breakfast lodging use license is issued to 615 Woodside Avenue (Old Miners Lodge). These records further indicate that the Old Miners Lodge ceased Bed and Breakfast operations on August 15, 2004.
11. There is a current 2007 business license for nightly rental at 615 Woodside.
12. The applicant is the fee simple owner of 621 Woodside and owner/representative of the Grand Love Shack LLC, which is listed as the owner of 615 Woodside.
13. A Conditional Use Permit is required for Bed and Breakfast Inns, Boarding Houses, and Hotels in the HR-1 district. There are no current valid Conditional Use Permits for these uses for 615 Woodside. Nightly rental is an allowed use in the HR-1 district.
14. One reason for the note was to tie the two parcels together. This connection allowed 621 Woodside to be constructed on Lot 2, meet the setback requirements, and qualify as an "on-site" caretaker's unit for the Bed and

Breakfast Inn at 615 Woodside. The tandem parking in front of the garage for 621 Woodside was made available to the Old Miner's Lodge by including a note and parking easement on the plat. This easement helped mitigate parking impacts of the Old Miner's Lodge on the neighborhood. The parking was managed by the caretaker.

15. The house at 621 Woodside is no longer a caretaker's unit for 615 Woodside. This house is on the market to be sold separately from 615 Woodside.
16. The applicant is requesting the plat note be removed because 621 Woodside is now a single family house that may be used as a single family house and/or for nightly rentals as an allowed use, and is not a caretaker's unit for 615 Woodside.
17. On April 15, 2005, the Park City Building Department inspected the structure at 615 Woodside and filled out an inspection report as part of the Nightly Rental licensing process. The inspection report stated that the structure: "Was a Bed and Breakfast. Currently a single family residence/owner occupied. May re-open in the fall as a Nightly Rental."
18. Notice of this hearing was sent to property owners within 300' on November 22, 2006 and April 20, 2007. The property was properly posted and legal notice was published in the Park Record according to requirements of the Land Management Code.
19. On December 13, 2006, and on May 23, 2007, the Commission conducted public hearings and discussed this item. There was no public input provided at the meeting. On May 23, 2007, the Commission directed staff to draft findings for a positive recommendation to Council to remove the note.
20. The Land Management Code was amended in April of 2007 to require Bed and Breakfast Inns, Hotels, and Boarding Houses (as Conditional Uses) to provide code compliant parking, even though these uses are only allowed in Historic structures.
21. Without significant construction to provide parking beneath the house, it is unlikely that the historic structure will revert back to a B&B, Hostel or Hotel. The amended LMC requires up to 12 off-street parking spaces for these more intense uses.
22. The applicant requested approval from Planning, Building, and Engineering to utilize the 3 parking spaces on Woodside Avenue, along the property frontage, for nightly rental of an historic structure, as provided for in LMC Section 15-3-4 (A). This request was granted for the 2007-2008 winter season.
23. The applicant stipulates to the conditions of approval.

#### 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.

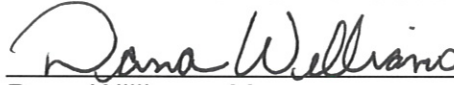
#### Conditions of Approval

1. 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 recordation.
2. In addition to plat note #2, a deed restriction was dedicated to the City by separate document regarding the parking easement. An amended document signed by the City, releasing the easement, may be required. The City Attorney shall review the separate document as to final form and content prior to finalization of the release of the easement.
3. Any remaining plat notes or conditions of approval of the Parcel 2- Amended Walter Daniel Subdivision that do not pertain to the parking easement being removed shall remain in full force and effect.
4. Nightly Rental of the historic structure at 615 Woodside shall be limited to one Person or entity, with no more than 3 residential parking hang tags provided per nightly rental stay.

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

PASSED AND ADOPTED this 19th day of July, 2007.

PARK CITY MUNICIPAL CORPORATION

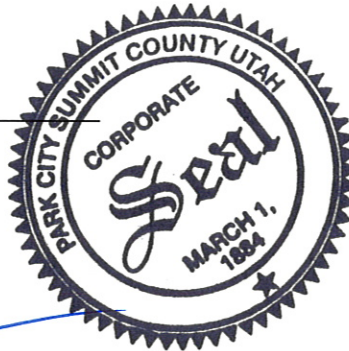


Dana Williams, Mayor

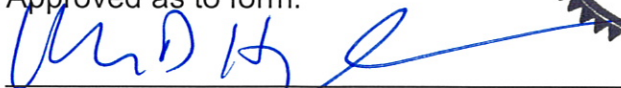
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

**PARCEL 2**

**SCALE 1" = 20'**

**NORTH**

**VICINITY MAP**

**61**

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AFFIDAV

**ENTRY NO. 00831541**

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Affidavit PAGE 1/11

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 0.00 BY PARK CITY MUNICIPAL CORP



State of Utah )  
                  ) ss.  
County of Summit )

I, Dana Williams, being of legal age and being first duly sworn, depose and state as follows:

- 1. I am the Mayor of Park City Municipal Corporation, Summit County, State of Utah.
- 2. This affidavit affects the following real property:

LOTS 1 AND 2 OF PARCEL 2, AMENDED WALTER-DANIELS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

(Tax Serial No. WDS-2-1 and WDS-2-2)

- 3. The Plat of Parcel 2 - Amended Walter Daniels Subdivision, Summit County, State of Utah, recorded as Entry Number 493975 on December 3, 1997, contains the following restriction at Note 1:

The total building volume on Lot 2 shall not exceed 1900 square feet.

("Plat Note 1").

- 4. The Plat of Parcel 2 - Amended Walter Daniels Subdivision, Summit County, State of Utah, recorded as Entry Number 493975 on December 3, 1997, contains the following restriction at Note 2:

So long as the Old Miner's Lodge remains a lodging facility, parking shown on Lot 2 shall be designated for the use and enjoyment of Lot 1, and so as not to have Merger by Deed, Park City Municipal Corporation shall be a third party beneficiary to said easement.

("Plat Note 2").

- 5. Park City Municipal Corporation is the Grantor in a Quit Claim Deed dated November 30, 1997, and recorded December 3, 1997, as Entry Number 00493977 in Book 1099 at Pages 638-639. Said Quit Claim Deed contains the following deed restriction:

Further subject to a reservation and real covenant for the benefit of the Grantor to restrict use of Lot 2 to a 1900 square foot dwelling must be used as a caretaker's cottage for Lot 1 while the structure on Lot 1 operates as a lodging use.

("Deed Restriction").

6. On May 12, 2005, the City Council of Park City Municipal Corporation passed and adopted Ordinance 05-26 for the purpose, *inter alia*, of removing Plat Note 1.

7. On July 19, 2007, the City Council of Park City Municipal Corporation passed and adopted Ordinance 07-45 for the purpose of removing Plat Note 2 and disclaiming the interest of Park City Municipal Corporation in the Deed Restriction.

NOW THEREFORE, in accordance with Section 57-1-5.1 of the Utah Code and pursuant to by authority of Park City Municipal Corporation Ordinance 05-26 passed and adopted on May 12, 2005, and Park City Municipal Corporation Ordinance 07-45 passed and adopted on July 19, 2007, this affidavit is given to terminate the interest of Park City Municipal Corporation in Plat Note 1, Plat Note 2 and the Deed Restriction.

Dated this 27 day of November, 2007

PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

Subscribed to and sworn before me this 27 day of November, 2007.

  
Notary Public

RECORDERS NOTE  
DUE TO THE COLOR OF THE INK  
OF THE NOTARY SEAL AFFIXED  
TO THIS DOCUMENT, THE  
SEAL MAY BE UNSATISFACTORY  
FOR COPYING.



**Ordinance No. 07-44**

**AN ORDINANCE APPROVING THE 964 EMPIRE AVENUE REPLAT COMBINING LOTS 17 AND 18, BLOCK 15 OF SNYDER'S ADDITION TO THE PARK CITY SURVEY, PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 964 Empire Avenue, has petitioned the City Council for approval of a Replat; and

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

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

**WHEREAS**, the Planning Commission held a public hearing on June 13, 2007 to receive input on the 964 Empire Avenue Replat.

**WHEREAS**, the Planning Commission, on June 13, 2007, forwarded a positive recommendation to the City Council; and

**WHEREAS**, on July 12, 2007 the City Council approve the 964 Empire Avenue Replat; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the 964 Empire Avenue Replat.

**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 964 Empire Avenue Replat 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 964 Empire Avenue.
2. The zoning is Historic Residential (HR-1).
3. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
4. The amendment will combine two lots into one lot of record.
5. There is an existing historic single family home on the property.
6. Access to the property is from Empire Avenue.
7. The existing lots each measure 25' x 75'.
8. The proposed lot measures 50' x 75'.
9. The proposed lot is 3,750 square feet in size.
10. The minimum lot size for a single family home in the HR-1 zone is 1,875 square feet.
11. The maximum building footprint for the proposed lot is 1,519 square feet.
12. The maximum height limit in the HR-1 zone is 27 feet above existing grade.
13. Setbacks for the lot are 5' on the sides, and 10' in the front and rear.
14. Minimal construction staging area is available along Empire Avenue and 10<sup>th</sup>

Street.

Conclusions of Law:

1. There is good cause for this Replat.
2. The Replat 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 Replat.
4. As conditioned the Replat is consistent with the Park City General Plan.

Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for Historic Design Review for review and approval by the Planning Department for compliance with applicable Historic District Design Guidelines.
3. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for Steep Slope Conditional Use Permit review and approval by the Planning Commission.
4. If the historic home is relocated on the lot outside the original footprint of the historically significant portion of the house, the historic home must comply with all requirements of the LMC.
5. The applicant will record the Replat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 12<sup>th</sup> day of July 2007.

PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

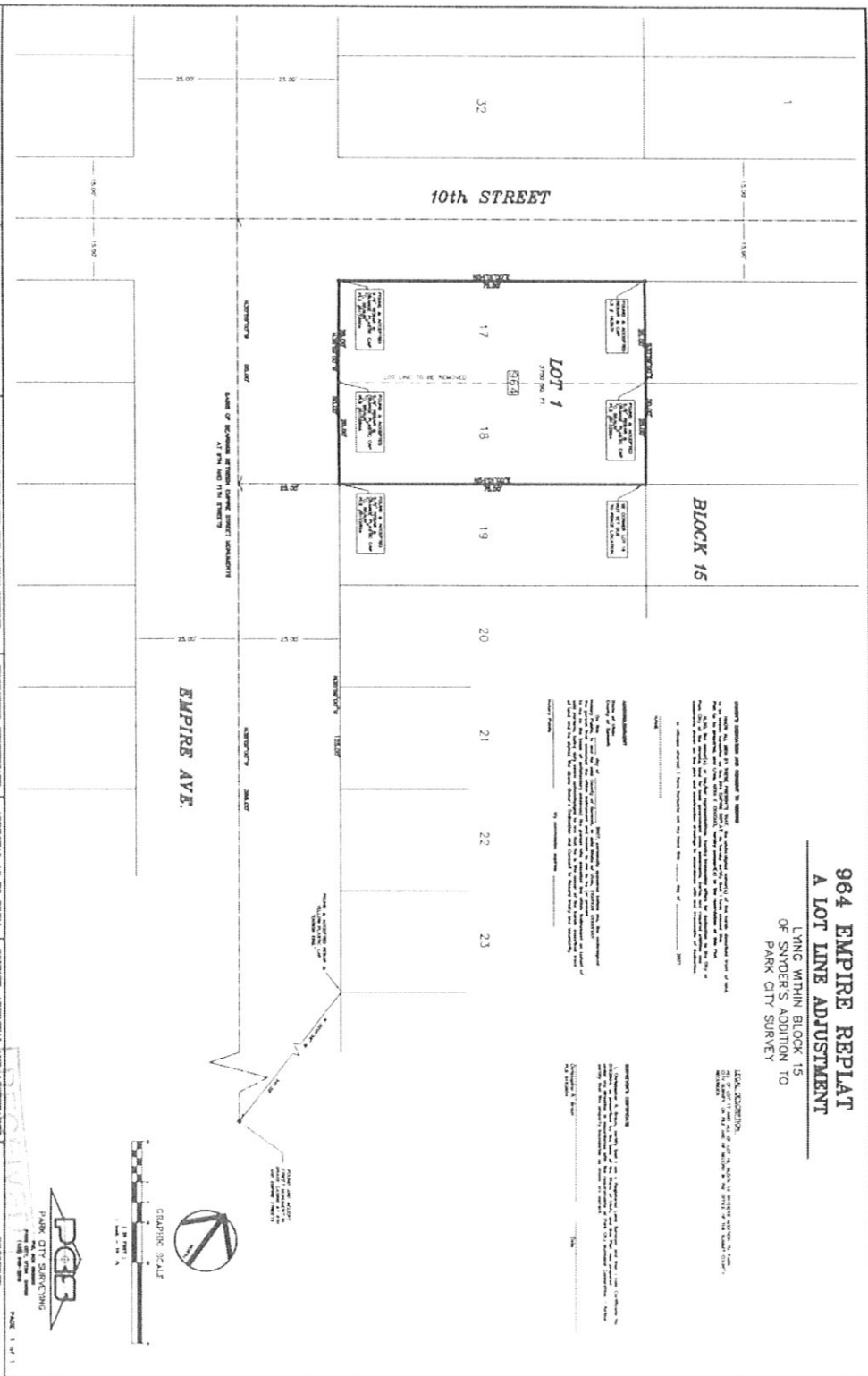
Approved as to form:

  
Tom Daley, Deputy City Attorney



# 964 EMPIRE REPLAT A LOT LINE ADJUSTMENT

LYING WITHIN BLOCK 15  
OF SUNDERS ADDITION TO  
PARK CITY SURVEY



**PARK CITY PLANNING COMMISSION**  
PARK CITY PLANNING COMMISSION ON THIS  
DATE OF \_\_\_\_\_ A.D. 20\_\_  
BY \_\_\_\_\_

**CERTIFICATE OF ATTORNEY**  
I, \_\_\_\_\_, ATTORNEY AT LAW,  
DO HEREBY CERTIFY THAT THE  
PLAT OF \_\_\_\_\_  
OF \_\_\_\_\_  
BY PARK CITY ENGINEER

**ENGINEER'S SIGNATURE**  
I, \_\_\_\_\_, ENGINEER,  
DO HEREBY CERTIFY THAT THE  
REPLAT OF \_\_\_\_\_  
OF \_\_\_\_\_  
BY \_\_\_\_\_

**ENGINEER'S CERTIFICATE**  
I AND THE PLAT TO BE IN  
ACCORDANCE WITH THE  
REQUIREMENTS OF THE  
PLAT OF \_\_\_\_\_  
BY PARK CITY ENGINEER

**APPROVAL AS TO FORM**  
I HEREBY APPROVE AS TO FORM  
THE PLAT OF \_\_\_\_\_  
BY PARK CITY ENGINEER

**COUNCIL APPROVAL AND ACCEPTANCE**  
I HEREBY APPROVE AND ACCEPTANCE  
THE PLAT OF \_\_\_\_\_  
BY \_\_\_\_\_

**RECORDED**  
STATE OF UTAH COUNTY OF SALER AND ALSO  
AT THE COUNTY OF \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
FILE \_\_\_\_\_

**Ordinance No. 07-43**

**AN ORDINANCE APPROVING THE THIRD AMENDED CONDOMINIUM PLAT OF SNOW FLOWER CONDOMINIUMS RECORD OF SURVEY PLAT LOCATED AT 401 SILVER KING DRIVE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 401 Silver King Drive, #76 have petitioned the City Council for approval of the Third Amended Condominium Plat of Snow Flower Condominiums record of survey plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on June 13, 2007, to receive input on the plat amendment;

WHEREAS, the Planning Commission, on June 13, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 12, 2007, the City Council held a public hearing and approved the Third Amended Condominium Plat of Snow Flower Condominiums record of survey plat; and

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

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The Third Amended Condominium Plat of Snow Flower Condominiums record of survey 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 401 Silver King Drive unit #76, in the Recreation Commercial (RC) zone.
2. The RC zone is a mix of larger residential homes, multi-unit properties and resort related commercial uses.
3. There is an existing non-historic condominium on the property.
4. No expansion of the existing building footprint is proposed.
5. The unit under review has three on-site parking spaces. Condominiums of greater than 2,500 square feet require three parking spaces. The amended size of the unit will be 2,612 square feet.

6. All utilities, including sewer and water are available on site.

Conclusions of Law:

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

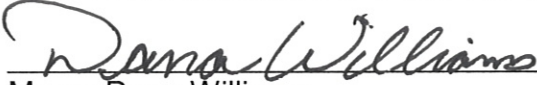
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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.

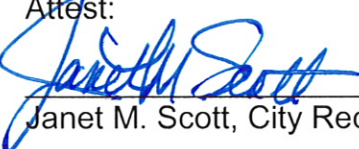
**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 12<sup>th</sup> day of July, 2007.

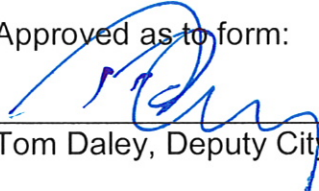
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Tom Daley, Deputy City Attorney



**OWNER'S CERTIFICATE**

I, John D. Stewart, do hereby certify that I am the registered landowner and that I hold title to the above described property as owner of the Snow Flower Condominium Unit No. 10478, as provided in the Declaration of Condominium for the Snow Flower Condominium, which is recorded in the Utah Condominium Act, Book 118-1186, Page 1186-1187, in the Office of the Utah State Office of Public Safety, Salt Lake City, Utah.

John D. Stewart \_\_\_\_\_ Date \_\_\_\_\_

**CONDOMINIUM DESCRIPTION**

Unit No. 10478, contained within the Snow Flower Condominium, together with its undivided undivided interest therein, is a portion of the Snow Flower Condominium, which is recorded in the Utah Condominium Act, Book 118-1186, Page 1186-1187, in the Office of the Utah State Office of Public Safety, Salt Lake City, Utah.

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

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of Unit No. 10478, Snow Flower Condominium, do hereby resolve and consent to the recording of this Amended Condominium Plat for the Snow Flower Condominium, which is recorded in the Utah Condominium Act, Book 118-1186, Page 1186-1187, in the Office of the Utah State Office of Public Safety, Salt Lake City, Utah.

UNITED STATES OF AMERICA  
 State of Utah  
 County of Salt Lake  
 City of Salt Lake City

**ACKNOWLEDGMENT**

State of \_\_\_\_\_  
 County of \_\_\_\_\_  
 City of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2007, personally appeared before me, the undersigned authority, \_\_\_\_\_, a duly qualified and authorized notary public, who acknowledged that he signed the above Owner's Declaration and Consent to Record in the Office of the Utah State Office of Public Safety, Salt Lake City, Utah.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

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

The Snow Flower Condominium Owners Association hereby consents to the recording of this Amended Condominium Plat for the Snow Flower Condominium, which is recorded in the Utah Condominium Act, Book 118-1186, Page 1186-1187, in the Office of the Utah State Office of Public Safety, Salt Lake City, Utah.

State of \_\_\_\_\_  
 County of \_\_\_\_\_  
 City of \_\_\_\_\_

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

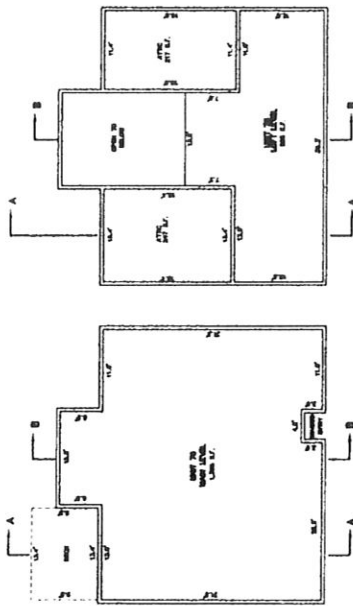
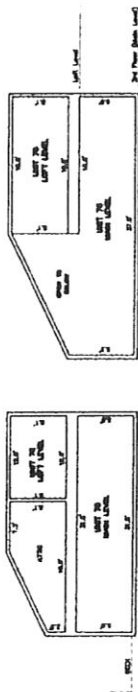
**ACKNOWLEDGMENT**

State of \_\_\_\_\_  
 County of \_\_\_\_\_  
 City of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2007, personally appeared before me, the undersigned authority, \_\_\_\_\_, a duly qualified and authorized notary public, who acknowledged that he signed the above Owner's Declaration and Consent to Record in the Office of the Utah State Office of Public Safety, Salt Lake City, Utah.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_



**THIRD AMENDED CONDOMINIUM PLAT OF**

**SNOW FLOWER CONDOMINIUMS**

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9 AND THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 10 EAST AND MERIDIAN PARK CITY, SALT LAKE COUNTY, UTAH

- NOTES**
- The Amended Plat of Condominium Plat reflects the separation of ownership in Unit 78.
  - For complete description and dimensions of other units and garage spaces, refer to the Record of Condominium Plat of Snow Flower Condominiums, Recorded No. 10478 in the Salt Lake County Recorder's Office.
  - All notes and conditions on the Snow Flower Condominium Plat remain in full force and effect except as provided herein.
  - Unit 78 is located in Building No. 2, 2nd floor and unit, as described in the Snow Flower Condominium Plat, recorded September 25, 1978, pl04878.

**LEGEND**

- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

10478-000-0001



10478-000-0001

<p>10478-000-0001</p> <p>RECEIVED</p> <p>APR 17 2007</p> <p>PARK CITY</p>	<p>STATE OF UTAH COUNTY OF SALT LAKE</p> <p>COUNCIL THE 1ST DAY OF JUNE 2007 A.D.</p> <p>BY: MAYOR</p>	<p>RECORDED</p> <p>FILE NO. 118-1186</p> <p>DATE RECORDED: SEP 25, 1978</p>
<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION, RECORDED No. 10478 IN THE OFFICE OF THE PLANNING COMMISSION CHAIRMAN</p> <p>DATE OF MAY 2, 2007 A.D.</p> <p>BY: CHAIRMAN</p>	<p>ENGINEER'S CERTIFICATE</p> <p>THIS PLAT TO BE IN ACCORDANCE WITH THE UTAH CONDOMINIUM ACT, AS AMENDED BY THE PLAT FILED IN MY OFFICE THIS DAY OF MAY 2, 2007 A.D.</p> <p>BY: JOHN D. STEWART</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS DAY OF MAY 2, 2007 A.D.</p> <p>BY: PARK CITY ATTORNEY</p>
<p>ENTWELL BASH WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO ENTWELL BASH WATER RECLAMATION DISTRICT STANDARDS ON THIS DAY OF MAY 2, 2007 A.D.</p> <p>BY: S.B.W.F.D.</p>	<p>CERTIFICATE OF ATTEST</p> <p>I HEREBY CERTIFY THAT THIS MAP WAS FILED IN MY OFFICE THIS DAY OF JUNE 1, 2007 A.D.</p> <p>BY: PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THE 1ST DAY OF JUNE 2007 A.D.</p> <p>BY: MAYOR</p>

APR 17 2007

PARK CITY



**Ordinance No. 07-42**

**AN ORDINANCE APPROVING THE FIRST AMENDMENT LOT B OF EAGLE WAY PLAT AMENDMENT LOCATED AT 1460 EAGLE WAY, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 1460 Eagle Way have petitioned the City Council for approval of the First Amendment Lot B of Eagle Way Plat Amendment 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 June 27, 2007, to receive input;

WHEREAS, the Planning Commission, on June 27, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 12, 2007, the City Council held a public hearing and approved the First Amendment Lot B of Eagle Way Plat Amendment plat amendment; and

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

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

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

Findings of Fact:

1. The property is located at 1460 Eagle Way in the Single Family (SF) and Estate (E) zones.
2. The SF zone is a residential zone characterized by a mix of larger contemporary buildings and moderate sized structures.
3. The E zone is a residential zone characterized of larger single family lots with contemporary single family homes and open space.
4. The applicant is the owner of Lot B of the Eagle Way Subdivision and a 3.3 acre metes and bounds parcel directly adjacent to Lot B.
5. The applicant is proposing to subdivide the metes and bounds parcel into one lot of record 3.0 acres in size and to add .3 acres to existing Lot B of the Eagle Way Subdivision.

6. There is a single family home on Lot B of the Eagle Way Subdivision, formerly known as Lot 62 and part of Lot 63 of the Aerie Subdivision.
7. The property fronts, and receives access from Eagle Way.
8. Setbacks for the E zone are 30 feet from all property lines.
9. The applicant would like to build a garage addition on the existing home on Lot B.

Conclusions of Law:

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

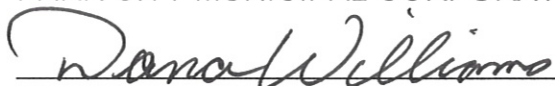
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All construction in the Estate zone will be required to maintain a 30 foot setback from all property lines.
4. No remnant parcel created hereby is separately buildable.

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

PASSED AND ADOPTED this 12<sup>th</sup> day of July, 2007.

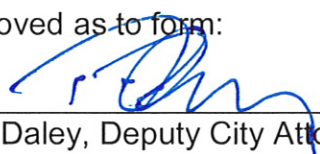
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

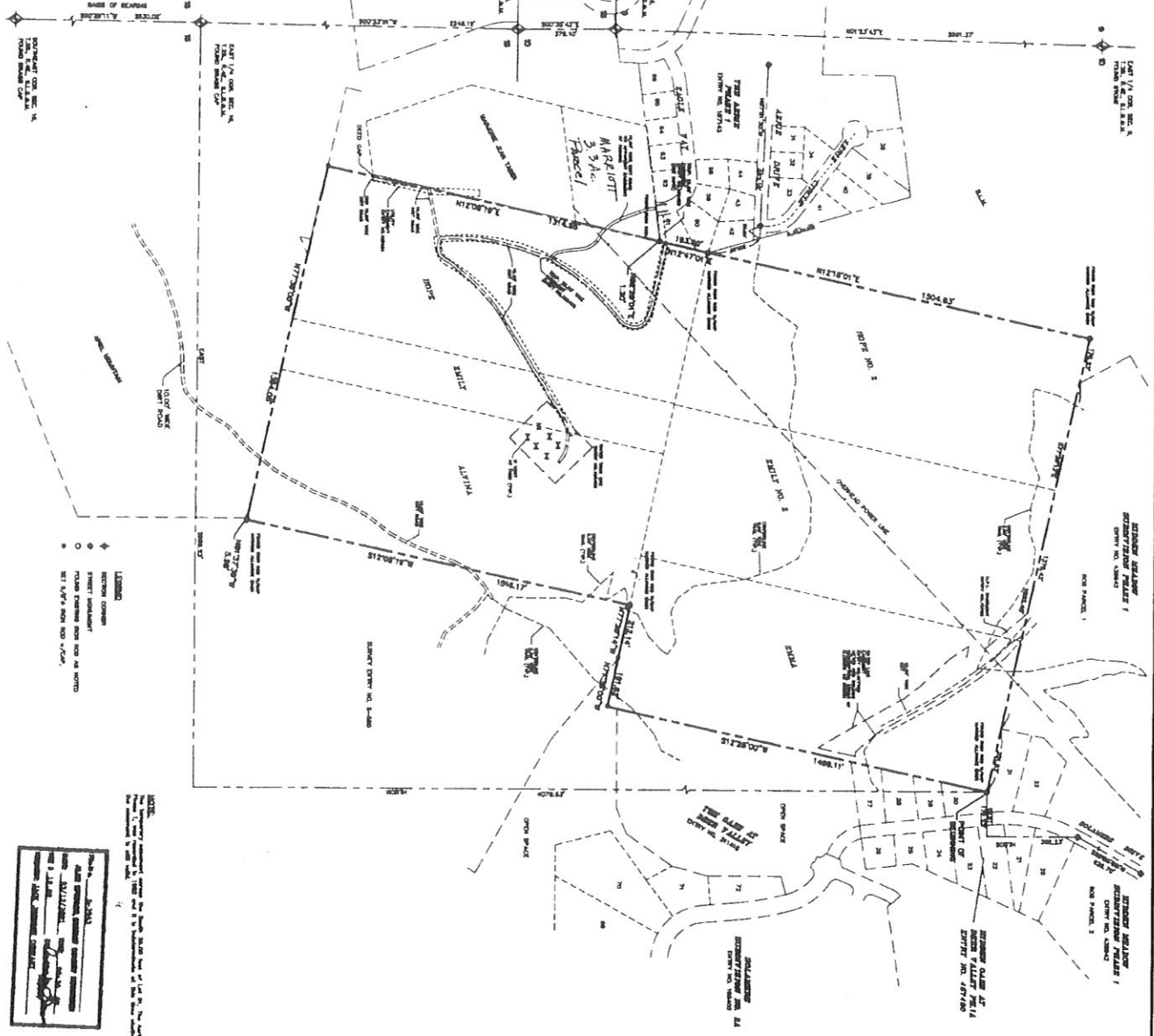
  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Tom Daley, Deputy City Attorney







**LEGEND**

- ◆ SECTION CORNER
- STREET LOCATION
- ROAD CENTER LINE OR AS SHOWN
- SET POINT AND NOT VISIBLE

**RECORD OF BOUNDARY SURVEY**  
**SILVER KING GROUP PROPERTY**  
 LOCATED IN SECTION 10 AND 16,  
 TOWNSHIP 3 NORTH,  
 SALT LAKE BASIN AND MERRILLIAN,  
 PARK CITY, SUMMIT COUNTY, UTAH

**WARRANTY**

The survey was prepared by Silver King Group. The surveyor warrants that the survey was made in accordance with the standards of the Surveying and Mapping Act of 1954, and that the survey is true and correct. The surveyor warrants that the survey is true and correct. The surveyor warrants that the survey is true and correct.

**ADDITIONAL INFORMATION**

The survey was prepared by Silver King Group. The surveyor warrants that the survey was made in accordance with the standards of the Surveying and Mapping Act of 1954, and that the survey is true and correct. The surveyor warrants that the survey is true and correct. The surveyor warrants that the survey is true and correct.

**STATE OF UTAH**

**DEPARTMENT OF HERITAGE AND ARTS**

**ARCHITECTURE AND PLANNING DIVISION**

**PLANNING BOARD**

**RECORD OF BOUNDARY SURVEY**

**SILVER KING GROUP PROPERTY**

**LOCATED IN SECTION 10 AND 16,**  
**TOWNSHIP 3 NORTH,**  
**SALT LAKE BASIN AND MERRILLIAN,**  
**PARK CITY, SUMMIT COUNTY, UTAH**

**RECORD OF BOUNDARY SURVEY**  
**SILVER KING GROUP PROPERTY**  
 LOCATED IN SECTION 10 AND 16, T.R.S., R.4E., S.L.R.&M.  
 PARK CITY, SUMMIT COUNTY, UTAH

**SILVER KING GROUP**      **048.0100.00**      **01-05-01**

**THE JACK JOHNSON COMPANY**  
 1777 S.W. 11th Drive • Park City, Utah 84008  
 (801) 640-8000 • Fax (801) 640-1420





**Ordinance No. 07-41**

**AN ORDINANCE REGULATING THE USE AND SALE OF FIREWORKS  
WITHIN PARK CITY DURING THE 2007 FIRE SEASON**

WHEREAS, the City Council of Park City Municipal Corporation, Utah, (herein "City"), in conjunction with the Park City Fire Marshal and the Park City Fire District, has a desire to reduce the threat of wild fires within the City limits; and

WHEREAS, based on the forecasted drought, the fire risk for the year 2007 is expected to be high from July 8 through October 1, 2007

WHEREAS, early spring rains have combined with high temperatures in May to produce a very high level of light fuels (grasses and other light vegetation) in the Park City area; and

WHEREAS, on June 8, 2007 there have been 5 fires burning, one of which was in Summit County and one that was identified as fireworks caused and

WHEREAS, Park City and Summit County have the greatest amount of wildland/urban interface in the state of Utah, and

WHEREAS, the City and the Fire District desire to reduce the risk of wild fires which may cause extensive damage within the City and

WHEREAS, the use of explosive and other fireworks within the City substantially increase the risk of fires; and

WHEREAS, the State of Utah has created the Utah Fireworks Act as found in U.C.A. Section 53-7-220 et.seq.

WHEREAS, pursuant to Sections 10-8-56 and -84 of the Utah code, it is the intent of the City Council to adopt a valid, time, place and manner regulation on the display, sale and use of fireworks that does not conflict with Sections 53-7-220 through 53-7-225 of the Utah Code; and

WHEREAS, this ordinance based on specific environmental factors identified by the Park City Fire Marshal as being ripe for wildfire and is effective for only one "fire season" and is not a general or permanent regulation in conflict with Sections 53-7-220 through 53-7-225 of the Utah Code

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

SECTION 1. The City hereby finds and determines that the fire season for the year 2007 shall be from July 8, 2007 through October 1, 2007.

SECTION 2. The use of any and all Division 1.4G fireworks shall be prohibited during the entirety of the 2007 fire season. This prohibition includes all fireworks regulated under CPSC 16 CFR, Parts 1500 and 1507, and DOT n 49 CFR, Parts 100-178, for consumer fireworks.

SECTION 3. The sales, use and display of all other explosives or fireworks as defined in U.C.A. Section 53-7-202 (Utah Fire Prevention and Fireworks Act) shall be regulated as set forth in the Utah Code, except as set forth below:

3.1 Prohibited Sales: During the period between July 21, 2007 and July 27, 2007, the display, sale and use of all explosives and fireworks as defined in U.C.A. Section 53-7-202, shall be strictly prohibited.

SECTION 4. "Display operators" as defined by U.C.A. 53-7-202 (9) may obtain permits for "display fireworks" from the Park City Fire Marshal as set forth by state law, and any display or use of fireworks in conjunction with such a permit and in accordance with state law, shall not be deemed a violation of this Ordinance.

SECTION 5. Pursuant to U.C.A. Section 53-7-226, violations of this Ordinance which incorporate portions of U.C.A. Section 53-7-220, et. Seq., shall be deemed a Class B misdemeanor and shall be punishable by a fine not to exceed \$1,000 for persons or \$5,000 for corporations, and/or imprisonment for a term not to exceed six (6) months.

SECTION 6. All resolutions, ordinances, orders, and regulations or parts therefore heretofore adopted or passed which are in conflict with any of the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 7. If any provision of this ordinance or the application of any provision of this ordinance is found invalid the remainder of this ordinance shall be given effect without the invalid provision or application.

SECTION 8. This Ordinance shall become effective immediately upon its approval and passage.

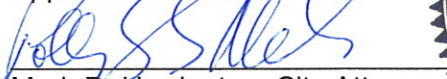
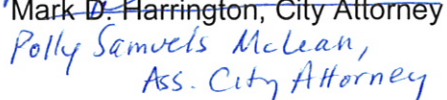
PARK CITY MUNICIPAL CORPORATION

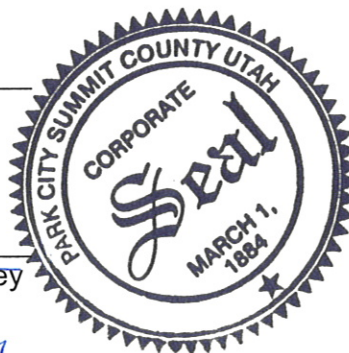
  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney  
  
Polly Samuels McLean,  
Ass. City Attorney



## Ordinance No. 07-40

### **AN ORDINANCE APPROVING A ONE YEAR EXTENSION OF A SUBDIVISION OF LOTS 4, 27, 28, 29 AND PORTIONS OF LOTS 5 AND 6 OF BLOCK 3, OF THE PARK CITY SURVEY, LOCATED AT 315 PARK AVENUE PARK CITY, UTAH**

WHEREAS, the owners of the property known as 315 Park Avenue have petitioned the City Council for approval of an extension to a plat amendment; and

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

WHEREAS, on March 16, 2006, the City Council approved proposed plat amendment; and

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

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

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

#### **Findings of Fact**

1. The property located at 315 Park Avenue is located in the HR-1 zone.
2. Plat amendments expire one year from the date of City Council approval.
3. The applicant received approval for a subdivision plat amendment on March 16, 2006.
4. The applicant is requesting a one year time extension of the plat to subdivide lots 4, 27, 28, 29 and portions of lots 5 and 6 of Block 3 of the Park City survey into 3 lots of record.
5. No changes to the existing approval are proposed that will cause an unmitigated impact on the community.
6. No change in circumstance has occurred since the previous approval that would result in an unmitigated impact to the community as a result of the extension.
7. The approval will expire on March 16, 2008.
8. No building permits will be issued for the property until the plat amendment is recorded at the county.

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

#### **Conclusions of Law**

1. There is good cause for this extension.



2. The extension is consistent with the Park City Land Management Code and applicable State law regarding plat amendments.
3. Neither the public nor any person will be materially injured by the extension.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

**Conditions of Approval**

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Park City Land Management Code, and the conditions of approval prior to recordation of the plat.
2. All conditions of approval for the plat amendment will continue to apply as found in the City Council approval on March 16, 2006, with the exception of condition #2 that will be changed to read, "Prior to the recordation of the plat, the historic residence shall be either removed from the property or moved and inspected for building code compliance to a final location that is compliant with all applicable LMC setback requirements in the HR-1 zone.
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.

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

PASSED AND ADOPTED this 28<sup>th</sup> day of June 2007.

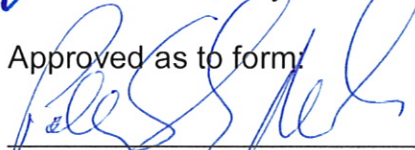
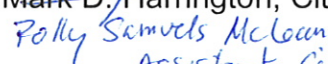
PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney  
  
Polly Samvels McLean  
Assistant City Attorney



SILVER STAR DEVELOPMENT REPLAT  
AN AMENDMENT TO LOTS 4, 5, 6, 27, 28, 29  
BLOCK 3, PARK CITY SURVEY  
AMENDED PLAT

THE PLAT IS SUBJECT TO THE PROVISIONS OF THE  
GENERAL ORDINANCE AND CONSENT TO PLAT  
AS APPLICABLE TO THE PLAT.

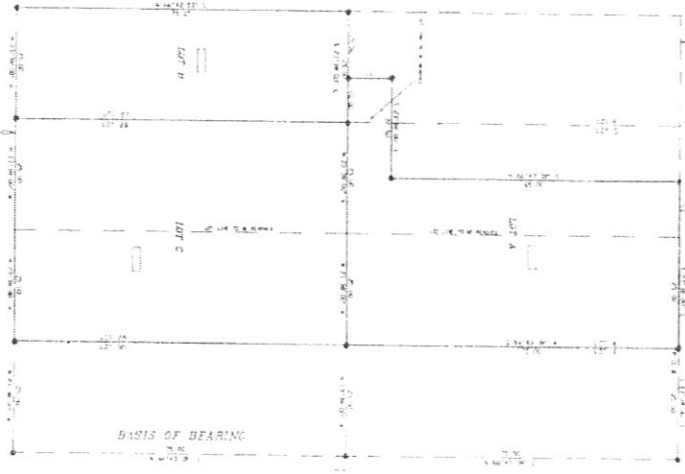
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GENERAL ORDINANCE AND CONSENT TO PLAT  
AS APPLICABLE TO THE PLAT.



LEGEND

- 1. UNIMPROVED EASEMENT
- 2. EASEMENT FOR THE USE OF THE PUBLIC
- 3. EASEMENT FOR THE USE OF THE PRIVATE
- 4. EASEMENT FOR THE USE OF THE COMMON
- 5. EASEMENT FOR THE USE OF THE SEVERAL

DETAILED DESCRIPTION

LOT 1  
LOT 2  
LOT 3  
LOT 4  
LOT 5  
LOT 6  
LOT 7  
LOT 8  
LOT 9  
LOT 10  
LOT 11  
LOT 12  
LOT 13  
LOT 14

LOT	ACRES	FRONT FEET	DEPT. FEET	REMARKS
1	0.12	100	100	
2	0.12	100	100	
3	0.12	100	100	
4	0.12	100	100	
5	0.12	100	100	
6	0.12	100	100	
7	0.12	100	100	
8	0.12	100	100	
9	0.12	100	100	
10	0.12	100	100	
11	0.12	100	100	
12	0.12	100	100	
13	0.12	100	100	
14	0.12	100	100	

APPROVED FOR THE CITY OF PARK CITY, UTAH, ON THIS 15th DAY OF MARCH, 1927.

ATTEST:

CLERK OF CITY

RECORDED IN THE OFFICE OF THE COUNTY CLERK OF KANE COUNTY, UTAH, ON THIS 15th DAY OF MARCH, 1927.

RECORDED IN THE OFFICE OF THE COUNTY CLERK OF KANE COUNTY, UTAH, ON THIS 15th DAY OF MARCH, 1927.

**Ordinance No. 07-39**

**ORDINANCE AMENDING TITLE 13, WATER CODE, OF THE MUNICIPAL CODE OF PARK CITY, UTAH TO AMEND SECTION 13-1-26 TO PROVIDE FOR REDUCED WATER CONSUMPTION DURING DROUGHT OR OTHER EMERGENCY**

WHEREAS, the raw water supplies of the City of Park City are at one of their lowest recorded level and are in immediate danger of not being fully replaced or renewed in the foreseeable future at the current usage by consumers; and

WHEREAS, water conservation is required for maintenance of a sustainable water supply to immediately preserve and protect the public health of the citizens of Park City and its water users; and

WHEREAS, the declaration of drought emergency and the imposition of mandatory water conservation measures are in the best interest of the citizens of Park City for the immediate preservation and protection of their health, safety, and welfare.

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

**Section I.** Amendment. Title 13 of the Municipal Code of Park City is hereby amended to amend Section 13-1-26 as follows:

**13- 1-26. WATER USE DURING PERIODS OF DROUGHT.**

(A) **OBJECTIVE.** The objective of this section is to establish authority, policy and procedure by which the Park City Water Service District and Park City Municipal Corporation will assure during periods of water shortages that the peak daily demand for water does not exceed ninety percent (90%) of available water source capacity.

(B) **STAGE ONE DROUGHT.** Stage One of a drought shall exist when the Public Works Director, or his or her designee, determines that water demand has exceeded eighty-five percent (85%) of available water source capacity. During Stage One of a drought, the Public Works Director shall immediately implement measures set forth in the Stage I goals outlined in the City's "Water Conservation and Drought Management Plan."

(C) **STAGE TWO DROUGHT.** Stage Two of a drought shall exist when the Public Works Director, or his or her designee, determines that water demand continues to exceed ninety percent (90%) of available water source capacity in spite of the implementation of Stage One measures. During Stage Two of a drought, the Park City Mayor, or his or her designee, shall be executive order impose the following regulations:

- (1) Lawn and landscape irrigation shall be limited to two (2) times per week. Houses with odd address numbers shall be allowed to use water for outdoor irrigation on Monday and Thursday. Houses with even address numbers shall be allowed to use water for outdoor irrigation on Tuesday and Friday. All other use of water for outdoor irrigation shall be prohibited;
- (2) Sidewalk and driveway washing shall be prohibited;
- (3) Car washing, unless done at a commercial car wash that recycles water, shall be prohibited; and

(4) The installation of additional lawn or landscaping, whether by seed or sod shall be prohibited.

(D) **STAGE THREE DROUGHT.** Stage Three of a drought shall exist when the Public Works Director, or his or her designee, determines that water demand continues to exceed ninety percent (90%) of available water source capacity in spite of implementation of Stage Two measures. During Stage Three of a drought, the Park City Mayor, or his or her designee, shall by executive order impose the following restrictions:

(1) All acts prohibited during Stage Two of a drought shall be prohibited during Stage Three of a drought;

(2) All use of water for outdoor irrigation shall be prohibited except as needed for the health and safety of residents and visitors as per the Parks Water Reduction Plan;

(3) Use of water in ornamental fountains, ponds, or other aesthetic water features shall be prohibited;

(4) New or additional connections to the Park City Water Service District's water distribution system shall be prohibited;

~~(5) All car washing shall be prohibited;~~

(56) The use of water for filling or refilling all private and public swimming pools shall be prohibited; and

(67) The irrigation of the Park City Municipal Golf Course ~~all golf courses, whether public or private,~~ shall be per the Golf Water Reduction Plan ~~prohibited.~~

(E) **NOTICE.** The Public Works Director in the case of a Stage One drought and the Mayor in the case of a Stage Two or Stage Three drought shall provide notice of his or her declaration of drought stage as follows:

(1) Notice shall be published in a newspaper of general circulation in the Park City community at least once each week during the period of drought;

(2) Public service announcements shall be made on a radio station broadcasting in the Park City community at least once each day during the period of drought; and

(3) Written notice shall be posted at all government buildings.

(F) **ENFORCEMENT.** Upon a first violation of this ordinance, in addition to any fine imposed pursuant to Section 28 of this Title, a written notice of the violation shall be affixed to the property where the violation occurred and the customer of record and any other person known to be responsible for the violation or its correction shall be provided with notice. Said notice shall describe the violation and order that it be corrected within such specified time as the Public Works Director determines is reasonable under the circumstances.

If the violation is not corrected within the proscribed time, the Public Works Director may order the disconnection of water service to the violating property subject to the following procedures:

(1) The City shall give the customer notice by mail or actual notice that water service will be discontinued within a specified time due to the violation and that the customer will



have the opportunity to appeal the termination by requesting a hearing scheduled before the City governing body or a City official designated as a hearing officer by the governing body.

(2) If such a hearing is requested by the customer charged with the violation, he or she shall be given a full opportunity to be heard before termination is ordered; and

(3) The governing body or hearing officer shall make findings of fact and order whether service should continue or be terminated.

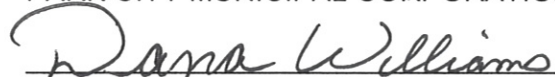
(G) **RECONNECTION.** A fee of \$100 shall be paid for the reconnection of any water service terminated pursuant to subsection (A). In the event of subsequent violations, the reconnection fee shall be \$200 for the second reconnection and \$300 for any additional reconnections.

*(Created by Ord. No. 03-28)*

**Section II.** Effective Date. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 28th day of June 2007.

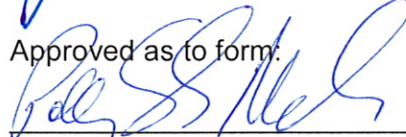
PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney  
*Polly Simons McLean*  
Assistant City Attorney



## PARKS DEPARTMENT

### WATER REDUCTION PLAN

The following is a break down of our areas and the percentage

1. 40% = Play Areas (Sports Fields)
2. 40% = Non Play Areas ( Entry corridor, city buildings landscaping, cemetery, etc)
3. 5% = Essential Facility Functions (Pavilions, Miners, Rotary, etc)
4. 10% = Shrubs beds
5. 5% = Flower Beds

#### **STAGE ONE REDUCTION - (System saving of 15%)**

Play Areas	Water @ 100%
Essential Facility Functions	Reduce by 25%
Flower Beds	Water @ 100%
Non Play Areas & shrub beds	Reduce by 25%

#### **STAGE TWO REDUCTION - (System saving of 29%)**

Play Areas	Water @ 100%
Essential Facility Functions	Reduce by 25%
Flower Beds	Reduce by 25%
Non Play Areas & shrub beds	Reduce by 50%

#### **STAGE THREE REDUCTION - (System saving of 65%)**

Play Areas	Reduce by 25%
Essential Facility Functions	Reduce by 50%
Flower Beds	Reduce by 50%
Non Play Areas & shrub beds	Shut off

#### **STAGE FOUR REDUCTION - (System saving of 75%)**

Play Areas	Reduce by 50%
Essential Facility Functions	Reduce by 75%
Flower Beds	Reduce by 50%
Non Play Areas and shrub beds	Shut off

#### **STAGE FIVE REDUCTION - (system saving of 98%)**

Play Areas	Shut off
Essential Facility Functions	Shut off
Flower Beds (hanging baskets)	Reduce by 50%
Non Play Areas	Shut off
Shrubbeds	Shut off

With a stage four or five reduction we would recommend to discontinue using athletic fields and refund park reservations.

# GOLF COURSE WATER REDUCTION PROGRAM

## WATER MANAGEMENT

The golf course has a responsibility to the community and the environment to conserve water. The golf course has made many great strides in the past 20+ years. The installation of automatic irrigation system and the state of the art computer system has given the maintenance department ultimate control in water management. However, the technology of this system is only as good as the time spent overseeing and monitoring its programs. Because of this, we have access to University of Utah's weather station that is located on site, along with spot watering personnel that check the course every day, seven days a week during irrigation periods.

The following lists water reduction stages that are implemented to some degree each year.

### **STAGE ONE REDUCTION - (system saving of 20%)**

- Reduce roughs by 50%
- Water greens, tees, fairways, surrounds @ 100%

### **STAGE TWO REDUCTION - (system saving of 30%)**

- Reduce roughs by 75%
- Greens, tees, fairways @ 100%

### **STAGE THREE REDUCTION - (system savings of 60%)**

- Shut roughs off
- Reduce fairways by 35%
- Reduce green & tee by 10%

### **STAGE FOUR REDUCTION - (system savings of 80%)**

- Shut roughs off
- Reduce fairways by 75%
- Reduce tees & tees by 25%

### **STAGE FIVE REDUCTION - (system savings of 95%)**

- Shut roughs off
- Shut fairways off
- Water greens & tees three times a week

\*\*Water reductions for short periods of time, such as a couple of days to a week will have minimal impacts to the condition of the course. However, long term reduction at level four or higher will have enormous impacts to the quality of the course, effecting revenue and its future success.

**Ordinance No. 07-38**

**AN ORDINANCE AMENDING SECTION 4-4-16(K) OF THE MUNICIPAL CODE OF PARK CITY, UTAH TO ALLOW LIQUOR LICENSED ESTABLISHMENTS TO ALLOW LIMITED USE OF THEIR DECKS AND PATIOS AFTER 10:00 PM.**

WHEREAS, the Land Management Code places limitations on outdoor activity, noise after 10:00 p.m., and outdoor dining uses; and other decks and patios associated with liquor licensed establishments; and

WHEREAS, the City Council finds that it is in the public interest to regulate the use of decks and patios of liquor licensed establishments, in certain commercial districts that are adjacent to residential neighborhoods in order to reduce noise impacts; and

WHEREAS, a public hearing was duly held before the City Council on June 21, 2007; and

WHEREAS, public notice and opportunity to comment were provided, pursuant to the Municipal Code; and

WHEREAS, the City Council finds and determines that, allowing limited uses of outdoor decks and patios associated with liquor licensed establishments can enhance the pedestrian appeal and vitality of certain commercial areas, while limiting potential noise related impacts; and

WHEREAS, a temporary ordinance allowed an identical provision from August 24, 2006 to February 24, 2007 and the City Council finds no adverse impacts resulted; and

WHEREAS, the City Council finds the proposed amendments in the best interest of the residents of Park City;

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

**SECTION I. FINDINGS.** The above-recitals are hereby incorporated herein as findings.

**SECTION II. AMENDMENT.** Chapter 4, Section 4-4-16(K) of the Municipal Code is amended to read as follows:

**4- 4-16. OFFENSES OF LICENSEE.**

It shall be unlawful for the holder of any license issued under this Chapter or any employee or agent of the holder to cause or permit to be caused on his or her premise any of the following acts:

(K) **EXCESS HOURS OUTSIDE.** To sell or service alcoholic beverages or to permit patrons to remain on any outdoor balcony, deck, patio, or garden associated with the licensed premises after the hour of 10:00 PM except licensed premises may permit patrons to ingress and egress through a closed door to such an area until 12 a.m. provided that food and alcohol are neither sold nor allowed to be consumed or carried out to the area.

**SECTION III. EFFECTIVE DATE.** This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 21<sup>st</sup> day of June, 2007

PARK CITY MUNICIPAL CORPORATION

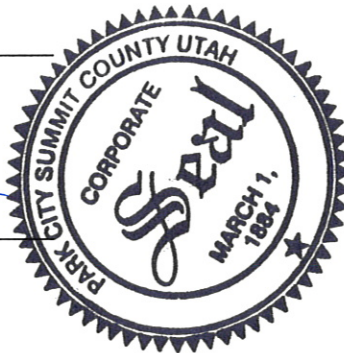
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to Form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





**Ordinance No. 07-37**

**ORDINANCE INCREASING THE RESORT COMMUNITY SALES TAX  
WITHIN THE CITY OF PARK CITY, UTAH FROM ONE PERCENT (1%)  
TO ONE AND ONE-TENTH OF ONE PERCENT (1.1%)**

WHEREAS, the City Council has the power to establish a sales tax on retail sales where the city has a transient room capacity greater than equal to 66% pursuant to UCA Section 59-12-401; and

WHEREAS, Park City enacted a resort community sales tax of 1% in 1986; and

WHEREAS, during the 2007 General Legislative Session the Utah State Legislature altered the State Tax Code to remove unprepared foods from the sales tax base of the resort community sales tax; and

WHEREAS, the State Legislature anticipated that the removal of unprepared food from the sales tax base would negatively affect sales tax collections by municipalities which have imposed the resort community sales tax; and

WHEREAS, the State of Utah provided for cities to increase the resort community sales tax to up to 1.1% pursuant to UCA Section 59-12-401 with the intent to reclaim a portion of said forfeited tax collections, and

WHEREAS, a city may increase the transit tax rate to up to 1.1% on or after January 1, 2008, without being subject to the voter approval requirements enumerated in State Code,

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

SECTION 1. REPEALER: Ordinance No. 83-7(1) levying a one percent resort community sales tax hereby is repealed.

SECTION 2. ESTABLISHMENT OF A 0.30% TRANSIT SALES TAX: In addition to any other tax authorized by the laws of the State of Utah and/or of this municipality, there hereby is established, approved, and levied a sales and use tax upon the retail sales, as defined and included in UCA Subsection 59-12-103(1) and as restricted in UCA Subsection 59-12-401 (1)(b), as amended, of one and one tenth of one percent (1.1%).

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective on January 1, 2008.

PASSED AND ADOPTED this 14<sup>th</sup> day of June, 2007.

PARK CITY MUNICIPAL CORPORATION

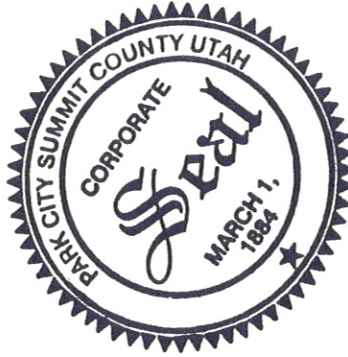
*Dana Williams*  
Mayor Dana Williams

Attest:

*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

*Mark D. Harrington*  
Mark D. Harrington, City Attorney



**Ordinance No. 07-36**

**ORDINANCE INCREASING THE TRANSIT SALES TAX WITHIN THE CITY OF PARK CITY, UT, FROM ONE-QUARTER OF ONE PERCENT (.25%) TO THREE TENTHS OF ONE PERCENT (.30%)**

WHEREAS, the City Council has the power to establish a sales tax on retail sales for the purposes of funding a public transportation system pursuant to UCA Section 59-12-501; and

WHEREAS, Park City enacted a transit sales tax of 0.25% in 1977; and

WHEREAS, during the 2007 General Legislative Session the Utah State Legislature altered the State Tax Code to remove unprepared foods from the sales tax base of the transit sales tax; and

WHEREAS, the State Legislature anticipated that the removal of unprepared food from the sales tax base would negatively affect sales tax collections by municipalities which have imposed the transit sales tax; and

WHEREAS, the State of Utah provided for cities to increase the transit sales tax to up to 0.30% pursuant to UCA Section 59-12-501 with the intent to reclaim a portion of said forfeited tax collections, and

WHEREAS, a city may increase the transit tax rate to up to 0.30% on or after January 1, 2008, without being subject to the voter approval requirements enumerated in State Code,

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

SECTION 1. REPEALER: Ordinance No. 77-12 levying a one-quarter of one percent transit sales tax hereby is repealed.

SECTION 2. ESTABLISHMENT OF A 0.30% TRANSIT SALES TAX: In addition to any other tax authorized by the laws of the State of Utah and/or of this municipality, there hereby is established, approved, and levied a sales and use tax upon the retail sales, as defined and included in UCA Subsection 59-12-103(1) and as restricted in UCA Subsection 59-12-501 (1)(a)(ii), as amended, of three tenths of one percent (0.30%), the same to be used in connection with the financing of a public transportation system for the City of Park City, Summit County, Utah.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective on January 1, 2008.

PASSED AND ADOPTED this 14<sup>th</sup> 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*  
Mark D. Harrington, City Attorney



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WITHIN THE CITY OF PARK CITY, UTAH FROM ONE PERCENT (1%)  
TO ONE AND ONE-TENTH OF ONE PERCENT (1.1%)**

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SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective on January 1, 2008.

PASSED AND ADOPTED this 14<sup>th</sup> day of June, 2007.



PARK CITY MUNICIPAL CORPORATION

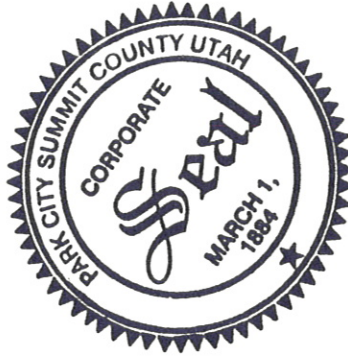
*Dana Williams*  
Mayor Dana Williams

Attest:

*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

*Mark D. Harrington*  
Mark D. Harrington, City Attorney



**Ordinance No. 07-36**

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SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective on January 1, 2008.

PASSED AND ADOPTED this 14<sup>th</sup> 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*  
Mark D. Harrington, City Attorney



**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 14<sup>th</sup>, 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.**

<b>2005 PCMC IMPACT FEE ANALYSIS UPDATE</b>				
<i>Proposed Impact Fee Schedule (Calendar Year 2005)</i>				
	Parks, Trails, Open Space	Police	Roadway Facilities	Total
<b>New Construction</b>				
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
<b>Additions</b>				
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





**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 15<sup>th</sup>, 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 14<sup>th</sup> day of June, 2007.

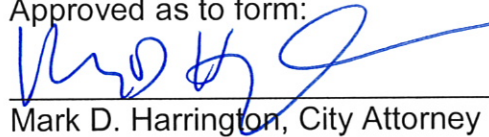
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



CAPITAL FACILITIES PLAN  
FOR  
WATER IMPACT FEES

PARK CITY MUNICIPAL CORPORATION

*prepared for*



*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

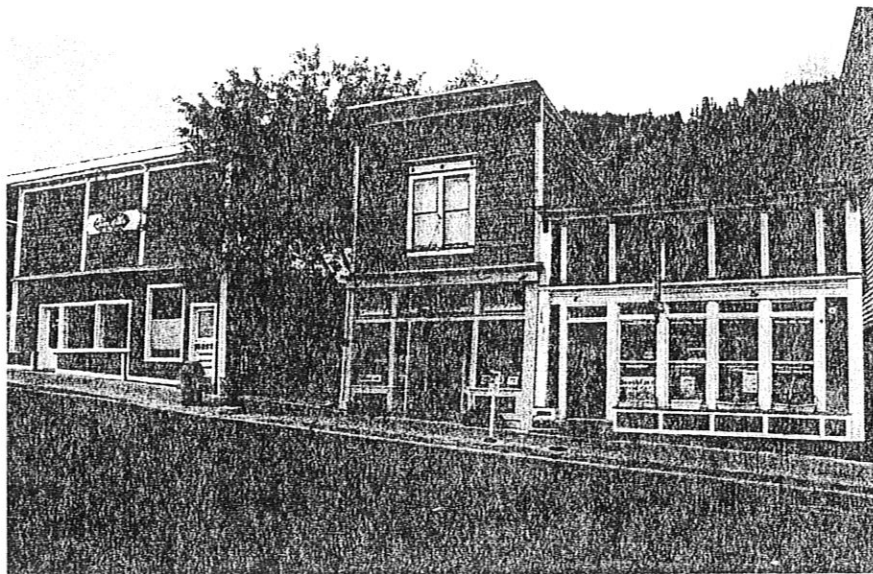
Table 1 shows maximum potential impact fees per equivalent demand unit (EDU) for new construction within the Park City Municipal Corporation water impact fee service area. The service area is defined by the municipal boundaries of Park City, and is illustrated in Figure 1.

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.

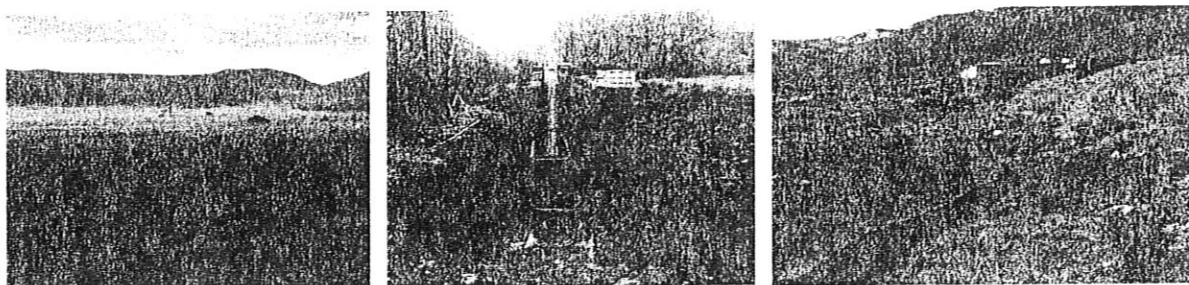


Table 2

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)	\$23,049	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)		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

<b>MULTI FAMILY VARIABLE RATE NET COST (2007)</b>				
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.<sup>1</sup> 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.

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<sup>1</sup> 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”<sup>2</sup>) 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

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<sup>2</sup> 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<sup>3</sup>).

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.

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<sup>3</sup> *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

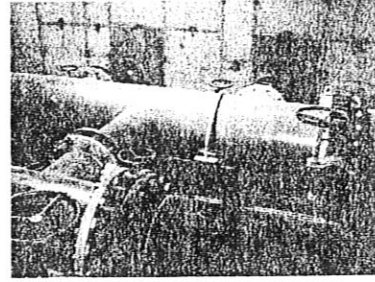
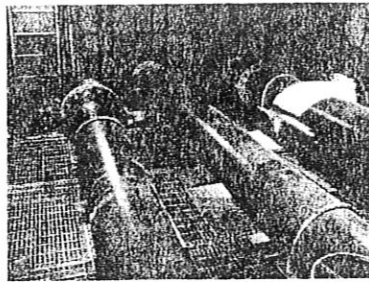
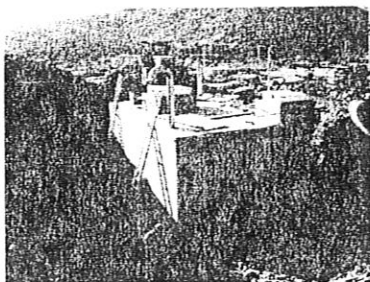
The *Fee Act* requires that all potential revenue sources be evaluated, to identify funding in addition to impact fees that may be available to pay for capital facility capacity expansion for new development. As part of this analysis, other sources potentially available to fund water capital facilities 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 EQUIVALENCY

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	0.13	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	0.13	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	0.13	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	0.13	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 use 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

<b>CURRENT AND PROJECTED SERVICE UNITS (EDU)</b>				
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

<b>COMPARATIVE GROWTH PROJECTIONS</b>			
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

<b>COST OF DEMAND FROM NEW DEVELOPMENT (average)</b>		
Cost of Water Capital Facilities for New Development (impact fee eligible facilities, 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	(fiscal year)										
				2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	
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	\$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	\$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	\$25,000
Water Recording Devices	0%	0%	Contracted	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Master Plan Deficiency 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	\$275,000
Boothill Pumpstation	68%	32%	Construction	\$1,366,493										
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	
Old Town Water Projects	0%	100%	Other	\$231,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$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	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	
Public Works Storage	0%	0%	Contracted	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	
Mountain Regional Water Connection	100%	0%	Construction											
Emergency Power Master Planning	0%	0%	Other	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	
Corrosion Study of System	0%	0%	Other	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	
Boothill Transmission Line	68%	32%	Construction			\$1,650,000								
Spiro Building Maintenance	0%	0%	Other	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	
Park Meadows Golf Course Water Rights	0%	0%	Contracted											
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	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	
Solamere Pump Station Upgrade	100%	0%	Construction	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	
Judge/Trails/ker NPDES	0%	0%	Other	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	
<b>Total</b>				<b>\$7,277,440</b>	<b>\$6,915,433</b>	<b>\$4,163,045</b>	<b>\$2,431,103</b>	<b>\$2,337,931</b>	<b>\$13,841,543</b>	<b>\$2,301,779</b>	<b>\$2,353,696</b>	<b>\$2,407,356</b>	<b>\$2,462,821</b>	

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	(fiscal year)											Total	
				2017	2018	2019	2020	2021	2022	2023	2024	2025	2026			
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	\$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	\$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	\$25,000	\$25,000	\$500,000
Water Recording Devices	0%	0%	Contracted													\$25,000
Master Plan Deficiency 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	\$275,000	\$275,000	\$5,594,311
Boothill Pumpstation	68%	32%	Construction	\$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	\$1,108,704	\$1,130,466	\$11,164,000
Rockport Water, Pipeline, and Storage	65%	35%	Contracted													\$1,866,493
Rockport Water, Pipeline, and Storage	65%	35%	Contracted													\$1,866,493
Old Town Water Projects	0%	100%	Other													\$18,062,561
JSSD Water Assessment	100%	0%	Contracted	\$1,019,025	\$1,059,786	\$1,102,177	\$1,146,265									\$681,000
Meter Radio Road	0%	0%	Other													\$12,592,676
Judge Water Treatment	0%	0%	Construction													\$648,836
Public Works Storage	0%	0%	Contracted													\$4,410,568
Mountain Regional Water Connection	100%	0%	Construction													\$250,000
Emergency Power Master Planning	0%	0%	Other													\$426,000
Corrosion Study of System	0%	0%	Other													\$50,000
Boothill Transmission Line	68%	32%	Construction													\$50,000
Snow Building Maintenance	0%	0%	Other													\$1,650,000
Park Meadows Golf Course Water Rights	0%	0%	Contracted													\$100,000
Round Valley Reservoir	0%	0%	Construction	\$12,100,000												\$100,000
Rockport Water Treatment Plant	65%	35%	Construction							\$6,300,000						\$500,000
Boothill Tank	100%	0%	Construction													\$12,100,000
Deer Valley Fire Flow	0%	0%	Construction													\$6,300,000
Solamere Pump Station Upgrade	100%	0%	Construction													\$1,439,446
Judge/Talisker NPDES	0%	0%	Other													\$90,000
Total				\$14,620,157	\$2,579,432	\$2,640,715	\$2,704,080	\$1,577,488	\$7,897,561	\$1,660,277	\$1,638,947	\$1,618,045	\$1,662,042	\$1,682,042	\$65,110,891	

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

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	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Master Plan Deficiency 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	66%	32%	6.50%	\$1,466,493	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Rockport Water, Pipeline, and Storage	65%	35%	0.00%	\$740,207	\$765,331	\$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	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Mountain Regional Water Connection	100%	0%	6.50%	\$0	\$0	\$0	\$0	\$0	\$563,657	\$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	65%	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
Salamere 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
<b>Total</b>				\$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	\$2,770,269
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 development)				\$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)

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%	\$328,759	\$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	\$75,000
Water Change Out	0%	0%	4.10%	\$37,963	\$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 Deficiency 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	\$1,058,786	\$1,102,177	\$1,146,265	\$0	\$0	\$0	\$0	\$0	\$0	\$12,592,676
Meter Radio Road	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%	0.00%	\$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	\$600,000
<b>Total</b>				\$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	\$2,587,594	\$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 development)				\$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	\$556,097	\$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

<b>CURRENT SOURCE CAPACITY (2007)</b>		
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						
	Weber Basin District Water	Weber Basin BOR Project Water	Coanda Diversion & pump station	MR Pump Station Upgrade	MR Buy-in Cost 2008	Total	Total			Annual Net Revenue	Earned Interest	Account Balance
						EDU	Cost per EDU	CFP Cost				
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	68	\$11,079	\$755,331	\$66,462	\$33,957	\$872,511	
2009	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$11,306	\$770,763	\$81,895	\$38,517	\$992,923	
2010	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$11,537	\$786,511	\$97,643	\$43,926	\$1,134,492	
2011	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$11,773	\$802,581	\$113,712	\$50,235	\$1,298,438	
2012	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$12,013	\$818,978	\$130,110	\$57,493	\$1,486,042	
2013	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$12,259	\$835,711	\$146,843	\$65,757	\$1,699,642	
2014	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$12,509	\$852,786	\$163,918	\$75,081	\$1,937,641	
2015	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$12,765	\$870,210	\$181,342	\$85,526	\$2,204,508	
2016	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$13,025	\$887,990	\$199,121	\$97,154	\$2,500,783	
2017	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$13,291	\$906,132	\$217,264	\$110,029	\$2,828,077	
2018	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$13,563	\$924,646	\$235,778	\$124,220	\$3,188,075	
2019	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$13,840	\$943,538	\$254,670	\$139,798	\$3,582,542	
2020	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$14,123	\$962,816	\$273,947	\$156,838	\$4,013,328	
2021	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$14,411	\$982,488	\$293,619	\$175,417	\$4,482,364	
2022	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$14,706	\$1,002,561	\$313,693	\$195,618	\$4,991,675	
2023	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$15,006	\$1,023,045	\$334,177	\$217,525	\$5,543,377	
2024	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$15,313	\$1,043,947	\$355,079	\$241,229	\$6,139,685	
2025	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	68	\$15,626	\$1,065,277	\$376,408	\$266,823	\$6,782,917	
2026	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994	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)	\$300,690	\$7,087,316	
2028	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994				(\$688,868)	\$284,322	\$6,682,770	
2029	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994				(\$688,868)	\$267,264	\$6,261,165	
2030	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994				(\$688,868)	\$249,486	\$5,821,783	
2031	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994				(\$688,868)	\$230,959	\$5,363,873	
2032	\$221,425	\$107,838	\$71,458	\$195,154	\$92,994				(\$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)	(\$3,871,592)	
Impact Fee Account Beginning Balance	(\$2,037,273)	
Total		(\$3,808,537)
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	\$0	\$0	\$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	\$1,710,765	\$507,661	\$0	\$62,767	\$269,366	\$1,761,680	
2020	\$1,767,307	\$507,661	\$0	\$73,895	\$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

<b>PROJECTED NEW DEVELOPMENT</b>			
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/Up keep
		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:

$$\text{Net Cost per EDU} \times \text{Number of EDUs} = \text{Impact Fee Amount}$$

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*<sup>4</sup> 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.”<sup>5</sup> 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.

<sup>4</sup> Utah Code Ann. §11-36-302

<sup>5</sup> 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



## 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.