

Ordinance No. 08-21

**AN ORDINANCE APPROVING THE HABITAT REPLAT PLAT AMENDMENT
LOCATED AT 154 MARSAC AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 154 Marsac have petitioned the City Council for approval of the Habitat Replat plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 28, 2008, to receive input on the Habitat Replat plat amendment;

WHEREAS, the Planning Commission, on May 28, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Habitat Replat 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 Habitat Replat plat amendment as shown in Attachment 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 154 Marsac Avenue.
2. The zoning is Historic Residential (HR-1).
3. The proposed plat reconfigures the parcels and the platted right-of-way and creates three lots of record.
4. The Land Management Code requires a minimum lot width in the HR-1 zoning district of 25'. The lot widths of the Habitat Replat Subdivision Plat are 61 feet for Lot 1, 51 feet for Lot 2, and 68 feet for Lot 3.
5. The Land Management Code requires a minimum lot area in the HR-1 zoning district of 1,875 square feet. The lot areas of the Habitat Replat plat are 3,792.8 square feet for Lot 1, 3,145.4 square feet for Lot 2, and 4,483.4 square feet for Lot 3.
6. The proposed replat creates a snow storage easement 10 feet wide along the front property lines off Ontario Avenue
7. A remnant parcel of land will not be created by this plat amendment.
8. Access to the lots is from Ontario Avenue.
9. There is no increase in density.

10. The project is compatible with the neighborhood.
11. One lot containing 4,483.4 square feet will be dedicated to the city for open space.
12. A portion of 108.5 square feet located west of Lot 1 is dedicated to the city as part of the existing Marsac Avenue Right-of-Way.
13. The platted right-of-way is unusable as determined by the 1984 Streets Master Plan.
14. All findings within the Analysis section are incorporated within.
15. The City finds "good cause" for the vacation of the Marsac Right-of-Way based on the net tangible benefit of the affordable housing aspect of this replat.

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.

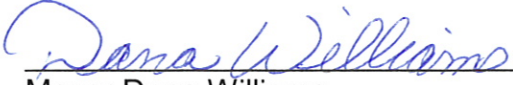
Conditions of Approval:

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. The lot containing 4,483.4 square feet is dedicated to the city for open space.

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

PASSED AND ADOPTED this 12th day of June, 2008.

PARK CITY MUNICIPAL CORPORATION



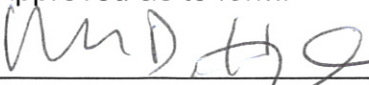
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

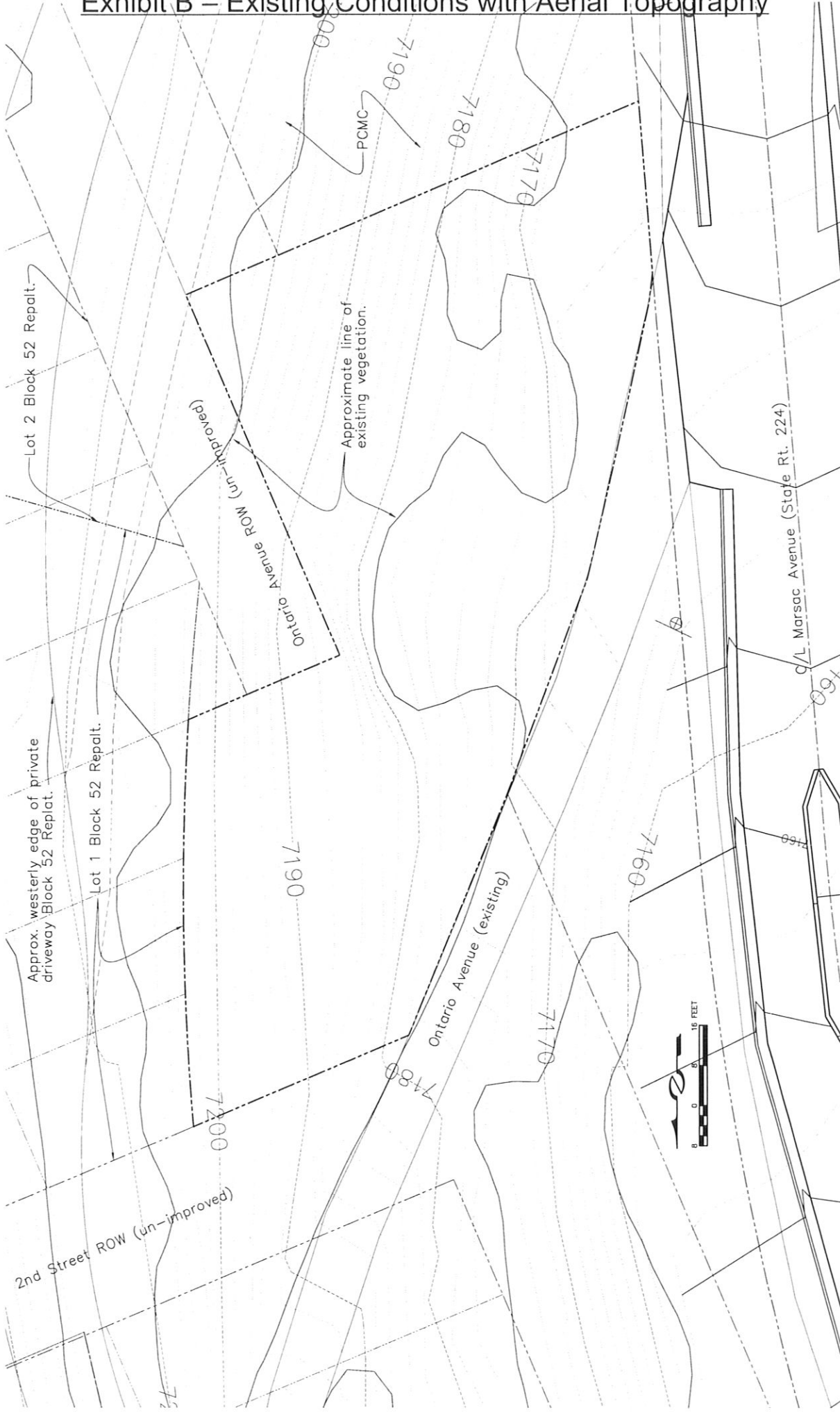
Approved as to form:



Mark D. Harrington, City Attorney



EXHIBIT B – Existing Conditions with Aerial Topography





SURVEYOR'S CERTIFICATE

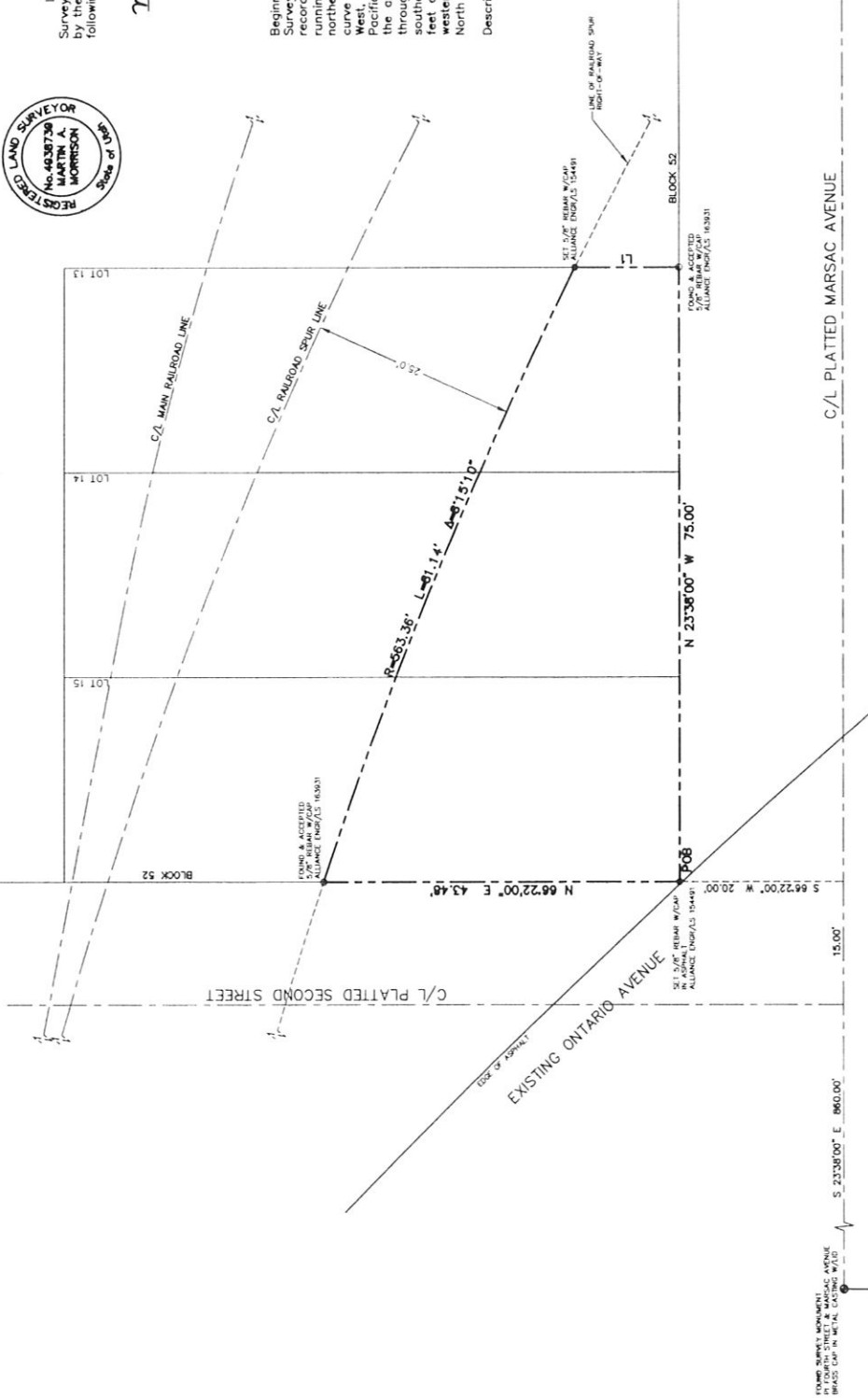
I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

Martin A. Morrison
Martin A. Morrison
Date 10-15-07

LEGAL DESCRIPTION

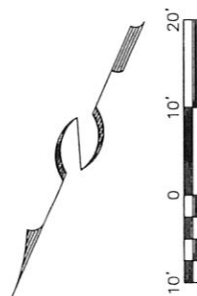
Beginning at the northwest corner of Block 52, Park City Survey, according to the Official Plat thereof on file and of record in the office of the recorder, Summit County, Utah, running thence North 66°22'00" East 43.48 feet along the northerly line of Block 52 to a point on a 563.36 foot radius curve to the right, of which the center bears South 84°33'38" West, said point also being on the westerly line of the Union Pacific Ontario spur right of way; thence southeasterly along the arc of said curve and said right of way line 81.14 feet through a central angle of 08°15'10" to a point on the southerly line of Lot 13; thence South 66°22'00" West 12.69 feet to a point on the westerly line of Block 52; thence along the westerly block line North 23°38'00" West 75.00 feet to the point of beginning.

Description contains 2,185 square feet



- NOTES**
1. Basis of survey: Found survey monuments as shown.
 2. Property corners were set or found as shown.
 3. Date of survey: October 11, 2007
 4. Property location: Section 16, T2S, R4E, S18M
 5. Purpose of survey: Establish boundary for soil testing.
 6. The property was vacant at the time of the survey.

LINE	BEARING	DISTANCE
L1	S 66°22'00" W	12.69



BOUNDARY SURVEY
A PORTION OF LOTS 13-15, BLOCK 52
PARK CITY SURVEY

FOR: HABITAT FOR HUMANITY
JOB NO.: 5-10-07
FILE: X:\ParkCitySurvey.dwg\array2007\051007.dwg

STAFF: MARSHALL KING
MARTY MORRISON

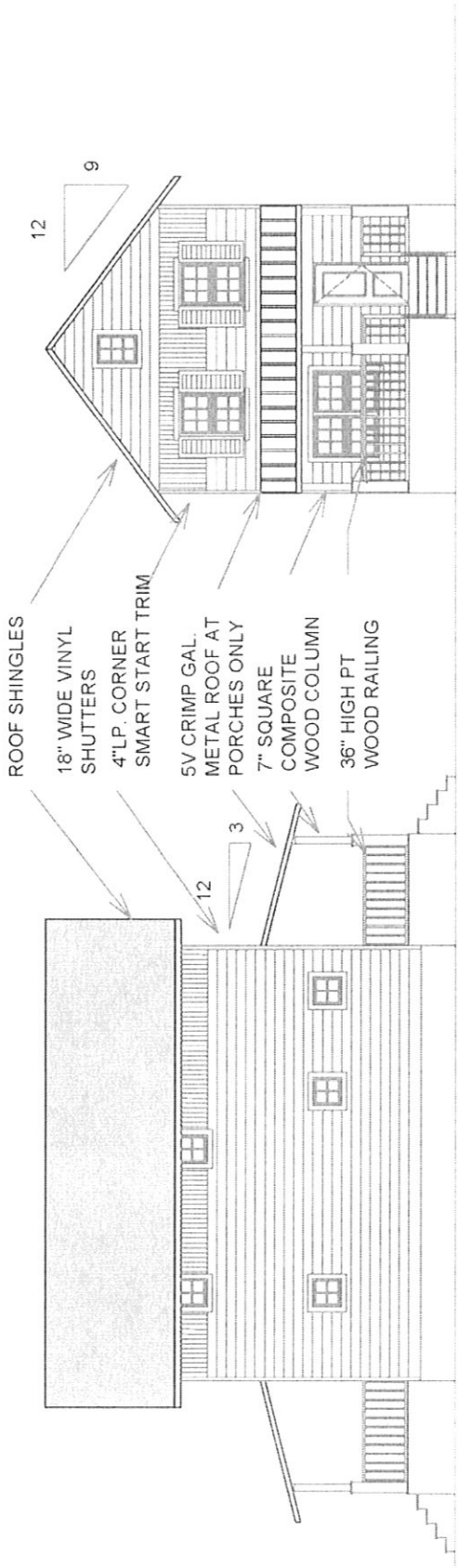
DATE: 10/15/07

SHEET 1 OF 1

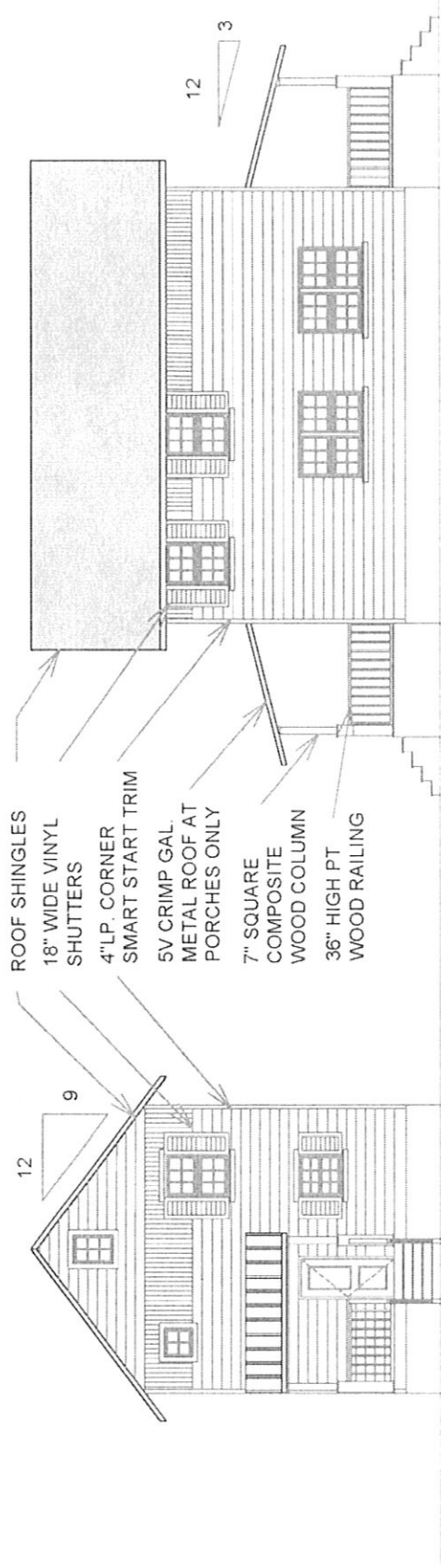
(435) 648-9467
Alpine Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84302-2664

FOUND SURVEY MONUMENT
AT CORNER OF SECOND STREET & MARSAC AVENUE
BRASS CAP IN METAL CAPPING W/ 1/2\"/>

Exhibit D – Elevations



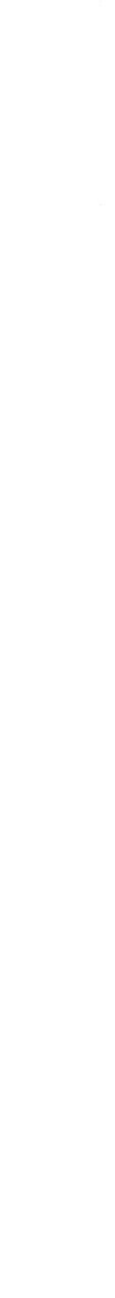
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



D3T-01HW
 3 Bedroom 2-Story Detached House

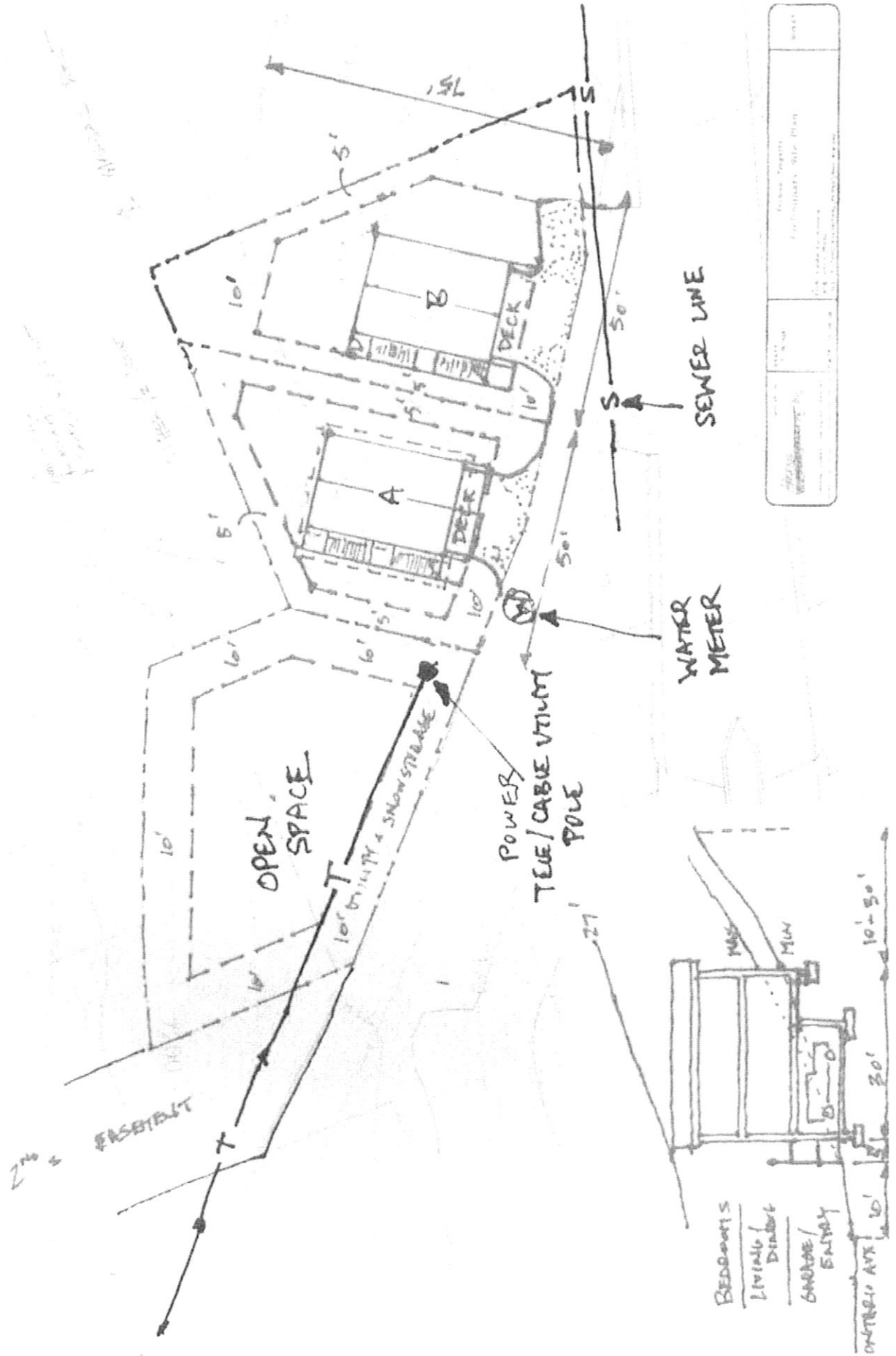
Elevations
 Scale: 1/8" = 1'-0"

Revisions:

01	2011/2001

Exhibit D – Site Plan

PECHAK PROJECT SITE PLAN 1 SECTION



Ordinance No. 08-20

AN ORDINANCE APPROVING THE FOURTH AMENDMENT TO TRAIL'S END AT DEER VALLEY RECORD OF SURVEY LOCATED AT 2100 DEER VALLEY DRIVE SOUTH, PARK CITY, UTAH

WHEREAS, the owners of the property located at 2100 Deer Valley Drive South have petitioned the City Council for approval of the Fourth Amendment to Trail's End at Deer Valley 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 May 28, 2008, to receive input on the Fourth Amendment to Trail's End at Deer Valley Record of Survey;

WHEREAS, the Planning Commission, on May 28, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Fourth Amendment to Trail's End at Deer Valley 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 Fourth Amendment to Trail's End at Deer Valley as shown in Attachment 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 2100 Deer Valley Drive, South.
2. The zoning is Residential Development (RD) with the Master Planned Development Overlay (MPD).
3. The structural changes include an expansion of 475 square feet of the Lobby on the first level, removing 39 square feet from the second level, expansion of 183 square feet of the locker room of the third level, and expanding the fourth level by 238 square feet.
4. All improvements are proposed to take place within the existing common area.
5. No increase in parking is required by this application.
6. There is no proposed change of ownership; therefore, there is no need for new condominium declarations.

7. An at-risk building permit has been issued. Any improvements under this permit will be required to be removed if the amended Record of Survey is not approved or recorded.

Conclusions of Law:

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

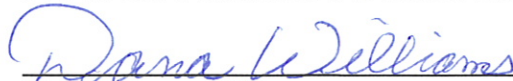
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey 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 conditions of approval of the Deer Valley Master Planned Development shall continue to apply.

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


PASSED AND ADOPTED this 12th day of June, 2008.

PARK CITY MUNICIPAL CORPORATION




Mayor Dana Williams

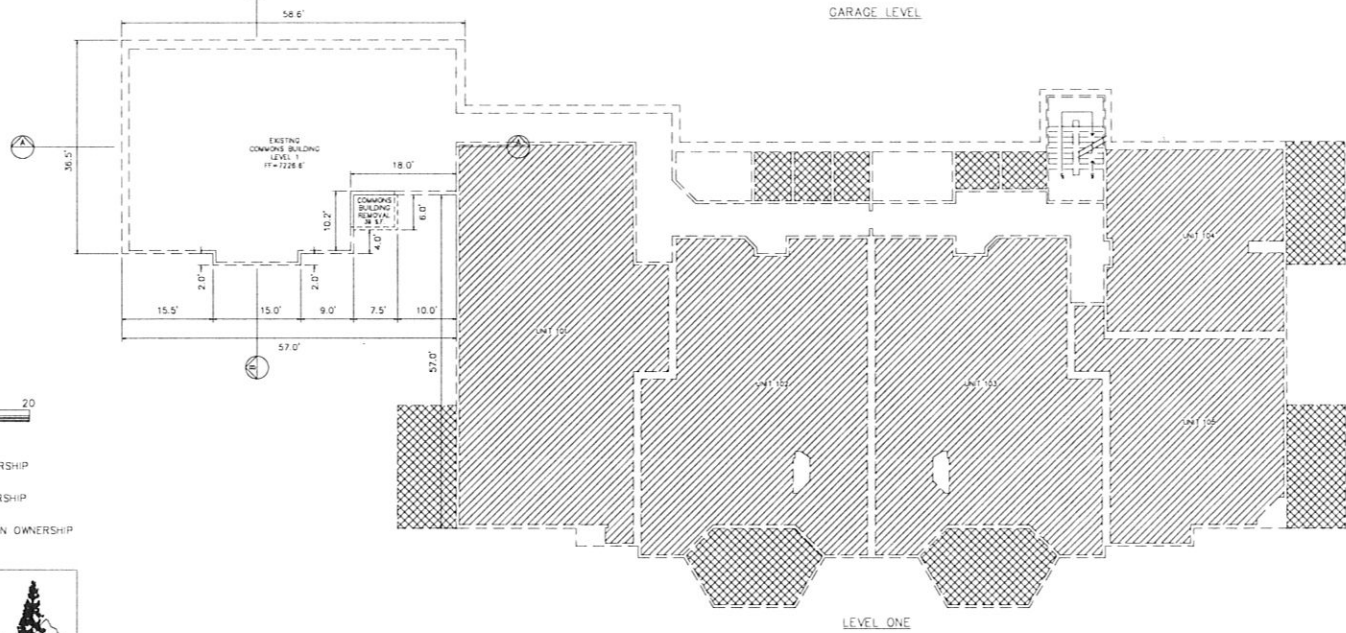
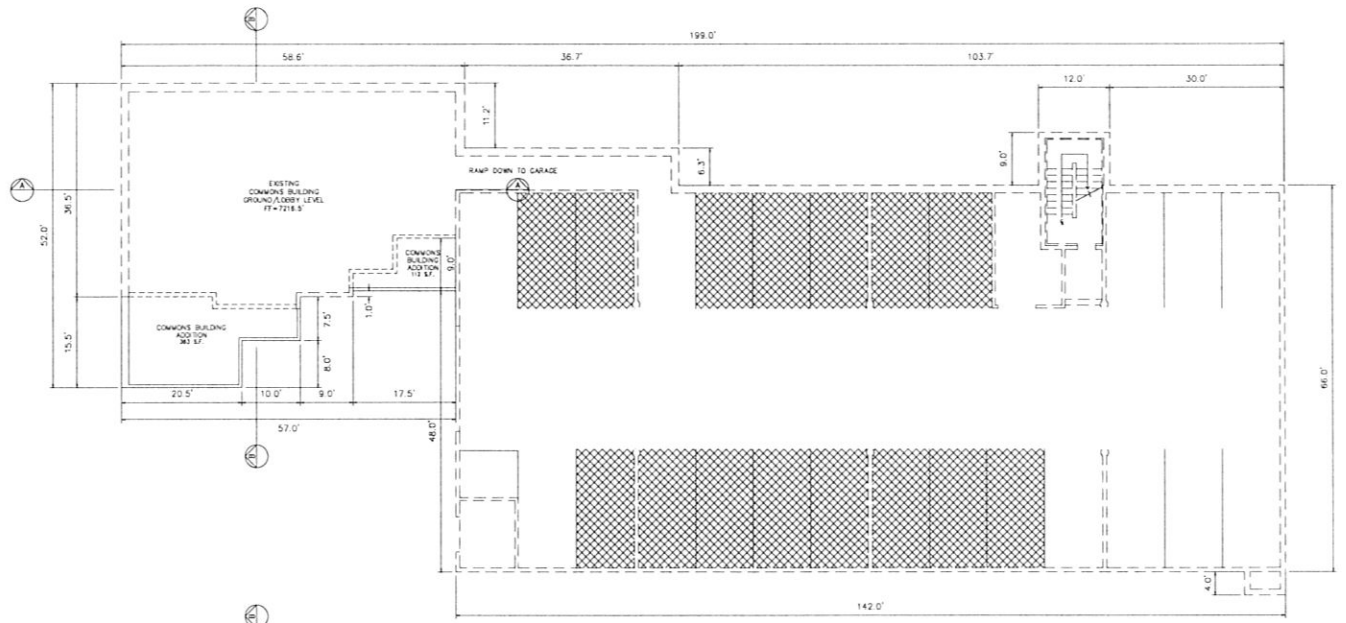
Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



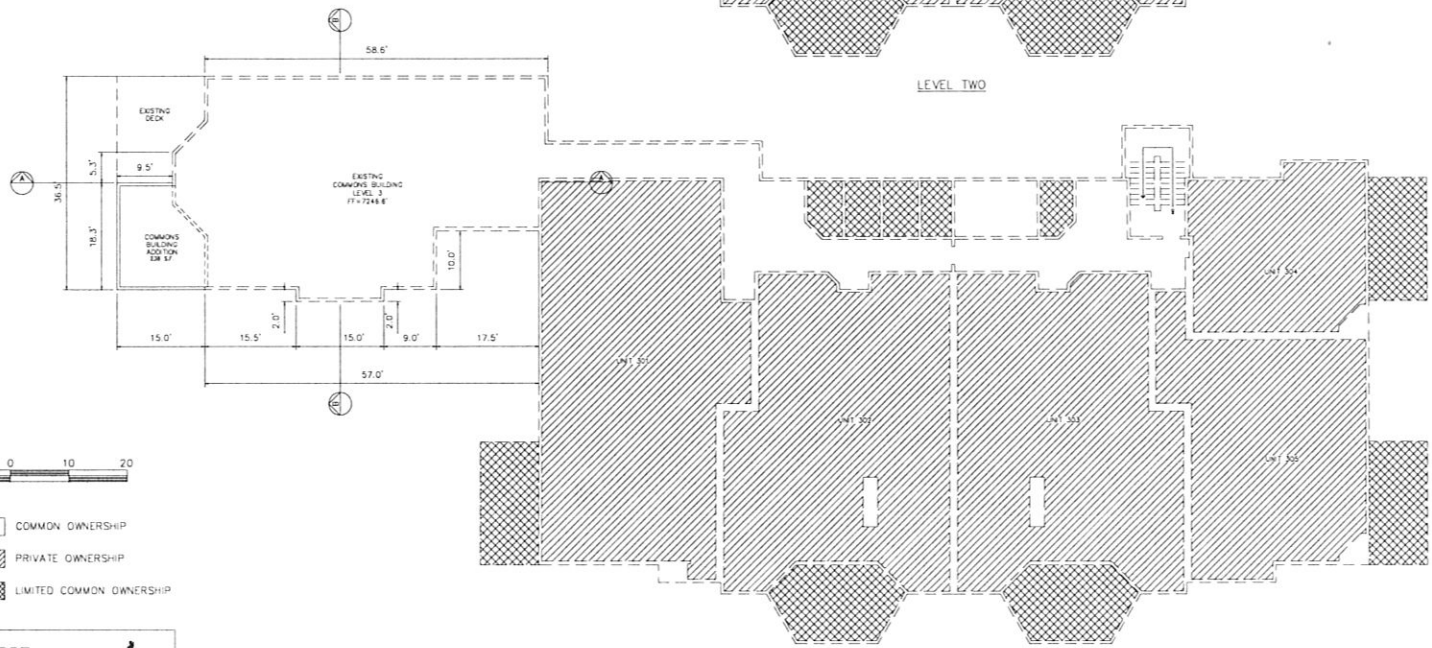
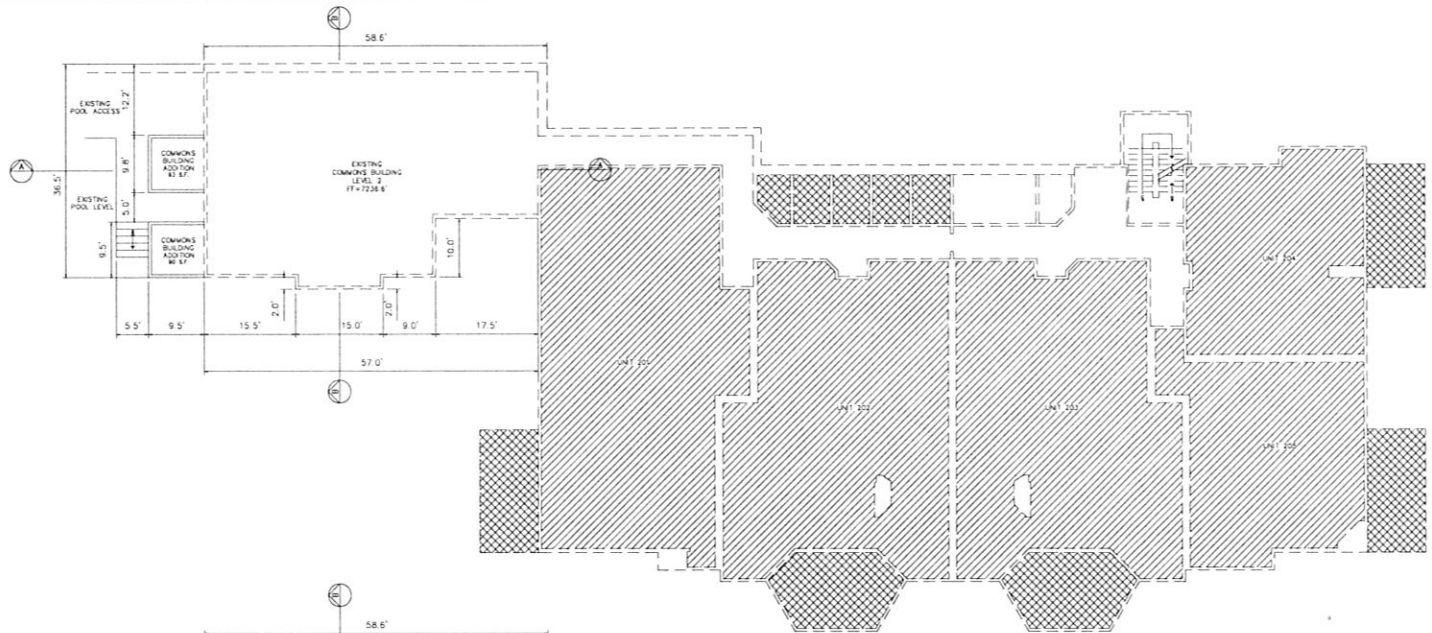





-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

Evergreen Engineering, Inc.

Civil Engineering • Land Surveying • Land Planning
 14700 S. 28th Street • Suite 100
 P.O. Box 288 • Park City, Utah • 84060
 Phone: (435) 649-4667 • Fax: (435) 649-5279
 E-mail: info@evergreeneng.com



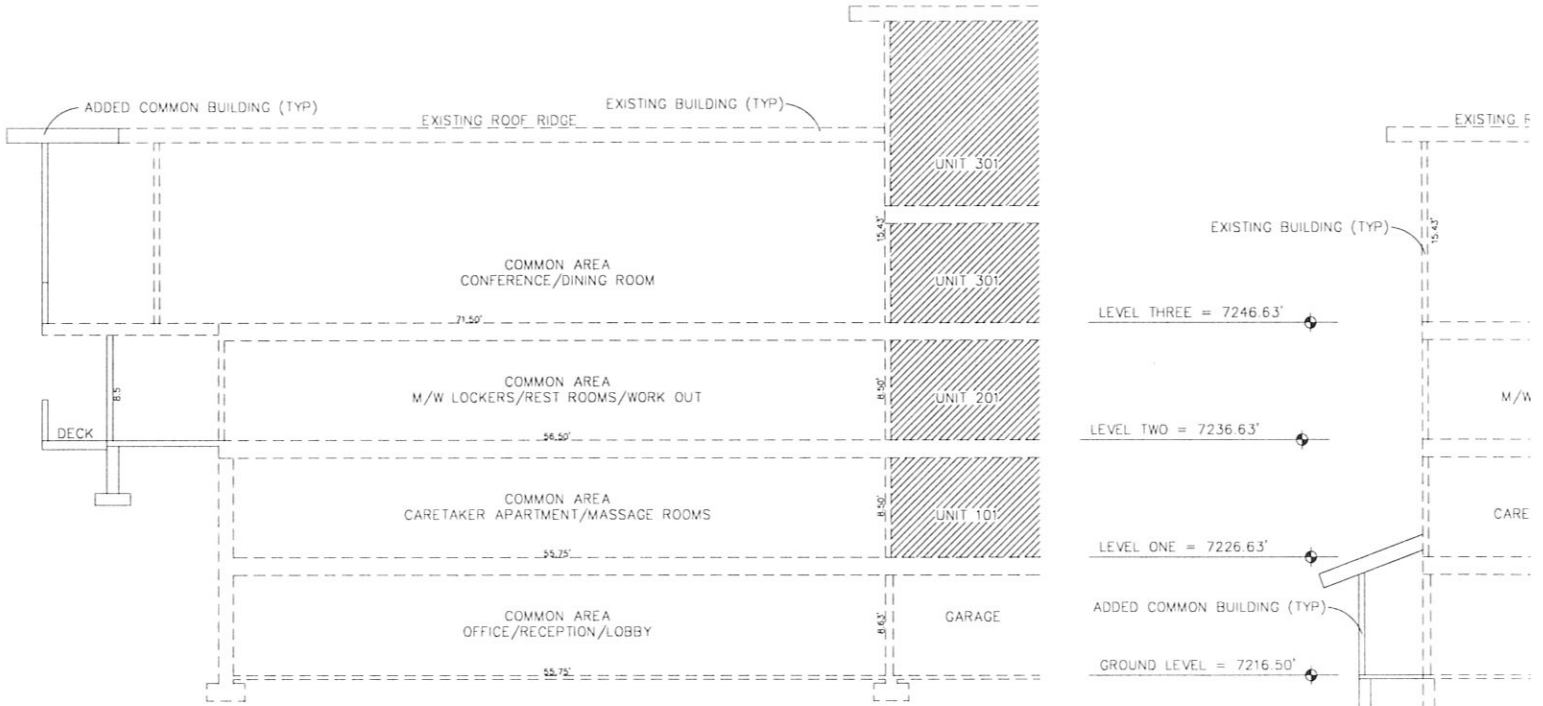


-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

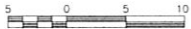
Evergreen Engineering, Inc.




Civil Engineering • Land Surveying • Land Planning
 8700 Sanderson Drive • Suite 104
 P.O. Box 2381 • Park City, Utah • 84060
 Phone: (435) 648-4867 • Fax: (435) 648-9274
 E-mail: office@evergreen-eng.com



SECTION 'A'



-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

Evergreen Engineering, Inc.



Civil Engineering • Land Surveying • Land Planning
 4570 Westpark Drive • Suite 104
 Fort Worth, TX 76147 • Phone: (817) 449-4667 • Fax: (817) 449-8218
 E-mail: info@evergreen-eg.com

Ordinance No. 08-19

**AN ORDINANCE APPROVING THE SECOND AMENDED DOUBLE JACK
CONDOMINIUMS RECORD OF SURVEY LOCATED AT 1313 WOODSIDE AVENUE,
PARK CITY, UTAH**

WHEREAS, the owners of the property located at 1313 Woodside have petitioned the City Council for approval of the Second Amended Double Jack Condominiums 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 May 28, 2008, to receive input on the Second Amended Double Jack Condominiums Record of Survey;

WHEREAS, the Planning Commission, on May 28, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah, to approve the Second Amended Double Jack Condominiums 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 Fourth Second Amended Double Jack Condominiums Record of Survey as shown in Attachment 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 1313 Woodside.
2. The zoning is Recreational Commercial (RC).
3. A six unit condominium exists on the property.
4. The proposed area conversion adjacent to Unit 1 is from common to limited common.
5. The proposed change in the parking area reflects the as-built assignments and the way parking has always been assigned.
6. The condominium's Home Owner's Association has approved the proposed changes by a vote of 100%.
7. The proposal does not change the percentage of ownership
8. The Condominium Declaration does not need to be amended.

Conclusions of Law:

1. There is good cause for this amendment to Record of Survey.
2. The amendment to record of survey plat 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 amendment to record of survey plat.
4. Approval of the amendment to record of survey plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

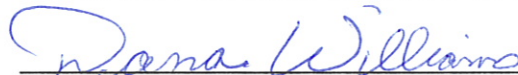
Conditions of Approval:

1. 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 Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

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

PASSED AND ADOPTED this 12th day of June, 2008.

PARK CITY MUNICIPAL CORPORATION




Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:

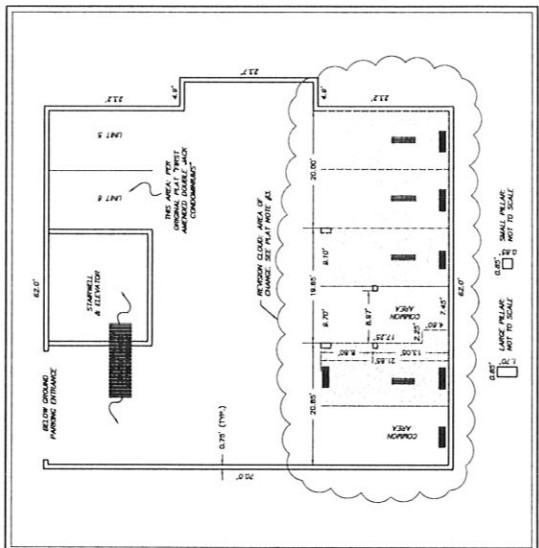
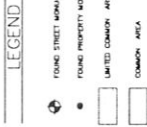
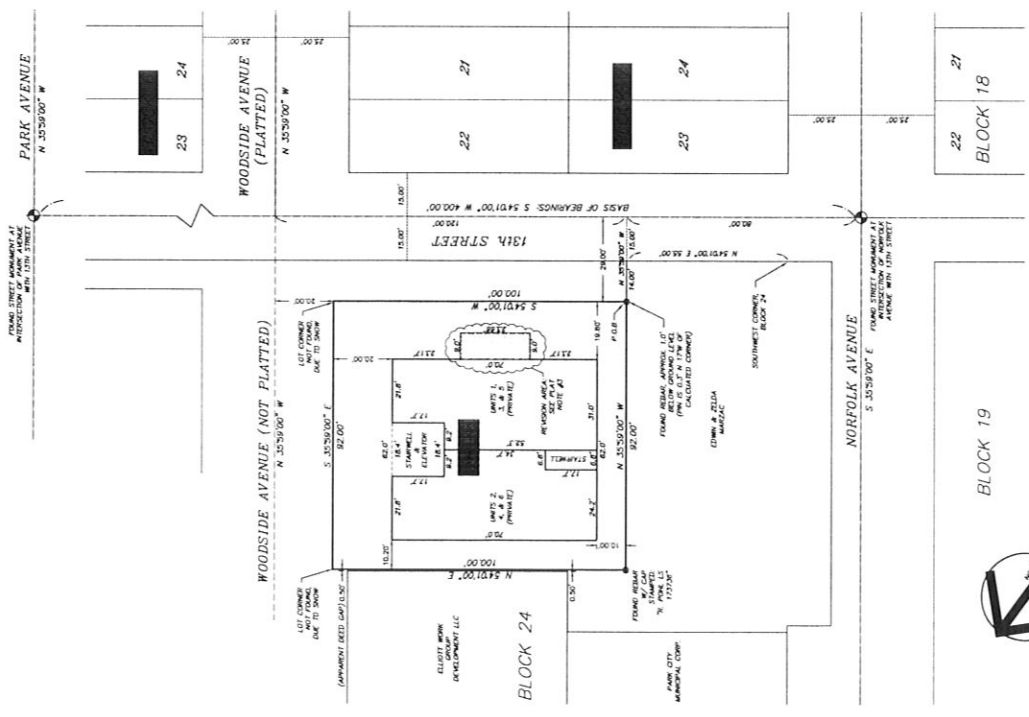


Mark D. Harrington, City Attorney



SECOND AMENDED DOUBLE JACK CONDOMINIUMS PROJECT

A UTAH CONDOMINIUM PROJECT, LOCATED IN BLOCK 24 OF
 SNYDER'S ADDITION TO PARK CITY, UTAH,
 LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 16,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASE & MERIDIAN, PARK CITY,
 SUMMIT COUNTY, UTAH



BUILDING DETAILS
 BELOW GROUND PARKING AREA
 SCALE: 1"=10'

PLAT NOTES

- All plat notes from the First Amended Double Jack Condominiums, of record on the file of the Utah State Office of Public Safety, Salt Lake County, Utah, 2006, and the Second Amended Double Jack Condominiums, Record Number 20266, recorded 11/11/2006. See said First Amended Double Jack Condominiums and Second Amended Double Jack Condominiums Owner's Association Covenants, Conditions & Restrictions.
- See previously recorded Double Jack Condominiums Owner's Association Covenants, Conditions & Restrictions, of the DJS to be recorded.
- In appropriate additional Limited Common Area adjacent to Unit 1 at ground level. The total area to be reserved is 2,000 square feet. This area is shown in the plan and shall be used for the parking of motor vehicles. The total area to be reserved is 2,000 square feet. This area is shown in the plan and shall be used for the parking of motor vehicles.

OWNER'S REQUEST FOR CONSENT TO RECORD

THE UNDERSIGNED, I, have herewith set my hand this _____ day of _____, 2008, in witness whereof, I have hereunto set my hand this _____ day of _____, 2008.

ADDITIONAL COMMENTS
 County of Summit,
 State of Utah.

PREPARED BY:
 2008, by commission order _____

PREPARED BY:
 2008, by commission order _____

CONTRACT NO.:
 PLS 315266A

RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE
 REQUEST OF _____ BOOK _____ PAGE _____
 DATE _____

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVAL AND ACCEPTANCE BY THE PARK CITY
 COUNCIL THIS ___ DAY OF _____, 2008 A.D.

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS
 DAY OF _____, 2008 A.D.
 BY: _____ PARK CITY ATTORNEY

ENGINEERS CERTIFICATE
 I FIND THIS PLAT TO BE IN
 ACCORDANCE WITH INFORMATION ON
 FILED BY OFFICE ON ___ DAY
 OF _____, 2008 A.D.
 BY: _____ PARK CITY ENGINEER

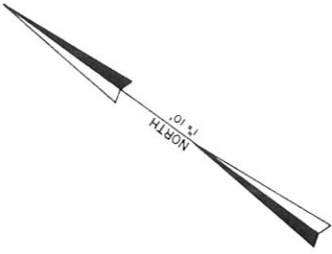
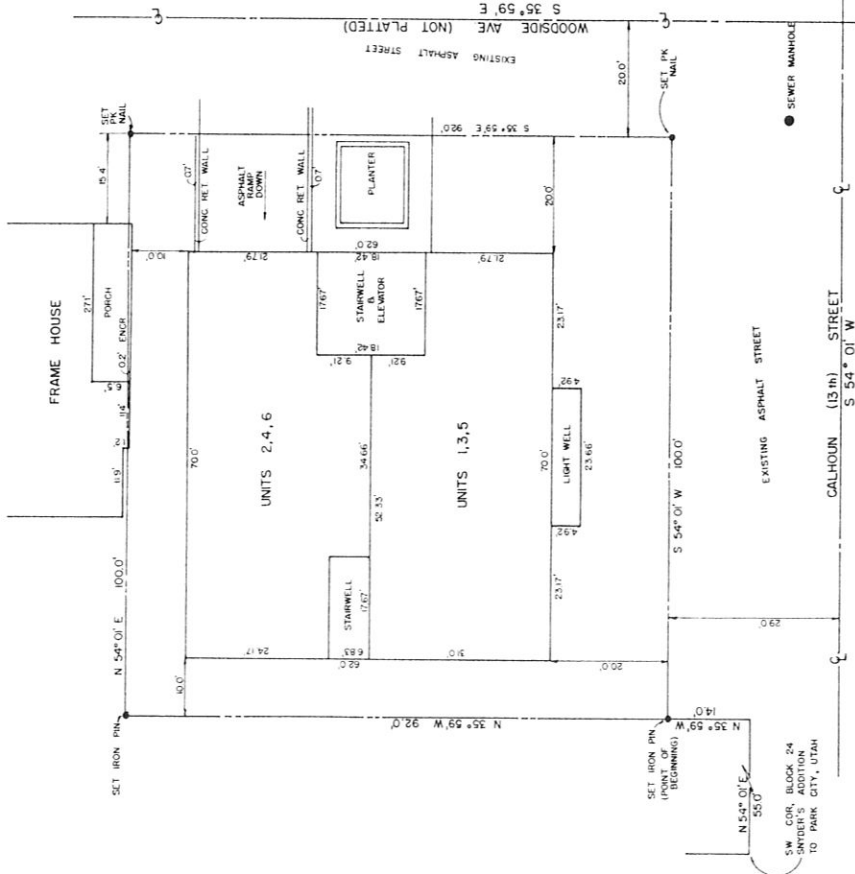
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN
 WATER RECLAMATION DISTRICT STANDARDS ON THIS
 DAY OF _____, 2008 A.D.
 BY: _____ S.B.M.R.D.

CERTIFICATE OF ATTEST
 I CERTIFY THIS RECORD OF SURVEY MAP WAS
 APPROVED BY PARK CITY COUNCIL THIS
 DAY OF _____, 2008 A.D.
 BY: _____ PARK CITY RECORDER

PARK CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE PARK CITY
 PLANNING COMMISSION ON THIS
 DAY OF _____, 2008, A.D.
 CHAIRMAN _____

BY: _____ MAYOR
 BY: _____ RECORDER
 FEE _____





OWNER'S CERTIFICATE AND CONSENT TO RECORD
 I, the undersigned, being the owner of the above described premises, hereby certify that I am the owner of the above described premises and that I am not a minor, an incompetent person, or a person who is otherwise incapacitated by law. I hereby consent to the recording of this plat and the creation of the units described herein, and I further certify that all building specifications are as shown on pages 1 and 2 of this record of survey map.

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
 COUNTY OF LAKE) S.S.
 SUBSCRIBED AND SHOWN TO BEFORE ME THIS _____ DAY OF NOVEMBER, 1987.
 MY COMMISSION EXPIRES: _____

9/14/92



SURVEYOR'S CERTIFICATE
 I, JAMES G. WEST, A REGISTERED LAND SURVEYOR, HOLD CERTIFICATE NO. 1092 AS PRESCRIBED BY THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT I HAVE PERSONALLY EXAMINED THE SURVEY MAP AND THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREIN, TO BE HEREAFTER KNOWN AS DOUBLE JACK CONDOMINIUM, AND THAT THE SAID SURVEY MAP WAS PREPARED AND STATED ON THE GROUND AS SHOWN ON THIS PLAT.
 I FURTHER CERTIFY THAT ALL BUILDING SPECIFICATIONS ARE AS SHOWN ON PAGES 1 AND 2 OF THIS RECORD OF SURVEY MAP.

James G. West
 JAMES G. WEST #1882
 DATE 7-6 1987

BOUNDARY DESCRIPTION
 BEGINNING AT A POINT WHICH IS N54° OF E 55.0 FEET FROM THE SOUTHWEST CORNER OF BLOCK 24, SNYDER'S ADDITION TO PARK CITY, UTAH,
 THENCE N 35° 59' W 92.0 FEET;
 THENCE N 54° 01' E 100.0 FEET;
 THENCE S 54° 01' W 100.0 FEET TO THE POINT OF BEGINNING. CONTAINS 9200 SQUARE FEET.

AMENDED PLAT OF
 RECORD OF SURVEY MAP OF

DOUBLE JACK CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT
 LOCATED IN BLOCK 24 OF SNYDER'S ADDITION TO PARK CITY, UTAH

CITY COUNCIL APPROVAL
 PRESENTED TO THE BOARD OF CITY ENGINEERS AND CITY ENGINEER FOR APPROVAL AND ACCEPTED BY THE CITY ENGINEER ON THIS 31st DAY OF SEPTEMBER, A.D. 1987.
 [Signature]
 CITY ENGINEER

CITY ENGINEER
 APPROVED AND ACCEPTED BY THE CITY ENGINEER ON THIS 31st DAY OF SEPTEMBER, A.D. 1987.
 [Signature]
 CITY ENGINEER

CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS 28th DAY OF SEPTEMBER, A.D. 1987.
 [Signature]
 CHAIRMAN

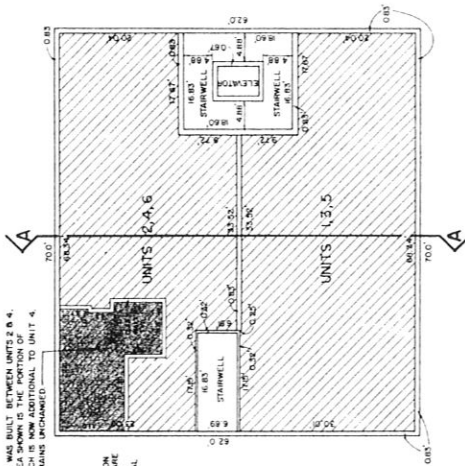
APPROVAL AS TO FORM
 APPROVED AS TO FORM ON THIS 28th DAY OF SEPTEMBER, A.D. 1987.
 [Signature]
 CITY ATTORNEY

RECORDED
 RECORDED AND FILED AT THE REQUEST OF [Signature]
 COUNTY RECORDER

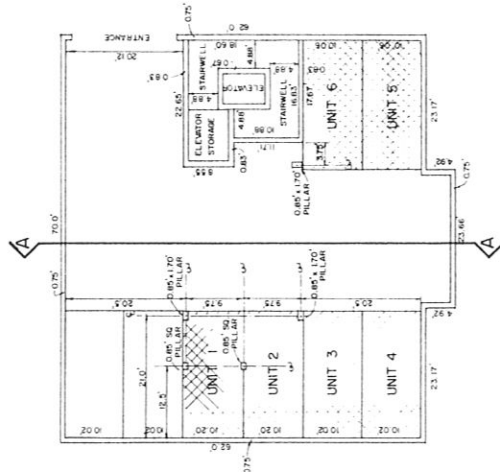
J.J. Johnson & Associates
 Park Meadows Plaza
 Highway 248
 Park City, Utah 84060
 (801) 649-9811

NOTE: A STAIRWELL WAS BUILT BETWEEN UNITS 2 & 4. SHADDED AREA SHOWN IS THE PORTION OF UNIT 2 WHICH IS NOW ADDITIONAL TO UNIT 4. UNIT 6 REMAINS UNCHANGED.

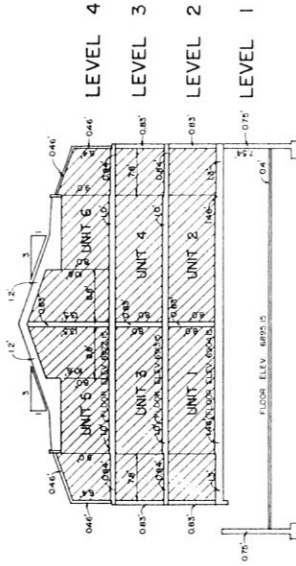
NOTE: EXTERIOR WALLS ON UNITS 5 & 6 (LEVEL #1 ARE DAMAGED AND IDENTICAL FOR LEVELS 2, 3, & 4.



LEVELS 2, 3, 4



PARKING LEVEL (LEVEL 1)



SECTION A—A

UNIT	FLOOR AREA (PRIVATE OWNERSHIP)	AREA
1	1866 SQ. FT.	
2	1425 SQ. FT.	
3	1866 SQ. FT.	
4	2045 SQ. FT.	
5	1866 SQ. FT.	
6	1743 SQ. FT.	

UNIT	FLOOR	CEILING
1	6904.15	6921.15
2	6904.15	6921.15
3	6913.15	6921.15
4	6913.15	6921.15
5	6922.15	VARIABLES
6	6922.15	VARIABLES

NOTE: BENCHMARK - FIRE HYDRANT ON PARK AVE AT 14th STREET. ELEVATION - TOP - 6886.96

SCALE: 1"=10'

LEGEND

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

AMENDED PLAT OF RECORD OF SURVEY MAP OF

DOUBLE JACK CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT LOCATED IN BLOCK 24 OF SNYDER'S ADDITION TO PARK CITY, UTAH

RECORDED
 11-17-94
 NO. 215594
 STATE OF UTAH
 COUNTY OF SUMMIT
 RECORDED AND FILED AT THE REQUEST OF
 J.J.J. JOHNSON & ASSOCIATES
 COUNTY RECORDER
 FEES

J.J. Johnson & Associates
 Park Meadows Plaza,
 Highway 248
 Park City, Utah 84300
 (801) 649-9811

Ordinance No. 08-18

AN ORDINANCE APPROVING THE 369 DALY AVENUE SUBDIVISION CREATING TWO LOTS OF RECORD AT 361 AND 369 DALY AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the three metes and bounds parcels located at 361 and 369 Daly Avenue, has petitioned the City Council for approval of a subdivision; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 28, 2008 to receive input on the 369 Daly Avenue subdivision; and

WHEREAS, the Planning Commission, on May 28, 2008, forwarded a positive recommendation to the City Council; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 369 Daly Avenue subdivision.

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

SECTION 1. APPROVAL The above recitals are hereby incorporated as findings of fact. The 369 Daly Avenue subdivision 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 361 (Lot 1) and 369 (Lot 2) Daly Avenue.
2. The two lots are close to equal dimensions. The lot area of lot 1 is approximately 4,607 square feet. The lot area of lot 2 is approximately 4,985 square feet
3. The zoning is Historic Residential (HR-1).
4. A duplex in the Historic Residential (HR-1) zone is a conditional use.
5. The neighborhood is characterized by single family new and historic homes, as well as duplexes and multi-family homes.
6. The subdivision will create two lots of record from three metes and bounds parcels.
7. Lot 1 currently has an existing non-historic home on the property and Lot 2 is a vacant lot
8. The property is located within a defined flood zone.
9. Access to the property is from Daly Avenue.
10. The minimum lot size in the HR-1 zone is 1,875 square feet for a single family home.
11. The minimum lot width in the HR-1 zone is 25 feet.
12. The maximum height limit in the HR-1 zone is 27 feet from existing grade.
13. Setback requirements for each of the lots are 5' minimum and 14' total on the side yard, 12' minimum in the front and rear yard with a minimum of 25' total.
14. The maximum footprint for a building on Lot 1 is 1778 sq. ft.
15. The maximum footprint for a building on Lot 2 is 1883.5 sq. ft.
16. Minimal construction staging area is available along Daly Avenue.

17. All findings within the Analysis section are incorporated herein.
18. Based on a Daly Avenue study and previous City decisions, house sizes have been limited in order to be compatible with the surrounding neighborhood. Based upon Daly Avenue house sizes which average 2,379 square feet and Floor Areas that are approximately 115% of the allowable footprint, Gross Floor Area, as defined by the LMC, is limited to 115% of the maximum footprint allowed.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. Prior to the receipt of a building permit for construction on the lots, 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 and the Land Management Code.
4. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
5. The name of the subdivision plat is 369 Daly Avenue Subdivision.
6. Addresses for the two lots are 361 Daly Avenue and 369 Daly Avenue.
7. A note shall be added to the plat stating that the maximum Gross Floor Area, as defined by the LMC, for Lot 1 is 2,045 square feet and for Lot 2 is 2,166 square feet.

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

PASSED AND ADOPTED this 12th day of June 2008.

PARK CITY MUNICIPAL CORPORATION



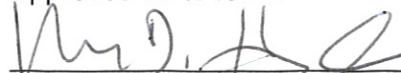
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

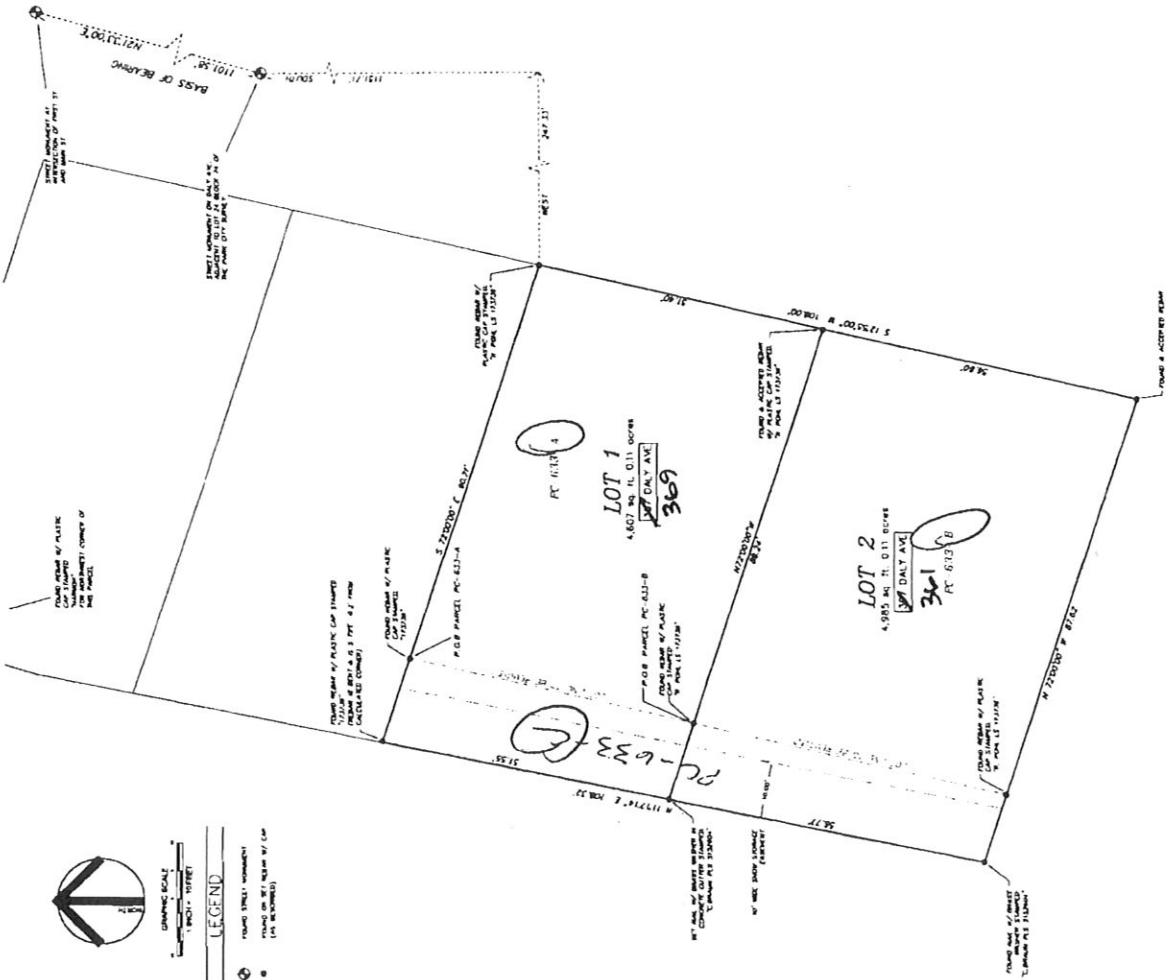
Approved as to form:



Mark D. Harrington, City Attorney



369 DALY AVENUE SUBDIVISION
 A PARCEL OF LAND LYING WITHIN THE NORTHWEST QUARTER
 OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST
 SALT LAKE BASE & MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH
 ALSO KNOWN AS LOTS 1 & 2 OF THE DALY WEST
 SUBDIVISION, AN UNRECORDED SUBDIVISION



PLAT SHEET

1. ALL CITY MAPS AND SUBDIVISIONS ARE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF UTAH CITY MAPS AND SUBDIVISIONS ACT, AS AMENDED BY HOUSE BILL 2008-001, WHICH IS PART OF THE 2008 LEGISLATIVE SESSION. THIS PLAT SHEET IS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF UTAH CITY MAPS AND SUBDIVISIONS ACT, AS AMENDED BY HOUSE BILL 2008-001, WHICH IS PART OF THE 2008 LEGISLATIVE SESSION.

LEGAL DESCRIPTION

Containing 0.22 acres, more or less, of the Northwest Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah, containing 4,607 square feet of land, to be divided into two lots, Lot 1 and Lot 2, as shown on the attached plat. The total area of the land is 9,492 square feet, more or less. The land is bounded on the north by the Daly Avenue right-of-way, on the east by the Daly Avenue right-of-way, on the south by the Daly Avenue right-of-way, and on the west by the Daly Avenue right-of-way. The land is also bounded on the north, east, south, and west by the Daly Avenue right-of-way. The land is also bounded on the north, east, south, and west by the Daly Avenue right-of-way.

OWNER'S DEDICATION AND CONSENT TO RECORD

I, the undersigned, owner of the above described land, do hereby dedicate and consent to the recording of this plat. I understand that the recording of this plat is a public act and that the recording of this plat is for the benefit of the public. I understand that the recording of this plat is for the benefit of the public and that the recording of this plat is for the benefit of the public.

ACKNOWLEDGEMENT

I, the undersigned, owner of the above described land, do hereby acknowledge that I have read and understand the contents of this plat. I understand that the recording of this plat is a public act and that the recording of this plat is for the benefit of the public. I understand that the recording of this plat is for the benefit of the public and that the recording of this plat is for the benefit of the public.

SURVEYOR'S CERTIFICATE

I, the undersigned, Surveyor, do hereby certify that I have surveyed the above described land and that the boundaries shown on this plat are correct. I understand that the recording of this plat is a public act and that the recording of this plat is for the benefit of the public. I understand that the recording of this plat is for the benefit of the public and that the recording of this plat is for the benefit of the public.



PARK CITY PLANNING COMMISSION REVIEWED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF _____ 2008 A.D.	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS DAY OF _____ 2008 A.D.	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS DAY OF _____ 2008 A.D.	APPROVAL AS TO FORM APPROVED AS TO FORM THIS DAY OF _____ 2008 A.D.	COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS DAY OF _____ 2008 A.D.	RECORDED STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ THE BOOK _____ PAGE _____
CHAIRMAN _____ BY _____	BY _____	BY _____	BY _____	BY _____	BY _____

Exhibit C - Daly Avenue Study

House No.	Lot Size (Acres)	Lot Size (Sq Ft)	Max Footprint Allowed	Living Area	Basement Area	Attached/Built-in Garage Area	Totals (Sq Ft)	Year Built	Subdivision (if applicable)
10	0.10	4356	1,705	2218	597	406	3,221	1901	First Amended 10 Daly Avenue Sub (2004)
17-19	0.12	5,150	1,928	4,130			4,130	2002	#17 & #19 Daly Avenue Condo (2002)
24	0.07	3,021	1,275	1,022			1,022	1901	
25	0.07	3,200	1,337	2,110	824	461	3,395	1995	
32	0.09	3,770	1,525	4,358			4,358	1982	Empire Canyon Condominiums (1981)
37	0.10	4,300	1,689	2,907		369	3,276	1994	
40	0.13	5,609	2,046	4,365			4,365	1982	Empire Canyon Condominiums (1981)
45	0.08	3,485	1,433						
48	0.09	4,051	1,613	4,365			4,365	1982	Empire Canyon Condominiums (1981)
51	0.11	4,792	1,830	2,195		456	2,651	1993	
55	0.06	2,500	1,086						
56	0.08	3,336	1,383	4,468			4,468	1982	Empire Canyon Condominiums (1981)
57	0.06	2,614	1,128	2,111	310	290	2,711	2005	Daly No. 8 Sub (2003)
59	0.07	3,049	1,284	2,159	1,023	286	3,468	2005	Daly No. 8 Sub (2003)
61	0.11	4,792	1,830	861			861	1900	
62	0.06	2,614	1,128	1,339	406		1,745	1997	62 Daly Avenue Replat (1996)
64	0.06	2,614	1,128	1,339	406		1,745	1997	62 Daly Avenue Replat (1996)
68	0.05	2,178	964	1,521			1,521	1983	
71	0.09	3,920	1,573	816			816	1900	
80	0.13	5,663	2,060						
81	0.22	9,583	2,796						
96	0.19	8,451	2,628	8,036			8,036	1984	Daly Doubles Condo (1984) (10' side yard, 13' rear)
97	0.19	8,276	2,599	1,214			1,214	1900	Landmark Replat Sub (1997)
100	0.07	3,049	1,284					1979	
102	0.10	4,356	1,705	2,652	1,111		3,763	1979	
103-105	0.10	4,500	1,747	3,027			3,027	1983	Daly Avenue Twin Home Condo (1983)
109	0.05	2,178	964						
110	0.08	3,485	1,433	2,101	567	420	3,088	1996	Fisher Sub (1992)
111	0.06	2,614	1,128	1,818		336	2,154	1993	Four Aces Sub (1992)
115	0.06	2,614	1,128	1,890		400	2,290	1993	Four Aces Sub (1992)
118	0.09	3,920	1,573	707			707	1895	Fisher Sub (1992)
121	0.06	2,614	1,128	1,874		400	2,274	1993	Four Aces Sub (1992)
124	0.05	2,178	964						Fisher Sub (1992)
125	0.06	2,614	1,128	1,874		400	2,274	1993	Four Aces Sub (1992)
130	0.09	3,920	1,573	1,926	465	399	2,790	1997	
131	0.08	3,485	1,433	746			746	1900	
135	0.07	3,049	1,284	1,702			1,702	1976	
136	0.08	3,485	1,433	1,734	156	409	2,299	1997	
139	0.09	3,820	1,541	4,130			4,130	1988	Canyon Road Condo (1988)
141	0.11	4,780	1,827	3,821			3,821	1988	141 Daly Condo (1988)
142	0.11	4,792	1,830	1,626		486	2,112	1904	
145	0.09	3,920	1,573	2,388			2,388	1927	
146	0.10	4,356	1,705	2,146		713	2,859	1983	
156	0.08	3,485	1,433	1,204		416	1,620	1976	
157	0.06	2,614	1,128	1,882		252	2,134	1997	

Lower Daly Avenue

	House No.	Lot Size (Acres)	Lot Size (Sq Ft)	Max Footprint Allowed	Living Area	Basement Area	Attached/Built-in Garage Area	Totals (Sq Ft)	Year Built	Subdivision (if applicable)
Lower Daly Avenue	161	0.09	3,920	1,573	1,287			1,287	1900	
	162	0.11	4,792	1,830	794			794	1900	
	166	0.10	4,356	1,705	1,112			1,112	1928	
	167	0.19	8,276	2,599	3,826		1,749	5,575	1927	
	172	0.06	2,614	1,128	542			542	1900	
	173	0.12	5,227	1,948	1,217			1,217	1916	
	180	0.12	5,227	1,948	739			739	1925	
	187	0.08	3,417	1,410	2,522			2,522	2001	187 Daly Avenue Sub (2000)
	191	0.09	3,712	1,507	2,611		338	2,949	2007	187 Daly Avenue Sub (2000)
	199	0.13	5,663	2,060	1,521			1,521	1899	199 Daly Avenue Sub (2003)
	200	0.10	4,356	1,705	1,895		210	2,588	1996	
	203	0.13	5,663	2,060	1,092			1,092	1966	
	207-209	0.10	4,356	1,705	2,315			2,315	1993	
	210-212	0.17	7,225	2,407	3,256			3,256	1996	210 Daly Condo (1996)
	214	0.06	2,614	1,128	1,750		598	2,348	1996	
220-222	0.14	6,203	2,189	3,082			3,082	1997	Potter's Corner Condo (1997)	
234	0.18	7,841	2,523	2,030		430	2,933	2006		
Upper Daly Avenue	239	0.14	6,098	2,164	890			890	1901	
	240	0.20	8,684	2,665	1,800			1,800	1995	Washington Mill Sub (1994)
	243	0.06	2,614	1,128	609		759	1,368	1900	
	249	0.07	3,049	1,284	1,808		273	2,081	1996	
	250	0.10	4,236	1,669	1,922			1,922	1995	Washington Mill Sub (1994)
	255	0.11	4,792	1,830	1,334			1,334	1901	255 Daly Avenue Sub (1995)
	257	0.11	4,792	1,830						
	260	0.21	9,191	2,742	1,800			1,800	1995	Washington Mill Sub (1994)
	269	0.17	7,405	2,442	805			805	1901	
	270	0.13	5,567	2,036	1,800			1,800	1995	Washington Mill Sub (1994)
	279	0.08	3,485	1,433	842			842	1906	
	280	0.24	10,522	2,913						Washington Mill Sub (1994)
	291	0.15	6,534	2,263	2,307		234	2,541	2006	291 Daly Sub (2005)
	295	0.09	4,137	1,639						291 Daly Sub (2005)
	297	0.19	8,158	2,579						291 Daly Sub (2005)
	309	0.39	16,988	3,270	958			958	1901	
	314	0.25	10,890	2,953	884			884	1901	
	325	0.17	7,405	2,442	2,792		1,838	5,008	2004	325 Daly Sub (2003)
	330	0.09	3,920	1,573						The Canyon Sub (1997)
	336	0.08	3,485	1,433						The Canyon Sub (1997)
337	0.09	3,920	1,573						Daly West Sub lots 5 & 6 Lot Line Adj. (2007)	
345	0.09	3,920	1,573	2,289		418	2,707	1996		
353	0.09	3,920	1,573	2,362		400	2,762	1998		
369	0.09	3,920	1,573							
Averages	Lower Daly	0.10	4,236	1,618	2,225	632	410	2,535		
	Upper Daly	0.14	6,151	2,024	1,575	1,299	341	1,844		
	Overall	0.11	4,770	1,732	2,079	716	396	2,379		

	Lower Daly	Upper Daly	Overall
Sq. Ft. (total) to Lot Size Ratio:	0.60	0.30	0.50
Sq. Ft. (total) to Max. Footprint Allowed Ratio:	1.57	0.91	1.37

Source: Summit County, Public Records, EagleWeb (Property), Downloaded by Francisco Astorga, Park City Planning Dept. April 2008

Ordinance No. 08-17

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

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

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

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

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

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

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

WHEREAS, on April 29, 2008, the owner of the property known as Lots 21, 22, and a portion of vacated 13TH Street (Calhoun Street) at 1287 Empire Avenue, has petitioned the City Council for an extension of the approval of a plat amendment; and

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

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

SECTION 1. APPROVAL The above recitals are hereby incorporated as findings of fact. The Amended plat of lots 21 and 22, Block 26 Snyder's Addition to Park City as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

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

8. The proposed lots measures 32.5' x 75'.
9. Each proposed lot is 2437.5 square feet in size.
10. The minimum lot size for a single family home in the RC zone is 1,875 square feet.
11. The maximum building footprint for each of the proposed lots is 1,062 square feet.
12. The maximum height limit in the RC zone for a single family home is 27 feet above existing grade.
13. Setbacks for the lot are 3' on the sides, and 10' in the front and rear.
14. Minimal construction staging area is available along Empire Avenue.
15. All other facts within the Analysis section of this report are incorporated within.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for Historic Design Review for review and approval by the Planning Department for compliance with applicable Historic District Design Guidelines.
3. The applicant will record the plat amendment at the County within one year from the date of City Council extension of the original approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
4. Demolition of the existing home on the subject lot must occur prior to plat recordation.

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

PASSED AND ADOPTED this 29th day of May, 2008.

PARK CITY MUNICIPAL CORPORATION



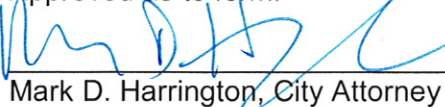
Mayor Dana Williams

Attest:

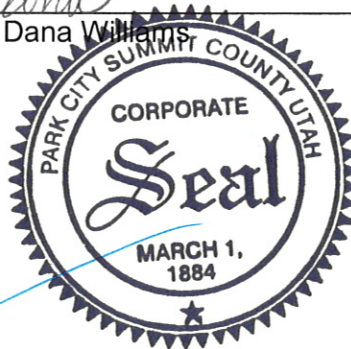


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 08-16

AN ORDINANCE APPROVING THE NAKOMA CONDOMINIUMS FIRST AMENDED AND RESTATED RECORD OF SURVEY PLAT LOCATED AT 8800 MARSAC AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as the Nakoma Condominiums, located at 8800 Marsac Avenue, Lot B of the Northside Village Subdivision II, have petitioned the City Council for approval of the Nakoma Condominiums First Amended and Restated 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 May 14, 2008, to receive input on the Nakoma Condominiums First Amended and Restated record of survey plat;

WHEREAS, the Planning Commission, on May 14, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Nakoma Condominiums First Amended and Restated 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 Nakoma Condominiums Phase II record of survey as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 8800 Marsac Avenue.
2. The Nakoma Condominiums are 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 September 11, 2002, the Planning Commission approved a Master Planned Development for the Flagstaff Mountain Resort Phase II (Pod B-1).

5. The approved Flagstaff Mountain Resort Phase II MPD includes a maximum density assignment and conceptual site design for eighteen (18) detached single family units utilizing not more than 27 Unit Equivalents on Northside Village Subdivision II, Lot B.
6. The Planning Commission approved an MPD amendment to Lot B on October 27, 2004, in which the UE count on Lot B increased from 27 to 45, while maintaining the same footprint and maximum house size requirements as previously approved.
7. The Planning Commission approved a second amendment to the Nakoma Master Planned Development on April 23, 2008. That amendment allowed for the combination of units 17 and 18 into a single unit of 7,500 square feet and further allowed the distribution of the square footage to the other un-built units. Units 1-16 still have a maximum footprint of 3,000 square feet while unit 17 (combined unit) is allowed a maximum footprint of 5,000 square feet. The total Unit Equivalent count remained unchanged and cannot exceed 45 UEs (90,000 square feet).
8. The approved maximum building footprint for the units 1-16 detached single-family units on Northside Village Subdivision II, Lot B, is 3,000 square feet with a maximum house size between 4,300 square feet and 5,750 square feet (whether considered a Basement or Floor Area by LMC definition). An additional 600 square feet is allowed for a garage.
9. Unit 17 may be up to 7,500 square feet of floor area (again, whether Basement or Floor Area as defined by the LMC) with a footprint not to exceed 5,000 square feet.
10. The 17 units represent the irrevocable consumption of 45 Unit Equivalents.
11. The proposed amended record of survey is consistent with the approved and amended Master Planned Development for the Flagstaff Mountain Resort Phase II.
12. Two parking spaces are required for each unit.
13. 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 amended record of survey.
2. The amended record of survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed amended record of survey.
4. Approval of the amended record of survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

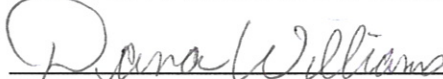
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All conditions of approval of the Flagstaff Mountain Resort Phase II (Pod B-1) Master Planned Development, as amended, and the Northside Village Subdivision II plat shall continue to apply.

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

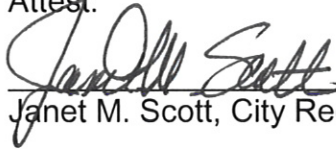
PASSED AND ADOPTED this 29th day of May, 2008.

PARK CITY MUNICIPAL CORPORATION



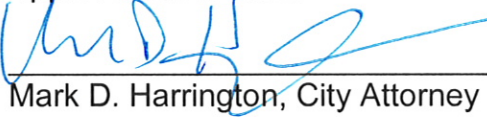
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

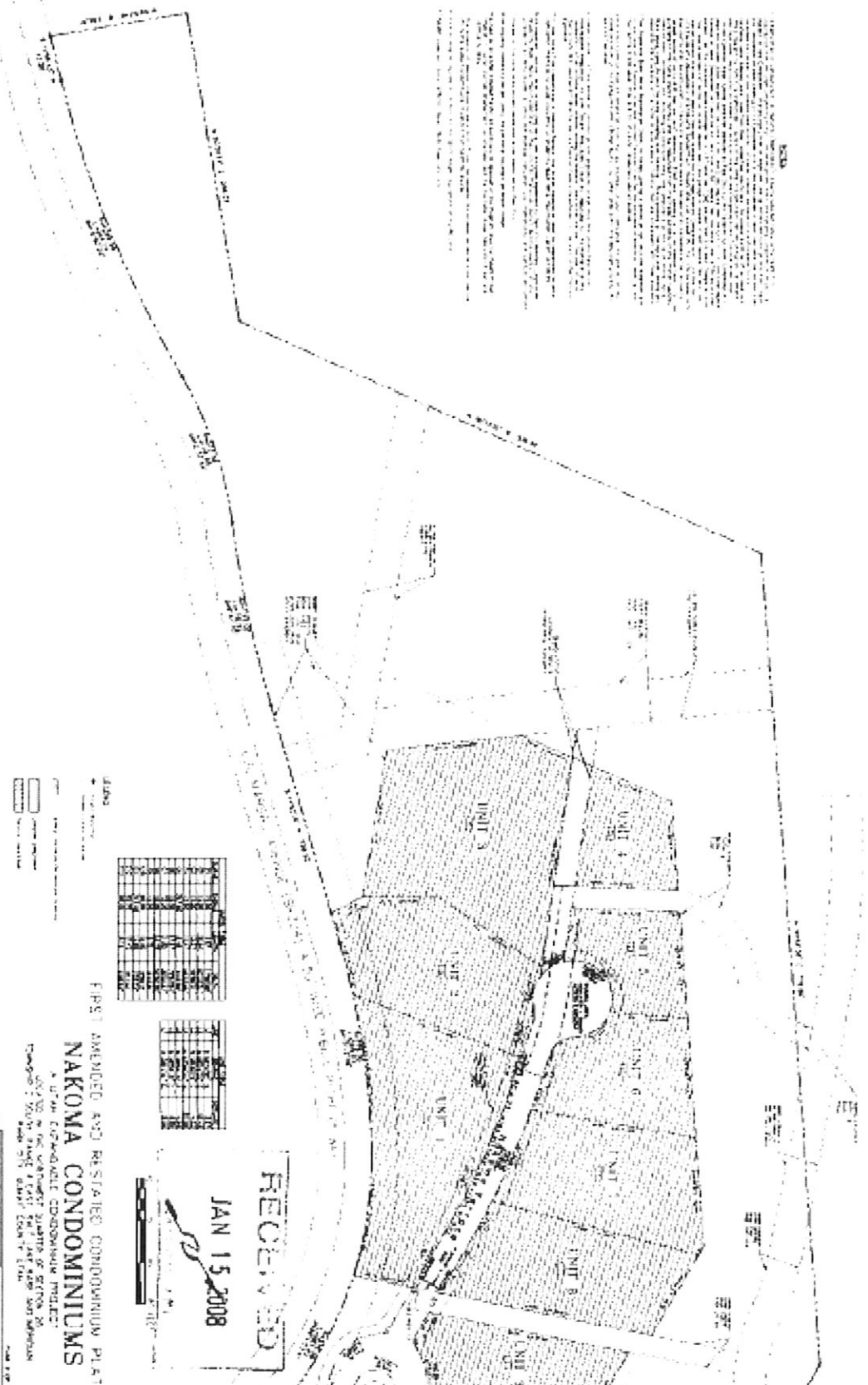
Approved as to form:



Mark D. Harrington, City Attorney



THIS PLAN AND THE CONDOMINIUM ACT THEREUNDER SHALL BE CONSIDERED TO BE A PART OF THIS DEED AND SHALL BE CONSIDERED TO HAVE THE SAME FORCE AND EFFECT AS IF THEY WERE HEREBY REPRODUCED IN FULL IN THIS DEED. THE CONDOMINIUM ACT IS A PUBLIC ACT OF THE LEGISLATURE OF THE STATE OF OKLAHOMA AND IS HEREBY INCORPORATED BY REFERENCE INTO THIS DEED.



FIRST AMENDED AND RESTATED CONDOMINIUM PLAN
NAKOMA CONDOMINIUMS
 A UNIT OF CONDOMINIUM DEVELOPMENT
 AS SET FORTH IN THE CONDOMINIUM ACT OF THE STATE OF OKLAHOMA
 AND THE UNIFORM CONDOMINIUM ACT OF 1980 AS AMENDED
 AND THE UNIFORM COMMON INTEREST PROPERTIES ACT OF 1994 AS AMENDED

RECEIVED
 JAN 15 2008

	CONVEYED AND KITE BOUNDARY ORDER FROM THE CONVEYOR TO THE GRANTEE AS SHOWN ON THE ATTACHED MAP BY _____ OF _____ COUNTY, OKLAHOMA TO _____ OF _____ COUNTY, OKLAHOMA	PLANNING COMMISSION APPROVED BY THE PLANNING COMMISSION ON _____ AT _____ O'CLOCK BY _____	DEVELOPER'S REPRESENTATIVE _____ OF _____ COUNTY, OKLAHOMA BY _____	JOINTLY AS TO EACH PART _____ OF _____ COUNTY, OKLAHOMA BY _____	CERTIFICATE OF ATTORNEY _____ OF _____ COUNTY, OKLAHOMA BY _____	FINAL APPROVAL AND SIGNATURE _____ OF _____ COUNTY, OKLAHOMA BY _____	APPROVED _____ OF _____ COUNTY, OKLAHOMA BY _____
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Ordinance No. 08-15

AN ORDINANCE AMENDING SECTION 4-3-10 OF THE MUNICIPAL CODE OF PARK CITY, UTAH TO UPDATE OUTDOOR SALES REGULATIONS TO LIMIT THE DURATION OF SALES TO 3 DAYS EACH, BUT ADDITIONALLY ALLOW THEM UP TO 15 SUNDAYS PER YEAR; AND ALLOW ONLY RETAIL AND SERVICE BASED BUSINESSES TO BE ELIGIBLE FOR OUTDOOR SALES

WHEREAS, the Municipal Code and Land Management Code place limitations on outdoor activity, including noise, outdoor dining; outdoor merchandising, and other retail uses; and

WHEREAS, the City Council finds that it is in the public interest to regulate the outdoor display of merchandise, in certain pedestrian-oriented commercial districts in order to reduce visual clutter, protect and preserve the unique aesthetic character of the City, and enhance the community's economic viability; and

WHEREAS, public notice and opportunity to comment were provided, pursuant to the Municipal Code; 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 1. FINDINGS. The above-recitals are hereby incorporated herein as findings.

SECTION 2 AMENDMENT. Chapter 4, Section 4-4-14(k) of the Municipal Code is amended to read as follows:

4- 3-10. OUTDOOR SALES.

The Finance Department may grant a license to regularly licensed Retail and Service based Park City businesses, per 15-15-1.190 of the Land Management Code ~~excluding restaurants and food and beverages services~~, to hold outdoor sales five (5) times a year for a duration of no longer than ~~five~~ three (3) days for each outdoor sale; and additionally for up to 15 individual Sundays per calendar year, either within the business' own property or on public sidewalks or streets adjoining the business on the following terms:

SECTION 3 EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 29th day of May, 2009.

PARK CITY MUNICIPAL CORPORATION

Dana Williams
Mayor Dana Williams

Attest:

Janet M. Scott
Janet M. Scott, City Recorder

Approved as to form:

MDH
Mark D. Harrington, City Attorney



Ordinance No. 08-14

AN ORDINANCE AMENDING SECTION 4-5-3(C) AND SECTION 4-6-5 OF THE MUNICIPAL CODE OF PARK CITY TO BE CONSISTENT WITH SECTION 32A-7-102 OF THE STATE CODE

WHEREAS, the City Council finds that it is in the public interest to regulate Special Event Beer and Liquor licenses consistently with the State Code; and

WHEREAS, public notice and opportunity to comment were provided, pursuant to the Municipal Code; 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 4-5-3(C) and Section 4-6-5 of the Municipal Code are amended to read as follows:

4-5-3(C)

(C) **SPECIAL EVENT TEMPORARY BEER LICENSE.** A special event temporary beer license shall carry the privileges of either an on-premise or off-premise license. A special event temporary beer license shall authorize the storage, sale, service and consumption of beer in conjunction with a master festival, special event, convention, civic or community event and pursuant to the Utah Alcoholic Beverage Control Act, Alcoholic Beverage Control rules and regulations, and the ordinances of Park City. No person under the age of twenty-one (21) shall sell or serve beer under this license. Special event temporary beer licenses shall be valid only if the licensee has been granted a temporary special event beer permit by the Utah Alcoholic Beverage Control Commission pursuant to U.C.A. Sections 32A-10-301 to 306, as amended, for the same master festival, special event, or other convention, civic or community event. Special event temporary beer licenses must provide the City with proof of State licensure not less than ten (10) business days prior to the master festival, special event, or other convention, civic or community event for which the City license has been issued. All licensees must notify the City immediately if their State license is denied, revoked, or suspended for any reason. ~~The sale of beer under a series of small-scale and/or large-scale special event temporary beer licenses issued to the same person may not exceed a total of ninety (90) days in a calendar year. A~~ temporary beer license shall authorize the storage, sale, service, and consumption of beer for a period not to exceed thirty (30) days. No person, individual, or association shall in any one (1) calendar year be licensed for more than a total of ninety (90) days

~~(1) **SMALL-SCALE SPECIAL EVENT TEMPORARY BEER LICENSE.** A small-scale special event temporary beer license shall authorize the storage, sale, service and consumption of beer for a period not to exceed seventy-two (72) consecutive hours in conjunction with a master festival, special event, or other convention, civic or community event. No person shall be licensed for more than four (4) small-scale special event~~

temporary beer licenses in any calendar year, unless otherwise approved by the City Council.

~~(2) LARGE-SCALE SPECIAL EVENT TEMPORARY BEER LICENSE. A large-scale special event temporary beer license shall authorize the storage, sale, service and consumption of beer for a period not to exceed thirty (30) days. Large-scale special event temporary beer licenses shall be issued only in conjunction with a duly licensed master festival having a duration of four (4) days or greater, and shall be limited in duration to match the term of the master festival license. No person, individual, or association shall be licensed for more than three (3) large-scale special event temporary beer licenses in any calendar year.~~


4- 6- 5. SPECIAL EVENT LIQUOR LICENSE.

A special event liquor license shall authorize for a period not to exceed ~~seventy-two (72)~~ one-hundred and twenty (120) consecutive hours or five (5) consecutive days the storage, sale, service, and consumption of liquor at an event sponsored by a bona fide association, corporation, church or political organization or a recognized lodge, chapter or other local unit that is conducting a convention, civic or community enterprise. The City may not issue more than four (4) special event liquor licenses in any one (1) calendar year to the same association, church, or political organization, chapter, lodge or unit thereof, if any special event liquor license issued in any (1) calendar year to said association, church, or political organization, chapter lodge or unit thereof exceeds 72 hours. If no special event liquor license exceeding 72 hours has been granted to said association, church, or political organization, chapter lodge or unit thereof in any one (1) calendar year the City may issued up to twelve (12) single event liquor licenses provided that all such licenses issued in the calendar year are 72 hours or fewer.

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

PASSED AND ADOPTED this 29th day of May, 2008.

PARK CITY MUNICIPAL CORPORATION




Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 08-13

**AN ORDINANCE APPROVING THE 313 DALY AVENUE SUBDIVISION PLAT,
AN AMENDMENT TO PARCELS 1 AND 2 LOCATED
AT 313 DALY AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 313 Daly Avenue have petitioned the City Council for approval of the plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 26, 2008, to receive input on the plat amendment; and

WHEREAS, the Planning Commission, on April 23, 2008, forwarded a positive recommendation to the City Council; and

WHEREAS, on April 17, 2008, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 313 Daly Avenue Subdivision Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 313 Daly Avenue Subdivision Plat, as shown in the attachment 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 313 Daly Avenue.
2. The zoning is Historic Residential (HR-1).
3. The current configuration at 313 Daly Avenue is two tandem metes and bounds parcels of land (Parcel 1 and Parcel 2).
4. The proposed lot amendment combines the two existing metes and bounds parcels and creates two lots of record.
5. The Land Management Code requires a minimum lot width in the HR-1 District of 25'. The lot widths of the 313 Daly Avenue Subdivision Plat are 49.95 feet for lot A and 49.82 feet for lot B.

6. The Land Management Code requires a minimum lot area in the HR-1 District of 1,875 square feet. The lot areas of the 313 Daly Avenue Subdivision Plat are 8636.6 square feet for lot A and 8241.1 square feet for lot B.
7. The proposed maximum gross floor area calculations are compatible with the Daly Avenue Study.
8. The average square footage of all of Daly Avenue is approximately 137% of the average maximum footprint allowed and the average square footage of Upper Daly Avenue is approximately 91% of the average maximum footprint allowed.
9. Parcel 1 located in the front with access to Daly Avenue is flat and parcel 2 located in the back without any access to Daly Avenue and has steep slopes.
10. An existing historic home is located on the front parcel (parcel 1) of land.
11. The proposed lots create a snow storage easement 10 feet wide along the front property lines off Daly Avenue
12. A remnant parcel of land will not be created by this plat amendment.
13. Access to the lots is from Daly Avenue.
14. All findings within the Analysis section are incorporated within.
15. Access to parcel 2 is not currently available and is therefore unbuildable.

Conclusions of Law:

1. There is good cause for this Plat Amendment because it will create two lots of record from two metes and bounds parcels of land.
2. The Plat Amendment is consistent with the Park City Land Management Code complying with the minimum requirements for lot width and area.
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. The applicant may apply for an extension to this time limit if needed.
3. The Planning Department must approve a Preservation Plan for the movement of the existing Historic home prior to plat recordation.
4. The existing Historic home must be moved onto one of the proposed lots prior to plat recordation.
5. The plat must include a note indicating that the building footprint is restricted to the portion of the lot that is less than 30% slopes and the gross floor area is calculated at 115% of the footprint for each lot, Lot 1 is restricted to a maximum gross floor area of 2,982 sq. ft. and Lot 2 is restricted to a maximum

gross floor area of 3,056 sq. ft.

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

PASSED AND ADOPTED this 15th day of May, 2008.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney

Ordinance No. 08-12

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

WHEREAS, the owners of the property known as the Christopher Homes at Empire Pass Condominiums, Lot 1 of the Silver Strike Subdivision, have petitioned the City Council for approval of the Christopher Homes at Empire Pass Condominiums, second amended record of survey; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 9, 2008, to receive input on the Christopher Homes at Empire Pass Condominiums, second amended record of survey;

WHEREAS, the Planning Commission, on April 9, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 24, 2008, the City Council held a public hearing on the Christopher Homes at Empire Pass Condominiums, second amended record of survey; and

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

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

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

Findings of Fact:

1. The property is located on Lot 1 of the Silver Strike subdivision.
2. The Christopher Homes Condominiums is located in the RD-MPD zoning district.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.

4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The MPD identified the area of this proposed subdivision as the location for 18 PUD-style detached single family homes, similar to the Paintbrush units currently under construction in other parts of Empire Pass.
5. On June 29, 2006, the City Council approved the Silver Strike Subdivision creating two lots of record. Lot 1 is 4.37 acres in size while lot 2 contains 1.99 acres.
6. On August 17, 2007, the City approved 4 units as the first Christopher Homes condominium plat on Lot 2 and on November 29, 2007, the City approved the first amended Christopher Homes condominium plat creating an additional 4 units on Lot 1.
7. Two units are proposed to be added to the approved 8 units on Lots 1 and 2.
8. 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.
9. 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.
10. The proposed record of survey is consistent with the approved Master Planned Development for the Village at Empire Pass.
11. Two parking spaces are required for each unit.
12. Each building is required to conform to the 28+5 foot height requirement of the RD zone.
13. Plat Note #1 requires amending the record of survey after construction of the units to reflect as built conditions unless otherwise approved by the City Attorney and City Engineer.
14. A thirty foot water line and trail easement crosses the front portion of both of these units.

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. 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.
6. No construction other than driveways and landscaping can occur over the 30-foot water line and trail easement.
7. The record of survey is required to be amended after construction of the units to reflect as built conditions unless otherwise approved by the City Attorney and City Engineer.

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

PASSED AND ADOPTED this 24th day of April, 2008.

PARK CITY MUNICIPAL CORPORATION



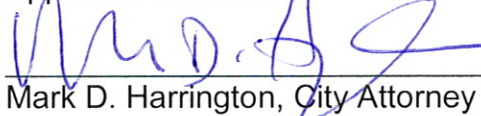
Mayor Dana Williams

Attest



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





STATE OF UTAH
DEPARTMENT OF STATE
OFFICE OF THE REGISTRAR OF REAL ESTATE

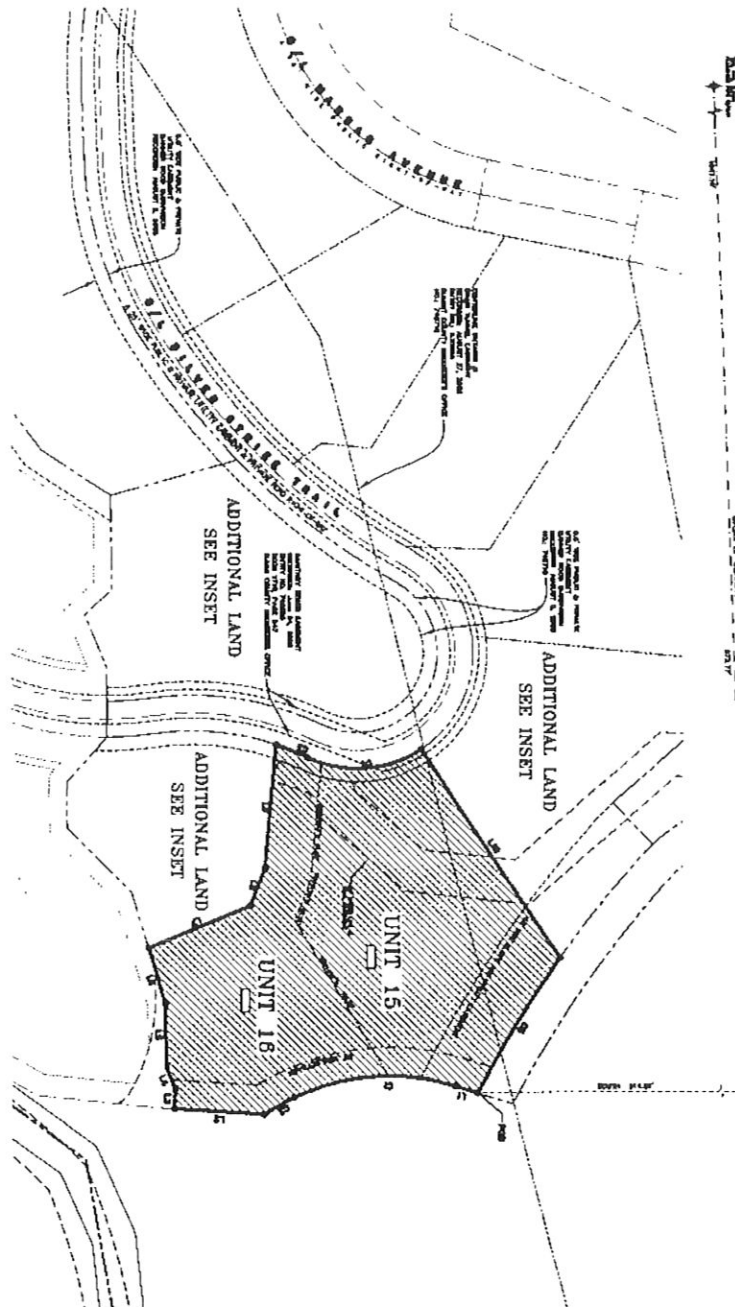
1. The undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original of the above described instrument as the same appears in the records of the Office of the Registrar of Real Estate, State of Utah, and that the same has been duly recorded in the public records of the State of Utah.

OWNER'S DECLARATION AND CONSENT TO RECORD
I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original of the above described instrument as the same appears in the records of the Office of the Registrar of Real Estate, State of Utah, and that the same has been duly recorded in the public records of the State of Utah.

ACKNOWLEDGMENT

Notary Public in and for the State of Utah
My Commission Expires _____
Notary Public in and for the State of Utah
My Commission Expires _____

INDUSTRY DESCRIPTION
This project is a residential development consisting of two units, Unit 15 and Unit 16, located in the northeast quarter of Section 28, Township 2 South, Range 6 East, Salt Lake Base and Meridian, Park City, Summit County, Utah. The project is situated on a 1.2-acre parcel of land. The units are to be constructed on a hillside overlooking the city of Park City. The project is a part of a larger residential development in the area.



CHRISTOPHER HOMES AT EMPIRE PASS CONDOMINIUMS
CONDOMINIUM PLAT AMENDMENT
A UTAH EXPANDABLE CONDOMINIUM PROJECT

Located in the northeast quarter of Section 28, Township 2 South, Range 6 East, Salt Lake Base and Meridian, Park City, Summit County, Utah.



RECORDED
DATE: _____ TIME: _____
BY: _____
STATE OF UTAH, COUNTY OF SUMMIT, AND FIELD AT THE POINTS OF _____ BOOK _____ PAGE _____

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____ 2008 A.D.
BY: _____ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SAID PLAT WAS APPROVED BY PARK CITY ON _____ DAY OF _____ 2008 A.D.
BY: _____ PARK CITY RECORDER

ENGINEER'S CERTIFICATE
I HEREBY CERTIFY THAT THE PLAT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH CONDOMINIUM ACT, AS AMENDED, AND THE UTAH PLAT ACT, AS AMENDED, AND THAT THE PLAT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH CONDOMINIUM ACT, AS AMENDED, AND THE UTAH PLAT ACT, AS AMENDED.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2008 A.D.
BY: _____ CHAIRMAN

INDUSTRIAL BARRIERS RECLAMATION DISTRICT
RECORDED FOR COMPLIANCE WITH INDUSTRIAL BARRIERS RECLAMATION DISTRICT STATUTES ON THIS _____ DAY OF _____ 2008 A.D.
BY: _____ S.A.R.E.D.

JAN 17 2008

Ordinance No. 08-11

AN ORDINANCE APPROVING THE PAINTBRUSH HOMES PHASE 3 RECORD OF SURVEY PLAT LOCATED ON LOT 7 OF THE VILLAGE AT EMPIRE PASS PHASE 1 SUBDIVISION, PARK CITY, UTAH

WHEREAS, the owners of the property known as the Paintbrush Homes Phase 3 Condominiums, Lot 7 of the Village at Empire Pass Phase 1 subdivision, have petitioned the City Council for approval of the Paintbrush Homes Phase 3 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 April 9, 2008, to receive input on the Paintbrush Homes Phase 3 record of survey;

WHEREAS, the Planning Commission, on April 9, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 24, 2008, the City Council held a public hearing on the Paintbrush Homes Phase 3 record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Paintbrush Homes Phase 3 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 Paintbrush Homes Phase 3 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 7 of the Village at Empire Pass Phase 1 subdivision.
2. The Paintbrush Homes Phase 3 is located in the RD-MPD zoning district.
3. One unit (#10) is proposed using 7,206.5 square feet, including 52 square feet over the 600 square foot exception for a garage for a total of 3.6 Unit Equivalents (UEs).
4. 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.
5. 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 PUD-style detached single family homes. The eleven Paintbrush units currently under construction or completed are located nearby.
6. On September 30, 2004, the City approved the Village at Empire Pass Phase I plat. Parcel 1 included lots 6 and 7. Paintbrush #10 is located on lot 7 and is considered Phase 3 of the Paintbrush condominium plats.
7. The development area for lot 7 is 23,698 square feet. The balance of the lot is restricted with a Conservation Easement of 40,315 square feet.

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. The 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 Village at Empire Pass Phase I 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. No construction or other development activity can occur in the Conservation Easement.

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

PASSED AND ADOPTED this 24th day of April, 2008.

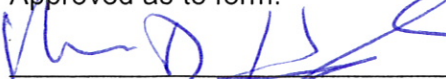
PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

Approved as to form:

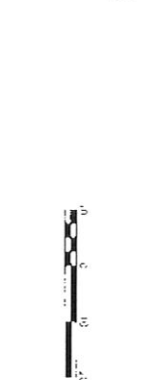

Mark D. Harrington, City Attorney





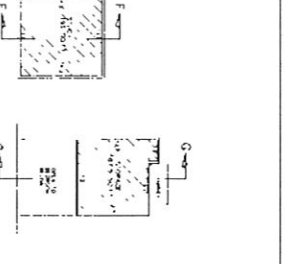
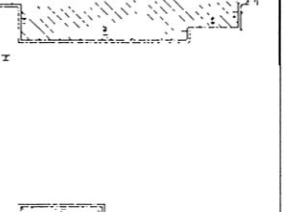
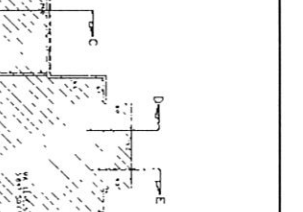
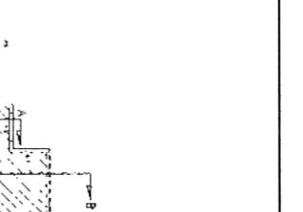
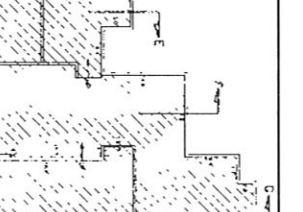
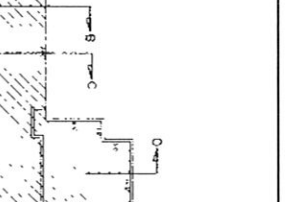
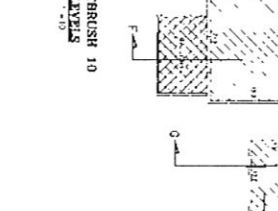
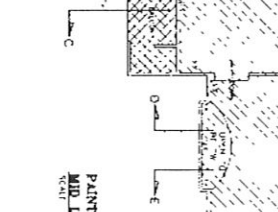
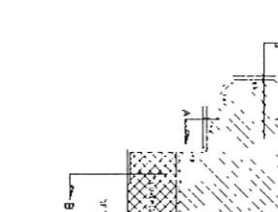
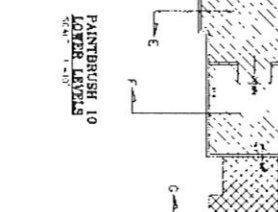
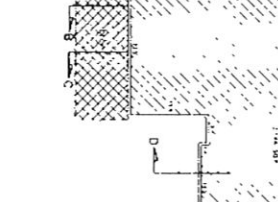
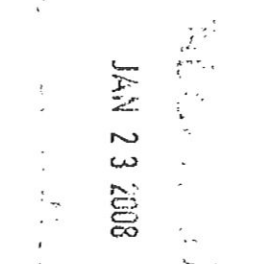
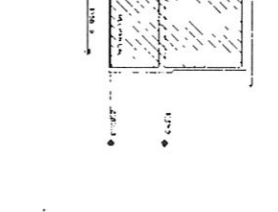
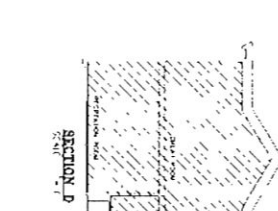
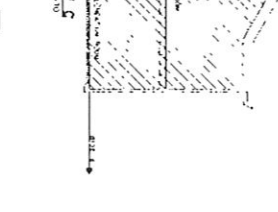
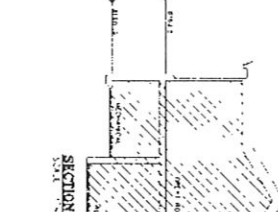
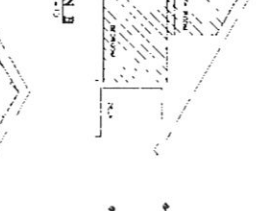
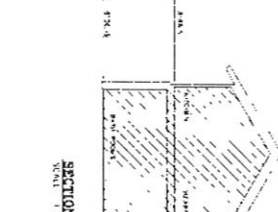
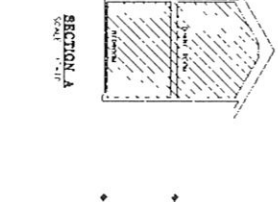
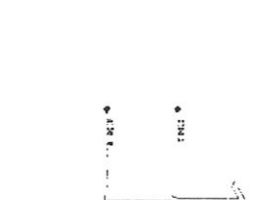
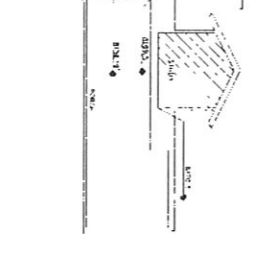
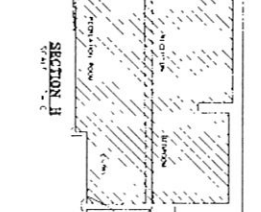
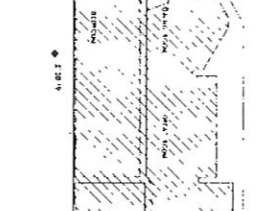
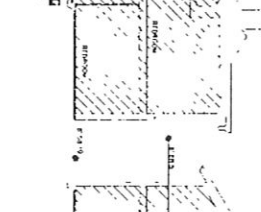
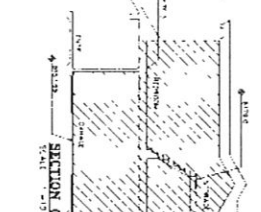
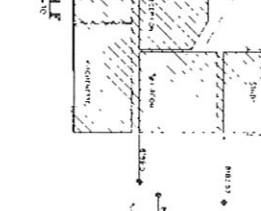
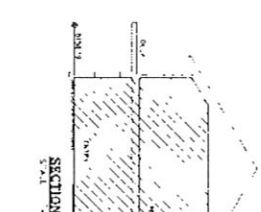
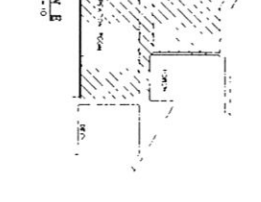
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 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]

CONDOMINIUM PLAT
PAINTBRUSH HOMES
 PHASE 3
 A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN SECTION 28
 TOWNSHIP 2 SOUTH, RANGE 8 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH



0 5 10
 FEET

STATE OF UTAH COUNTY OF SUMMIT AND FILED
 AT THE OFFICE OF THE CLERK OF COURTS
 DATE: _____ TIME: _____ ROOM: _____ FLOOR: _____
 BY: _____ RECORDER
 PAGE 3 OF 2



LEGEND
 [Symbol] UNIT'S CONSTRUCTION
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 [Symbol] COMMON CONSTRUCTION
 [Symbol] LAND CONSTRUCTION

JAN 23 2008

Ordinance No. 08-10

**AN ORDINANCE APPROVING THE REQUEST TO AMEND ZONE CHANGE
CONDITIONS OF APPROVAL LOCATED AT
1615 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 1615 Park Avenue have petitioned the City Council for approval of the request to amend zone change conditions of approval; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 26, 2008, to receive input on the request to amend zone change conditions of approval; and

WHEREAS, the Planning Commission, on March 26, 2008, forwarded a positive recommendation to the City Council; and

WHEREAS, on April 17, 2008, the City Council held a public hearing to receive input on the request to amend Zone Change conditions of approval; and

WHEREAS, it is in the best interest of Park City, Utah to approve the request to amend zone change conditions of approval.

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 request to amend zone change conditions of approval as approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The discussion in the Analysis section is incorporated herein.
2. The metes and bounds parcel where Cole Sport, Inc. is located is zoned General Commercial (GC) within the Frontage Protection Overlay Zone (FPZ).
3. Cole Sport, Inc. is a compliant structure and a conforming use.
4. The existing front setback at Park Avenue is 47'. The minimum setback allowed by the GC zone is 20'.
5. The existing front setback at Empire Avenue is 40'. The minimum setback allowed by the GC zone is 20'.
6. The existing rear (west) setback is 78'. The minimum setback allowed by the GC zone is 10'.

7. The existing side (north) setback is 84'. The minimum setback allowed by the GC zone is 10'.
8. The GC and FPZ zone development standards are adequate regulation for this location.
9. The setbacks permitted in the GC are in harmony with the overall character of existing development in the vicinity of the property and will not adversely affect adjacent property.
10. Parking required at 3 spaces for each 1,000 sq. ft. of net leasable floor area.

Conclusions of Law:

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

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

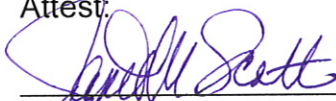
PASSED AND ADOPTED this 17th day of April, 2008.

PARK CITY MUNICIPAL CORPORATION

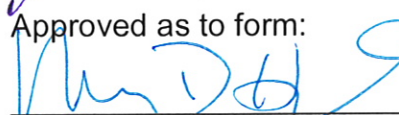


Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



Ordinance No. 08-09

**ORDINANCE APPROVING THE 279 DALY AVENUE SUBDIVISION PLAT,
AN AMENDMENT TO PARCELS 1 AND 2 LOCATED AT
279 DALY AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of two metes and bounds parcels located at 279 Daly Avenue have petitioned the City Council for approval of the plat amendment; and

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

WHEREAS, there applicant would like to combine the existing two metes and bound parcels into one lot of record; and

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

WHEREAS, the Planning Commission held a public hearing on February 27, 2008, to receive input on the plat amendment; and

WHEREAS, the Planning Commission, on February 27, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 13, 2008, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 279 Daly Avenue Subdivision Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 279 Daly Avenue Subdivision Plat, as shown in the attachment 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 279 Daly Avenue.
2. The zoning is Historic Residential (HR-1).
3. The current configuration at 279 Daly Avenue is two tandem metes and bound parcels of land (Parcel 1 and Parcel 2).
4. The proposed lot amendment combines the two existing parcels into one lot of record.
5. The size of the proposed lot is 8347 square feet.
6. According to the Land Management Code the minimum lot width in the HR-1 District is 25'. The lot width of the 279 Daly Avenue Subdivision Plat is 37.78.
7. According to the Land Management Code the minimum lot area in the HR-1 is 1,875 square feet. The lot area of the 279 Daly Avenue Subdivision Plat is 8347.26 square feet.
8. An existing historic home is located on the front parcel of land.
9. The proposed lot creates a snow storage easement 10 feet wide along the front property line off of Daly Avenue
10. No remnant parcels of land are created by this plat amendment.
11. Access to the lot is from Daly Avenue.

- 12. No trails exist across the property.
- 13. All findings within the Analysis section are incorporated within.

Conclusions of Law:

- 1. There is good cause for this Plat Amendment because it will create one lot of record from two metes and bounds parcels of land.
- 2. The Plat Amendment is consistent with the Park City Land Management Code complying with the minimum requirements for lot width and area.
- 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.

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

PASSED AND ADOPTED this 13th day of March, 2008.

PARK CITY MUNICIPAL CORPORATION



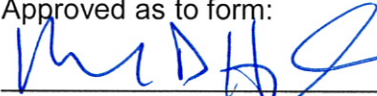
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 08-08

**ORDINANCE APPROVING AN AMENDMENT TO THE MUNICIPAL CODE
OF PARK CITY, UTAH, TO REVISE SECTION 12-6-2
ALTERATIONS OF NON-CONFORMING SIGNS**

WHEREAS, the Park City Municipal 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; and

WHEREAS, Title 12- Sign Code allows for alterations of non-conforming signs for the purpose of maintaining the sign in its original condition;

WHEREAS, the Planning director has determined that some signs in the Frontage Protection Zone may remain in the same location as long as those signs meet all other regulations of the Sign Code; and

WHEREAS, the Planning Staff informed the Planning Commission at its regularly scheduled meeting on February 27, 2008 of the proposed sign code amendment during staff communications; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on March 13, 2008; and

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

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

SECTION 1. AMENDMENT TO TITLE 12, CHAPTER 6, SECTION 2 OF THE MUNICIPAL CODE OF THE CITY OF PARK CITY. Section 12-6-2 is hereby amended to read as follows:

Free-standing non-conforming signs in the Frontage Protection Zone (FPZ) that were built prior to the enactment of the Frontage Protection Zone may be reconstructed at the sign's existing location so long as the said sign complies with all other regulations of the Sign Code.

The entirety of section 12-6-2 is attached as Exhibit A.

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

12- 6- 2. ALTERATION OF NON-CONFORMING SIGNS.

Non-conforming signs may be maintained and repaired in accordance with Section 12-6-3 of this Title, provided that the alterations and repairs are for the purpose of maintaining the sign in its original condition. Alterations to a non-conforming sign that change the size, use, color, lighting, or appearance of a non-conforming sign are considered structural alterations and shall be brought into full compliance with the standards of this Code. Free-standing non-conforming signs in the Frontage Protection Zone (FPZ) that were built prior to the enactment of the Frontage Protection Zone may be reconstructed at the sign's existing location so long as the said sign complies with all other regulations of the Sign Code.

Ordinance No. 08-07

AN ORDINANCE APPROVING AMENDMENTS TO THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, TO ADDRESS REVISIONS TO SECTION 15-15-2 TERMS AND ELIGIBILITY OF MEMBERS AND SECTION 15-15 DEFINITIONS

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 administrative and substantive revisions;

WHEREAS, Chapter 12- Planning Commission identifies the terms and eligibility of Planning Commissioners and the City desires to amend the expiration date from the second Monday in February to the second Wednesday in July, consistent with City Council direction to appoint boards and commissions in July.

WHEREAS, Chapter 15- Definitions provide clarity of meaning for words used in the Land Management Code and amendments to existing definitions are necessary to clarify terms that appear on recorded plats that are not currently defined in the code. The term Maximum House Size is found on several subdivision plat notes. The City desires to clarify this term by including a definition for this term in the code;

WHEREAS, these amendments are changes identified during the 2007 annual review of the Land Management Code;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at it's regularly scheduled meeting on February 27, 2008, and forwarded a recommendation to City Council;

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on March 13, 2008; and

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

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

SECTION 1. AMENDMENT TO CHAPTER 12.2 OF THE LAND MANAGEMENT CODE. Chapter 12.2 is hereby amended as attached hereto as Exhibit A. Any conflicts or cross-references from other provisions of the LMC to Chapter 12.2 shall be resolved by the Planning Director.

SECTION 2. AMENDMENTS TO CHAPTER 15-15 OF THE LAND MANAGEMENT CODE. Chapter 15-15 is hereby amended as attached hereto as Exhibit B. Any conflicts or cross-references from other provisions of the LMC to Chapter 15 shall be resolved by the Planning Director.

EXHIBIT B

Lumen. A measurement of light output or the amount of light emitting from a Luminaire.

15-15-1.138. **Luminaire**. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

(A) **Luminaire, Cutoff-Type**. A Luminaire with shields, reflectors, refractors, or other such elements that direct and cut-off emitted light at an angle less than ninety degrees (90°).

(B) **Luminaire, Fully Shielded**. Luminaires that are constructed so that no light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

(C) **Luminaire, Partially Shielded**. Luminaires that are constructed so that no more than ten percent (10%) of the light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

15-15-1.139. **Master Planned Development (MPD)**. A form of Development characterized by a comprehensive and unified Site plan and design reviewed under the Master Planned Development review processes described in LMC Chapter 15-6. The MPD generally includes a number of housing units; a mix of Building types and land Uses; clustering Buildings and providing Open Space; flexibility in Setback, Height, and Density allocations; and providing additional valued community amenities.

15-15-1.140. **Maximum Extent Feasible**. The maximum mitigation where no prudent, practical and feasible alternative exists to completely mitigate the adverse impact.

Economic considerations may be taken into account but shall not be the overriding factor in determining "Maximum Extent Feasible".

15-15-1.141. Maximum House Size. A measurement of Gross Floor Area.

15-15-1.141. **Model Home**. A Dwelling Unit used initially for display or marketing purposes which typifies the units that will be constructed.

15-15-1.142. **Neighborhood Convenience, Commercial**. Any retail establishment offering for sale prepackaged or fresh food products, beverages, household items, or other goods commonly associated with the same, not including automobile fuel sales, and having a maximum Gross Floor Area of 3,500 square feet.

15-15-1.143. **Nightly Rental**. The rental of a Dwelling Unit or any portion thereof, including a Lockout Unit for less than thirty (30) days to a single entity or Person. Nightly Rental does not include the Use of Dwelling Units for Commercial Uses.

15-15-1.144. **Non-Complying Structure**. A Structure that:

(A) legally existed before its current zoning designation; and

(B) because of subsequent zoning changes, does not conform with the zoning regulation's Setback, Height restrictions, or other regulations that govern the Structure.

Ordinance No. 08-06

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 2 OF THE MUNICIPAL CODE OF
PARK CITY, UTAH TO INCLUDE THE PROHIBITION
OF RECKLESS SKIING AND SNOWBOARDING**

WHEREAS, there exists the potential at Park City Mountain Resort and Deer Valley Resort for reckless skiing and snowboarding incidents that could result in physical injury; and

WHEREAS, the parties involved in the reckless skiing incidents and the ski areas have asked the Park City Police Department and the City Attorney's Office to assist with reckless skiing and snowboarding enforcement; and

WHEREAS, the Municipal Code of Park City does not have an ordinance regulating skiing and therefore the City Prosecutor is unable to prosecute reckless skiers and snowboarders; and

WHEREAS, this section is intended to make reckless skiing and snowboarding within the City limits a Class B misdemeanor;

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

Section I. Amendment. Title 8 Criminal Code of the Municipal Code of Park City is hereby amended to include Section 8-2-8, as follows:

8-2-8. RECKLESS SKIING AND SNOWBOARDING PROHIBITED

1. Definitions:

- a. Injury: Any personal injury, death or property damage or loss suffered by a skier, snowboarder, observer, ski area operator, ski area or other person lawfully within the boundaries of a ski area.
- b. Ski Area: Any area designated by a Ski Area Operator to be used for skiing, nordic, freestyle, or other type of ski jumping and snowboarding, including any geographic area, terrain, and ski slopes served by a passenger ropeway.
- c. Ski Area Operator: Those persons, and their agents, officers, employees or representatives, who operate a Ski Area.
- d. Skier: Any person present in a Ski Area for the purpose of engaging in the sport of skiing, nordic, freestyle, or other types of ski jumping using skis, sled, tube, snowboard or any other device.

- e. **Passenger Ropeway:** A device, excluding an elevator, used to transport passengers along a level, inclined or declined path by means of a haul rope or other flexible elements that is driven by a power unit that remains essentially at a single location. Passenger Ropeways include an aerial tramway; an aerial lift, including a detachable grip lift and chair lift; a conveyor; a funicular; a surface lift, including a J-bar, T-bar, or platter pull; and a rope tow.
 - f. **Ski Patrol:** Those employees of a Ski Area who are employed to provide first aid or other medical attention to skiers injured on the mountain, or any person who as a volunteer sanctioned by the Ski Area carries out these functions
 - g. **Snowboarder:** Any person present in a ski area for the purpose of engaging in the sport of snowboarding.
2. Reckless Skiing or Snowboarding Prohibited. No person shall ski or snowboard in a reckless or negligent manner so as to endanger the life, limb, or property of any person, or so as to display a willful or wanton disregard for other persons or property. The primary duty shall be on the Skier or Snowboarder to avoid collision with any person or object below him. Each Skier or Snowboarder shall be presumed to have seen and understood skier information posted near base area ski lifts, on the passenger tramways, on trail maps, and/or on such ski slopes or trails as such person is skiing or snowboarding. The duty is on the Skier or Snowboarder to locate and ascertain the meaning of all signs posted.
 3. Skier's or Snowboarder's Duty to Injured Party in the Event of a Collision. Any Skier or Snowboarder involved in a collision resulting in injury to any person shall immediately stop at the scene of such collision and provide such care and treatment to any injured person as is reasonably necessary. Such assistance may include warding off other skiers while waiting for aid or contacting Ski Area personnel or Ski Patrol to advise that aid is necessary.
 4. Skier's or Snowboarder's Duty of Notification in Event of a Collision. Any Skier or Snowboarder involved in a collision with another person in which injuries result must give his or her name, address, and phone number to a member of the Ski Patrol, or other employee of the Ski Area, before leaving the vicinity of the collision. If it is necessary to leave the vicinity in order to secure aid for an injured person, the Skier or Snowboarder shall give his or her name and address as required herein after such aid is secured and before leaving the Ski Area.
 5. Penalty. It is a class B misdemeanor to violate any provision of this ordinance.
 6. Trail Boards Required. Ski Area Operators shall post trail boards at one or more prominent locations within each Ski Area which shall include the duties of skiers and

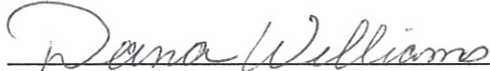
snowboarders and prohibition against reckless skiing and snowboarding as defined by this Ordinance.

7. Enforcement. The Park City Police Department, upon notification from a ski area operator, its designee, or an injured Skier or Snowboarder, shall have authority to investigate violations of this section and issue citations or make arrests.
8. Violations of this section that occur within Ski Area boundaries which extend into neighboring jurisdictions shall be referred to the appropriate authority for investigation and prosecution.

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

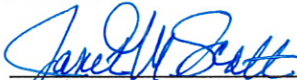
PASSED AND ADOPTED this 6th day of March, 2008.

PARK CITY MUNICIPAL CORPORATION



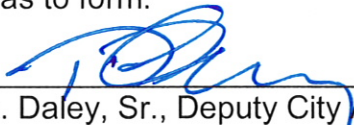
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Thomas A. Daley, Sr., Deputy City Attorney



Ordinance No. 08-05

AN ORDINANCE AMENDING TITLE 8, CHAPTER 2 OF THE MUNICIPAL CODE OF PARK CITY, UTAH TO INCLUDE THE PROHIBITION OF SKIING AND SNOWBOARDING IN CLOSED AREAS WITHIN SKI RESORTS

WHEREAS, there exists the potential at Park City Mountain Resort and Deer Valley Resort for skiers and Snowboarders to impermissibly enter areas of the resort which are closed to access; and

WHEREAS, skiers and snowboarders entering closed areas within Park City Mountain Resort and Deer Valley Resort pose a danger to themselves, other skiers and snowboarders, and to the ski areas; and

WHEREAS, the Municipal Code of Park City does not have an ordinance regulating skiing and snowboarding in closed areas of ski resorts, and therefore the City Prosecutor is unable to prosecute such transgressions; and

WHEREAS, this section is intended to make skiing or snowboarding in a closed area of Park City Mountain Resort or Deer Valley Resort a Class B misdemeanor;

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

Section 1. Amendment. Title 8, Chapter 2 of the Municipal Code of Park City is hereby amended to include Section 8-2-9, as follows;

SKIING IN CLOSED AREAS PROHIBITED

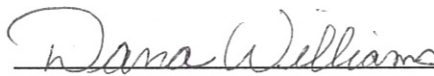
1. Definitions
 - a. Ski Area: Any area designated by a Ski Area Operator to be used for skiing, nordic, freestyle, or other type of ski jumping and snowboarding.
 - b. Ski Area Operator: Those persons, and their agents, officers, employees or representatives, who operate a Ski Area.
 - c. Skier: Any person present in a Ski Area for the purpose of engaging in the sport of skiing, Nordic, freestyle, or other types of ski jumping using skis, sled, tube, snowboard or any other device.
 - d. Closed Area: An area designated by the Ski Area Operator as inaccessible by signs, ropes, flags, or any other indicia of closure, including, but not limited to, the existence of natural features impeding entrance to the area. A Closed Area can be anywhere within a Ski Area.

2. Skiing and Snowboarding in Closed Areas Prohibited. It shall be unlawful for any Skier or Snowboarder to negligently or intentionally go onto or upon any Closed Area. In the event a Closed Area is closed from one direction, but not all directions, entering the area from the closed direction is a violation of this ordinance.
3. Penalty. Any person violating the provisions of this ordinance shall be guilty of a Class B misdemeanor.
4. Enforcement. The Park City Police Department, upon notification from a Ski Area Operator, shall have authority to investigate violations of this section and issue citations or make arrests.

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

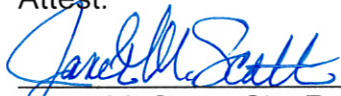
PASSED AND ADOPTED this 6th day of March, 2008.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Thomas A. Daley, Sr., Deputy City Attorney



Ordinance No. 08-04

AN ORDINANCE APPROVING A SIXTH MONTH EXTENSION FOR THE APPROVAL OF THE AMENDED SPIRO CONDOMINIUMS BUILDINGS A AND G RECORD OF SURVEY PLAT AND THE SPIRO CONDOMINIUMS BUILDINGS N- R (SILVER STAR PLAZA) RECORD OF SURVEY PLAT LOCATED AT 1825 AND 1835 THREE KINGS DRIVE, PARK CITY, UTAH.

WHEREAS, Paladin Development Partners, L.L.C., owner of lots 2 and 3 of the Silver Star Subdivision, including Unit A-305 and Units G301, G302, and G303 of the Spiro Condominiums, and Buildings N, O, P, Q, and R located at 1825-1835 Three Kings Drive, petitioned the City Council for approval of a six month extension of the approved amendment to the Spiro Condominiums Buildings A and G and the record of survey plat for Spiro Condominiums Buildings N- R (Silver Star Plaza), and

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

WHEREAS, proper legal notice was provided in the Park Record; and

WHEREAS, on February 14, 2008, the City Council reviewed the extension request.

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

SECTION 1. APPROVAL. A sixth month extension for the amended condominium record of survey plats for The Spiro Condominiums Buildings A and G and for the record of survey plat for The Spiro Condominiums Buildings N – R (Silver Star Plaza), 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 RD and RDM zoning district.
2. The property is subject to the 2004 Spiro Tunnel MPD Development Agreement.
3. The Spiro Tunnel MPD Development Agreement sets forth a maximum density of 97 unit equivalents (UE) for the MPD. The MPD approved the townhouse portion of the Spiro Tunnel MPD for 74 unit equivalents. The MPD approved 22 cottage units and one single family home with guest house on the "Donile Parcel" for a total of 97 unit equivalents.
4. Recorded condominium plats for Building A, Buildings B- F, and Buildings G-M identify 73.25 unit equivalents for the townhouse portion of the MPD.
5. Two parking spaces are required for each unit.
6. On July 14, 2005, the City Council adopted an ordinance approving the record of survey plat for the Spiro Condominiums Building A. On November 17, 2005, the

Council adopted an ordinance approving the record of survey plat for the Spiro Condominiums Buildings G- M.

7. On October 25, 2006, a completed application was submitted requesting amendments to Buildings A and G to revise the floor area calculations for 4 individual units to decrease the floor area of unit A-305 and increase the floor area of units G301, G302, and G303, with a net increase of 0.75 unit equivalents (of these amendments). The resulting total unit equivalent for the townhouse portion complies with the 74 approved UE and is consistent with the Spiro Tunnel MPD.
8. On January 10, 2007, the Planning Commission conducted a public hearing on this plat amendment. There was no public input and the Planning Commission forwarded a positive recommendation to the City Council. On January 25, 2007, the City Council approved the plat amendment for Building A and G with a condition of approval that the plats were to be recorded within one year of the Council approval date.
9. On November 8, 2006, the Planning Commission conducted a public hearing and voted to forward a positive recommendation to the City Council to approve a record of survey plat for the Spiro Condominiums Buildings N- R. This record of survey plat identifies 5 buildings. Three of them are renovated historic buildings containing a total of 8,255 sf of commercial uses, currently including a sales office for the Silver Star development and offices for the non-profit Sundance Institute. The remaining 2 buildings contain a total of 21 residential, affordable housing units ranging in size from 426 sf to 1,241 sf and 3,965 sf of support commercial space currently used for an artist-in-residence program associated with the Sundance Institute.
10. On November 30, 2006, the City Council approved the record of survey plat for Buildings N- R with a condition of approval that the plat was to be recorded within one year of the Council approval date.
11. On November 30, 2007, the applicant indicated that there were title issues that needed to be resolved with a vote of the HOA. The applicant indicated that they would need a six month extension of the recordation deadline.
12. As of January 23, 2008, the mylar plats and agreements have been submitted to the City for final review and recordation.

Conclusions of Law:

1. There is good cause for this extension in that the applicant has been working diligently to address complex concerns regarding the affordable housing agreements, parking agreements, ADA requirements, title issues, and the form of the CCRs and Condominium Declaration.
2. The proposed record of survey plat amendments and plats are consistent with the approved Spiro Tunnel MPD Development Agreement.
3. The plats are consistent with the Park City Land Management Code and applicable State laws regarding condominium plats, and these codes and laws have not substantially changes since the original Council approvals.
4. Neither the public nor any person will be materially injured by the proposed extension.
5. Approval of the extensions, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

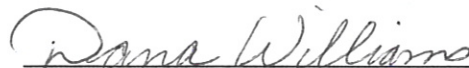
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plats for compliance with State law, the Land Management Code, and the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCRs, as a condition subsequent to plat recordation, including compliance with any ADA requirements.
3. The applicant will provide the final plats and documents for the amended condominium plats for Buildings A and G in final form for recordation by July 25, 2008.
4. The applicant will provide the final plats and documents for Buildings N- R in final form to the City for recordation by April 30, 2008.
5. All conditions of approval of the Spiro Tunnel MPD continue to apply.
6. All conditions of approval of the Silver Star subdivision plat continue to apply.
7. All conditions of approval of the amended record of survey plats for Buildings A – G and for the record of survey plat for Buildings N- R shall continue to apply.
8. The Owner shall certify on the plats that the condominium project will be built substantially as shown.
9. All units required to be constructed per ADA, shall be so indicated on the plat, in a manner and form to be approved prior to recordation, by the City Attorney and Chief Building Official.
10. A financial guarantee for 125% of the value of public improvements shall be submitted prior to plat recordation, in an amount approved by the City Engineer and in a form approved by the City Attorney.

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

PASSED AND ADOPTED this 14th day of February, 2008.

PARK CITY MUNICIPAL CORPORATION



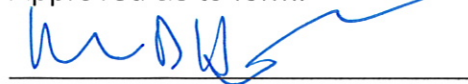
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 08-03

**AN ORDINANCE APPROVING THE FIRST AMENDED ANDERSON RE-PLAT,
A REPLAT OF LOT 1 OF THE ANDERSON REPLAT AND
LOT 24 OF BLOCK 55, OF THE PARK CITY SURVEY, PARK CITY, UTAH**

WHEREAS, the owner of the property known as 439 Ontario Avenue, has petitioned the City Council for approval of a replat of Lot 1 of the Anderson Replat and Lot 24 of Block 55 of the Park City Survey to reconfigure the property into two lots of record 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 January 9, 2008, the Planning Commission held a public hearing to receive public input on the proposed replat and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on January 24, 2008, the City Council held a public hearing on the proposed replat; and

WHEREAS, the proposed replat allows the property owner to reconfigure two Old Town lots into two different lots of record; Lot 1 consisting of 1,875 square feet and Lot 2 consisting of 3,750 square feet; and

WHEREAS, it is in the best interest of Park City, Utah to approve the replat to reconfigure the Anderson replat by creating an 1,875 sf lot for an existing contemporary structure and create a 3,750 sf lot for future construction to comply with the Land Management Code, Historic Design guidelines, and the current Building and Fire Codes.

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

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

Findings of Fact

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The replat will reconfigure the Lot 1 of the Anderson Replat and Lot 24 of Block 55 into two lots of record; Lot 1 consists of 1,875 square feet and Lot 2 consists of 3,750 square feet.
4. There is an existing non-historic, contemporary, single family house on Lot 1 and

Lot 2 is a vacant lot with various decks and landscape improvements that will be removed.

5. Access to the property is from a private driveway off of platted Ontario Avenue. Ontario Avenue is a steep, narrow street with a steep embankment on the western edge that limits direct access to the lots.
6. The minimum lot size for a single family home in the HR-1 zone is 1,875 square feet.
7. The maximum building height limit in the HR-1 zone is 27 feet above existing grade. A maximum of 27' from final grade around the perimeter of the building is also required. Building height is reviewed further at the time of the Design Review, as well as during the required conditional use permit for Steep Slope review.
8. Minimum setbacks for the existing house on Lot 1 are 3' on the sides and 10' in the front and rear. Minimum setbacks for the future house will be determined by the LMC in effect at the time of the Historic District Design Review and Steep Slope CUP applications.
9. A shared driveway providing access to Lots 21 through 26 crosses the easterly portion of the subject property. A minimum 12' clear and unobstructed drive lane needs to be maintained on this private driveway. Required off-street parking shall not interfere with this driveway. The property owner has agreed to place an access easement on this driveway and to show this easement on the plat.
10. Snow shedding easements along side property lines are necessary to accommodate snow shedding off of adjacent buildings, due to the minimum side yard setbacks.
11. Minimal construction staging area is available along Ontario Avenue. Reciprocal construction easements with the adjacent may be necessary.
12. Snow removal is necessary for emergency access, and snow storage areas are necessary for good snow removal.
13. The amended plat can not be recorded until the encroaching deck at 439 Ontario is relocated onto new Lot 1 to remove the non-conforming building setbacks and encroachments.

Conclusions of Law

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

Conditions of Approval

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for Historic Design Review for review and approval by

the Planning Department for compliance with applicable Historic District Design Guidelines.

3. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for a Steep Slope Conditional Use permit, if any portion of the proposed construction is located on a slope of 30% or greater.
4. The encroaching deck on Lot 1 shall be removed or relocated prior to plat recordation.
5. A fire protection plan shall be included with the building permit submittal for review and approval by the Building Department prior to permit issuance. A note shall be included on the plat requiring residential modified 13-D fire sprinkler systems for all new construction on Lot 2.
6. 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.
7. Reciprocal snow shedding easements shall be dedicated on the plat along all side property lines for adjoining lots.
8. Access to the proposed lots shall be from a 12 foot wide private access drive off of Ontario Avenue. This driveway shall be shown on the plat as a private access easement for the benefit of the adjacent Lots 25 and 26, as well as for the benefit of Lots 1 and 2 of the First Amended Anderson replat.
9. A construction mitigation plan to address mitigation of construction impacts specific to this neighborhood, lot configuration, and driveway access situation shall be presented to the Planning Commission at the time of the Steep Slope CUP public hearing to allow sufficient opportunity for public input from the immediately affected neighborhood.
10. All standard conditions of approval shall apply.
11. No off-street parking will be located within the driveway easement.

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

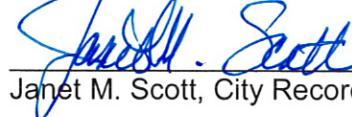
PASSED AND ADOPTED this 24th day of January, 2008.

PARK CITY MUNICIPAL CORPORATION



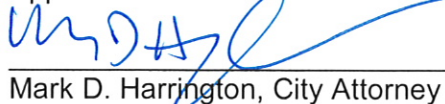
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



FIRST AMENDED ANDERSON RE-PLAT
 LOT 1 OF THE ANDERSON RE-PLAT & LOT 24, BLOCK 55
 WITH A REVISION TO THE PLAT OF PARK CITY, UTAH,
 Lying WITHIN THE SOUTHWEST QUARTER OF SECTION 16,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASIN & MERIDIAN, PARK CITY,
 SUMMIT COUNTY, UTAH



LEGEND

- PLANNING COMMISSION
- ENGINEER'S CERTIFICATE
- CITY COUNCIL
- CITY CLERK
- CITY ATTORNEY
- CITY MANAGER
- CITY COMMISSIONER
- CITY ENGINEER
- CITY PLANNING COMMISSION
- CITY CLERK
- CITY ATTORNEY
- CITY MANAGER
- CITY COMMISSIONER
- CITY ENGINEER

LEGAL DESCRIPTION:
 LOT 1 OF THE ANDERSON RE-PLAT & LOT 24, BLOCK 55 WITH A REVISION TO THE PLAT OF PARK CITY, UTAH, Lying WITHIN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.

PLANNING COMMISSION:
 The Planning Commission has reviewed the application for the first amended Anderson Re-plat and has recommended that the same be approved and accepted by the City Council.

CITY COUNCIL:
 The City Council has reviewed the application for the first amended Anderson Re-plat and has approved and accepted the same.

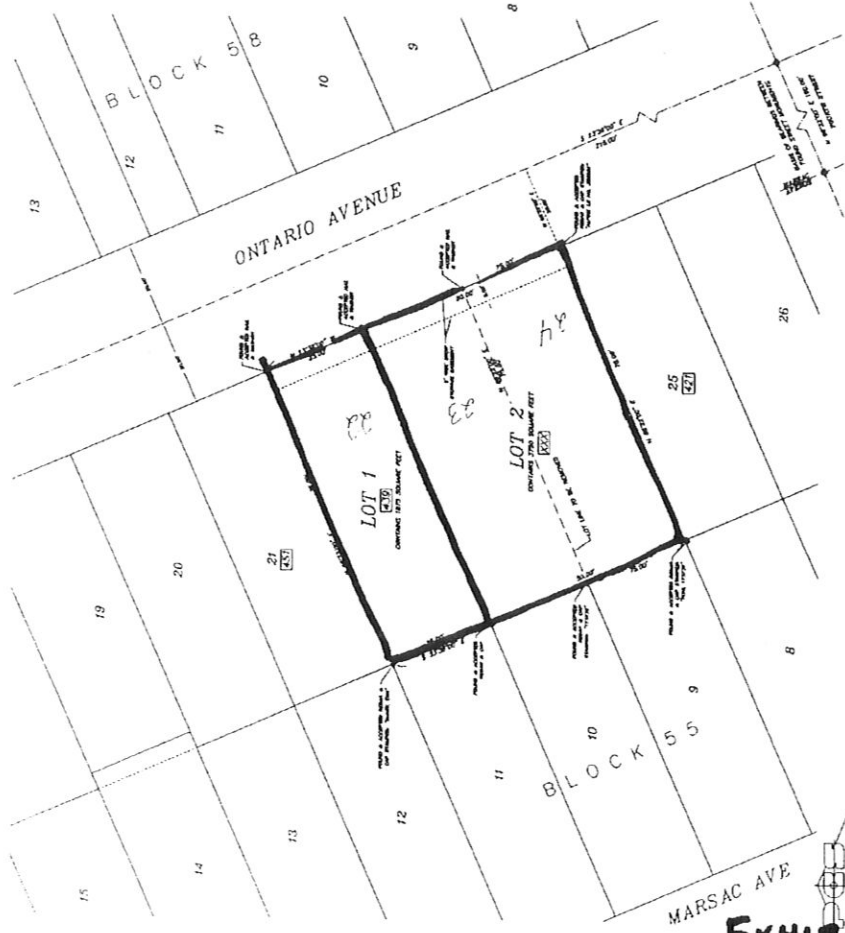
CITY CLERK:
 The City Clerk has reviewed the application for the first amended Anderson Re-plat and has recorded the same.

CITY ATTORNEY:
 The City Attorney has reviewed the application for the first amended Anderson Re-plat and has approved and accepted the same.

CITY MANAGER:
 The City Manager has reviewed the application for the first amended Anderson Re-plat and has approved and accepted the same.

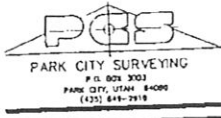
CITY COMMISSIONER:
 The City Commissioner has reviewed the application for the first amended Anderson Re-plat and has approved and accepted the same.

CITY ENGINEER:
 The City Engineer has reviewed the application for the first amended Anderson Re-plat and has approved and accepted the same.



<p>PAGE 1 OF 1</p>	<p>RECORDED FILED IN THE COUNTY OF SALT LAKE AND RECORDED IN THE RECORDS OF THE COUNTY ENGINEER'S OFFICE ON _____ 2007 A.D.</p>
<p>COUNCIL APPROVAL AND ACCEPTANCE COUNCIL HAS _____ ON _____ 2007 A.D.</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM BY _____ ON _____ 2007 A.D. BY PARK CITY ATTORNEY</p>
<p>ENGINEER'S CERTIFICATE ALL THE PLAT TO BE RECORDED IN THE OFFICE OF THE CITY ENGINEER OF _____ 2007 A.D.</p>	<p>SUBURBAN BASKIN WATER REGULATION DISTRICT REVIEWED FOR COMPLIANCE TO SUBURBAN BASKIN WATER REGULATION DISTRICT ORDINANCE NO. _____ OF _____ 2007 A.D.</p>
<p>CERTIFICATE OF ATTEST I HEREBY CERTIFY THAT THE PLAT HAS BEEN RECORDED IN THE OFFICE OF THE CITY CLERK OF _____ 2007 A.D.</p>	<p>PARK CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON _____ 2007 A.D. BY _____</p>

EXHIBIT A.



DATE	BY	DESCRIPTION



RECORD OF SURVEY & TOPOGRAPHIC MAP
 LOTS 22, 23 & 24, BLOCK 55
 AMENDED PLAT OF PARK CITY SURVEY
 LYING WITHIN THE SOUTHWEST QUARTER OF
 SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
 SALT LAKE BASE & MERIDIAN
 SUMMIT COUNTY, UTAH



SCALE 1" = 40'

- LEGEND**
- EIGHTY FOOT RIGHT-OF-WAY
 - SIXTY FOOT RIGHT-OF-WAY
 - FORTY FOOT RIGHT-OF-WAY
 - TWENTY FOOT RIGHT-OF-WAY
 - EASEMENT
 - EASEMENT
 - EASEMENT
 - EASEMENT
 - EASEMENT
 - EASEMENT
 - EASEMENT

NOTICE
 THE PLATING OF THIS MAP IS IN ACCORDANCE WITH THE PROVISIONS OF THE UTAH PLATING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, WHICH PROVIDES THAT A PLAT OF A SURVEY MAY BE RECORDED BY THE CLERK OF COUNTY RECORDS OF THE COUNTY IN WHICH THE SURVEY IS LOCATED, IF THE CLERK OF COUNTY RECORDS OF THE COUNTY IN WHICH THE SURVEY IS LOCATED IS SATISFIED THAT THE SURVEY IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH PLATING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, AND THAT THE SURVEY IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH PLATING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, AND THAT THE SURVEY IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH PLATING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED.

LEGAL DESCRIPTION:
 LOT 22, 23 & 24, BLOCK 55, AMENDED PLAT OF PARK CITY SURVEY, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, SUMMIT COUNTY, UTAH.

PLAT PREPARED BY: [Name]
DATE: 7/2/02

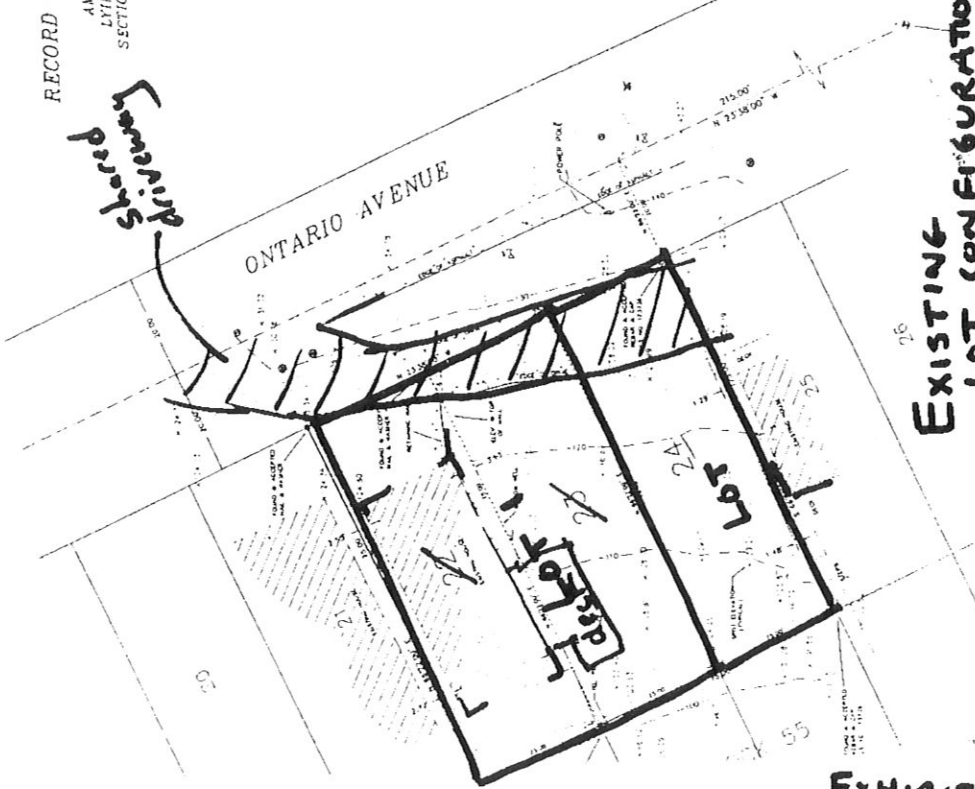


EXHIBIT B

Exhibit C- Standard Conditions

**PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS**

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall

- be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
 13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
 14. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
 15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
 16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
 17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
 18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.

Ordinance No. 08-02

**AN ORDINANCE APPROVING THE 61 THAYNES CANYON DRIVE SUBDIVISION,
BEING A PLAT AMENDMENT OF LOTS 75 AND 75A
OF THE THAYNES CANYON SUBDIVISION, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 61 Thaynes Canyon Drive, known as Lots 75 and 75A of Thaynes Canyon Subdivision, have petitioned the City Council for approval of the 61 Thaynes Canyon Subdivision; and

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

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

WHEREAS, the Planning Commission held a public hearing on January 9, 2008, to receive input on the 61 Thaynes Canyon Drive Subdivision;

WHEREAS, the Planning Commission, on January 9, 2008, forwarded a recommendation to the City Council; and,

WHEREAS, on January 24, 2008, the City Council conducted a public hearing and discussed the 61 Thaynes Canyon Subdivision, plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment to create one lot of record from an existing lot and an adjacent remnant lot.

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 61 Thaynes Canyon Subdivision, a 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, known as Lots 75 and 75A of the Thaynes Canyon Subdivision, is located at 61 Thaynes Canyon Drive.
2. The property is located in the Single Family (SF) zoning district.
3. The Thaynes Canyon Subdivision plat was approved by City Council in July of 1971. An addition to the plat, to add Lots 65A - 84A, was approved in February of 1977. The added land was deeded to the adjacent lot owners for their private use and maintenance subject to a 1977 recorded agreement, known as the 1977 Agreement, entered into by and between Royal Street Land Company (owner of the land at the time) and Park City Municipal Corporation.
4. Lots 75 and 75A are under common ownership.

5. Lot 75 consists of 7,938 square feet and the adjacent remnant lot, Lot 75A consists of 6,500 square feet. The plat amendment creates one lot of record consisting of 14,438 square feet for an existing single family house and associated landscaping, and outdoor amenities.
6. The existing house is a legal non-conforming structure because the rear portion of the house is located within the existing rear setback area of Lot 75.
7. The plat amendment would remove the common lot line between Lots 75 and 75A, which is the current rear lot line of the house. The house would no longer be a nonconforming structure. Additions could be proposed provided the additions meet all applicable requirements of the LMC, the 1977 Agreement, and conditions of approval of this plat amendment.
8. There is an existing utility and drainage easement located along the shared lot line. This easement would be vacated with this plat amendment. Upon recordation of the plat, additional 7' utility and drainage easements will be dedicated along the side and rear lot lines of the new Lot 1.
9. The applicant has verified through Blue Stake that there are no existing utilities in the existing utility easement area between Lots 75 and 75A.

Conclusions of Law

1. There is good cause for this subdivision, being a replat of two existing lots, in that one lot of record is created under common ownership from a lot and a remnant lot and no remnant lots are created. Any development on the remnant lot would be subject to the 1977 Agreement, the LMC, and these conditions of approval.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding plat amendments and subdivisions.
3. As conditioned, neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned, approval of the plat amendment does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year of 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 Thaynes Canyon Subdivision shall continue to apply in full force and effect. A note shall be added to the plat to this effect.
4. A note shall be added to the plat restating items number 2 and 3 of the 1977 Agreement as follows, 1) That portion of Lot 1, previously known as Lot 75A, is restricted and limited to uses of landscaping, private recreation facilities (as defined by the LMC), and fencing, and 2) No construction, erection or maintenance of any buildings for use as primary dwelling buildings on that portion of Lot 1 that was previously known as Lot 75A, is allowed, but the construction of garages and other

ancillary buildings may, at the discretion of the City, be permitted provided that a conditional use permit is first obtained from the City.

5. That portion of Lot 1 previously described as 75A shall be cross hatched and so noted as a condition precedent to recordation of the plat.
6. Applicant shall get written approval from all franchised utility providers agreeing to the extinguishment of the utility easement prior to plat recordation.

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

PASSED AND ADOPTED this 24th day of January, 2008.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

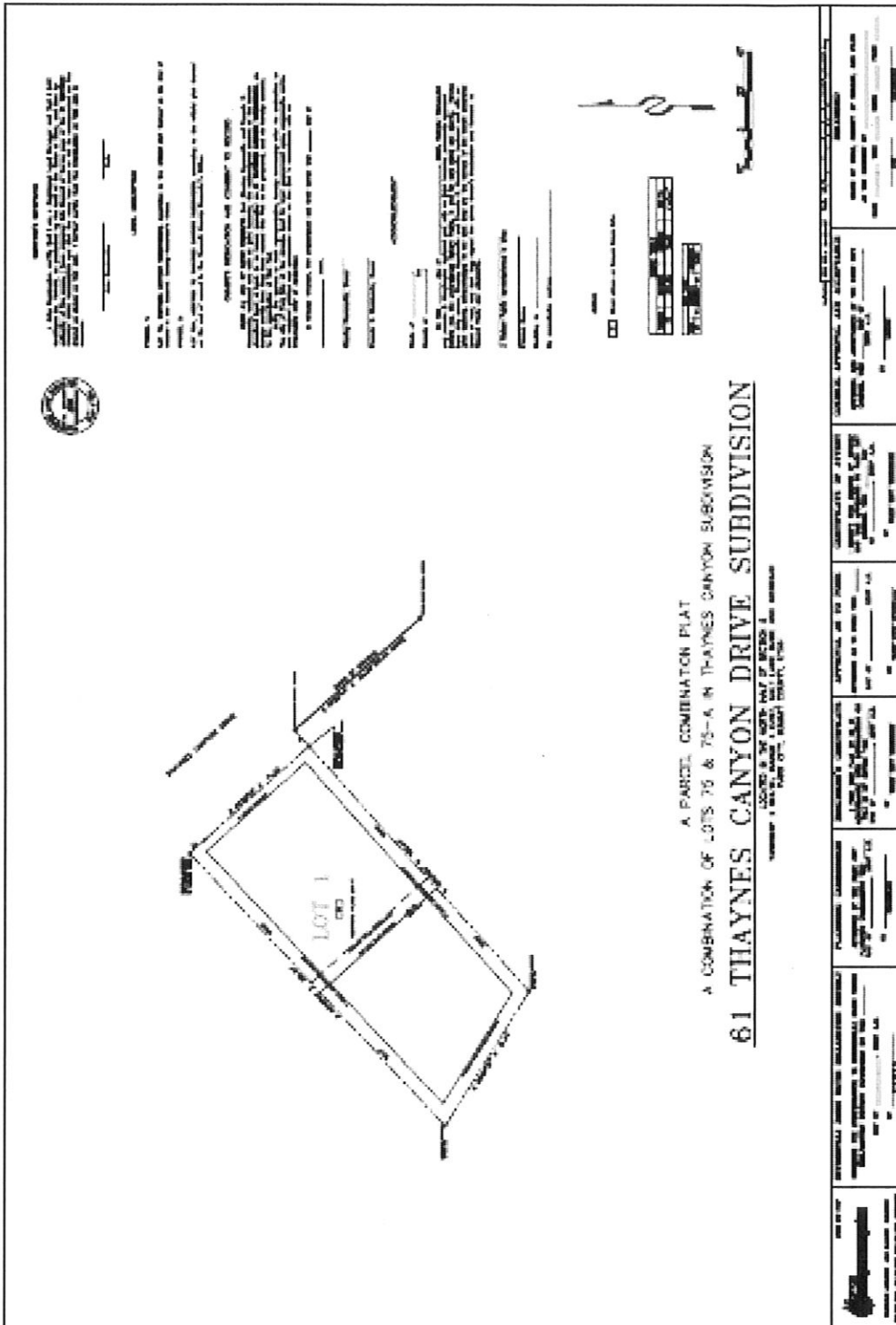
Approved as to form:



Mark D. Harrington, City Attorney



Exhibit A



Ordinance No. 08-01

**AN ORDINANCE APPROVING THE RECORD OF SURVEY PLAT FOR THE
TAHOMA CONDOMINIUMS LOCATED AT 650 ROSSI HILL DRIVE,
PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 650 Rossi Hill Drive have petitioned the City Council for approval of the Tahoma 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 January 9, 2008, to receive input on the Tahoma Condominiums record of survey plat;

WHEREAS, the Planning Commission, on January 9, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Tahoma Condominiums 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 Tahoma Condominiums record of survey plat as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 650 Rossi Hill Drive, lot #5 of the Snow Park subdivision.
2. The property at 650 Rossi Hill Drive is referred to as the Tahoma Condominiums.
3. The zoning is Residential Medium Density (RM).
4. The area of the lot is 13,299 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 650 Rossi Hill 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 triplex at 650 Rossi Hill Drive 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 24th day of January, 2008.

PARK CITY MUNICIPAL CORPORATION



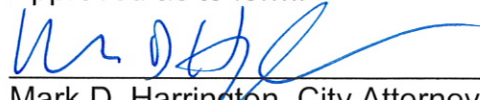
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney

SURVEYOR'S CERTIFICATE

I, the undersigned, being duly sworn, do hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

BOUNDARY DESCRIPTION

That the above described plat is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, being duly sworn, do hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

ACKNOWLEDGMENT

I, the undersigned, being duly sworn, do hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

NOTICE

NOTE: This plat is subject to the provisions of the Utah Condominium Act, Chapter 106B, Utah Code, and the provisions of the Utah Condominium Act, Chapter 106B, Utah Code, and the provisions of the Utah Condominium Act, Chapter 106B, Utah Code.

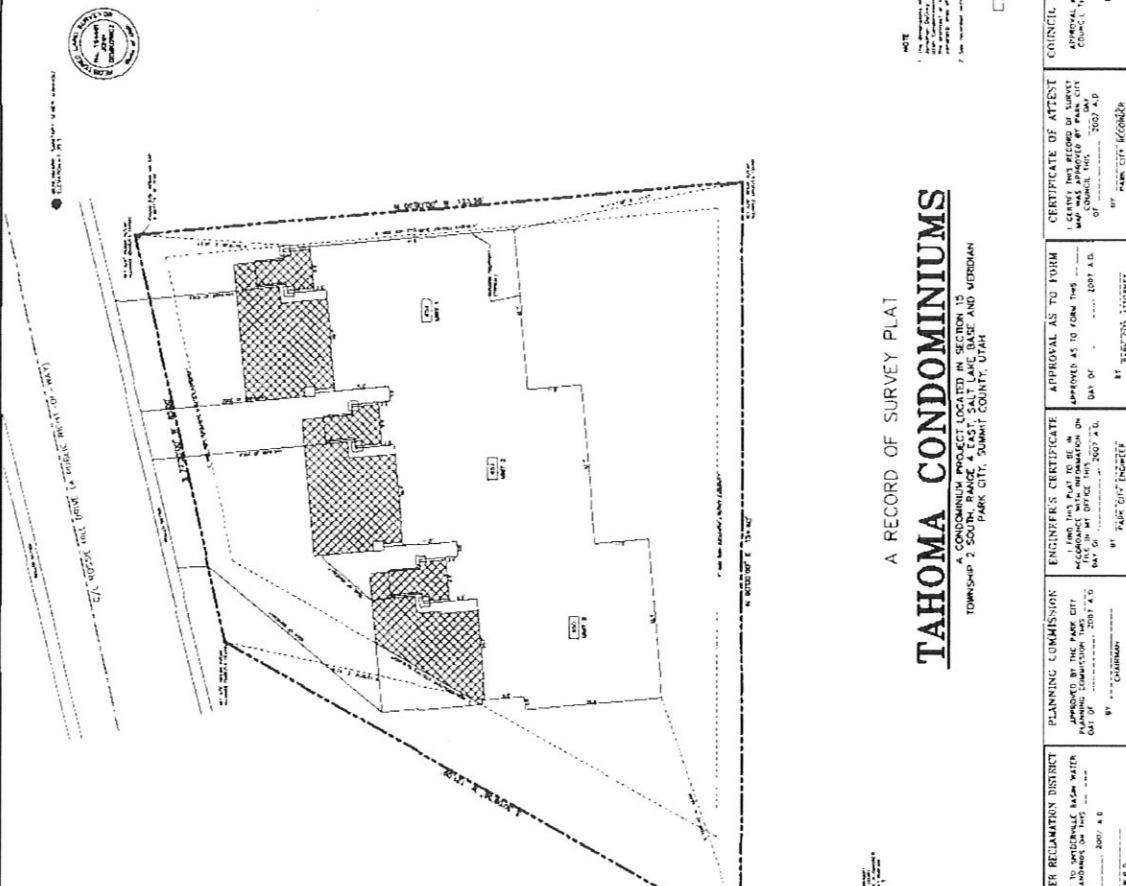


CONDOMINIUM REGULATIONS

- Private Use
- Limited Common Element
- Common Element

NOTE

The boundaries shown on this plat are based on the survey conducted by the undersigned and are subject to the provisions of the Utah Condominium Act, Chapter 106B, Utah Code.



A RECORD OF SURVEY PLAT

TAHOMA CONDOMINIUMS

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

CERTIFICATE OF ATTEST

I hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

APPROVAL AS TO FORM

I hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

ENGINEER'S CERTIFICATE

I hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

PLANNING COMMISSION

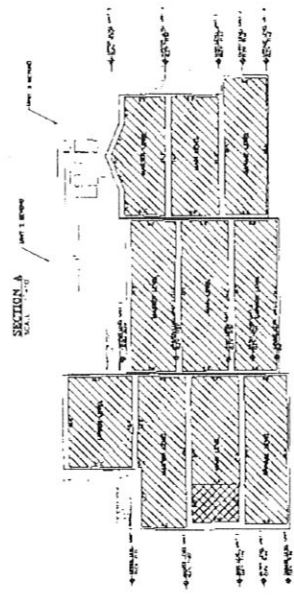
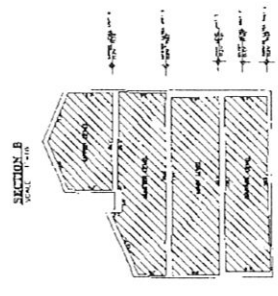
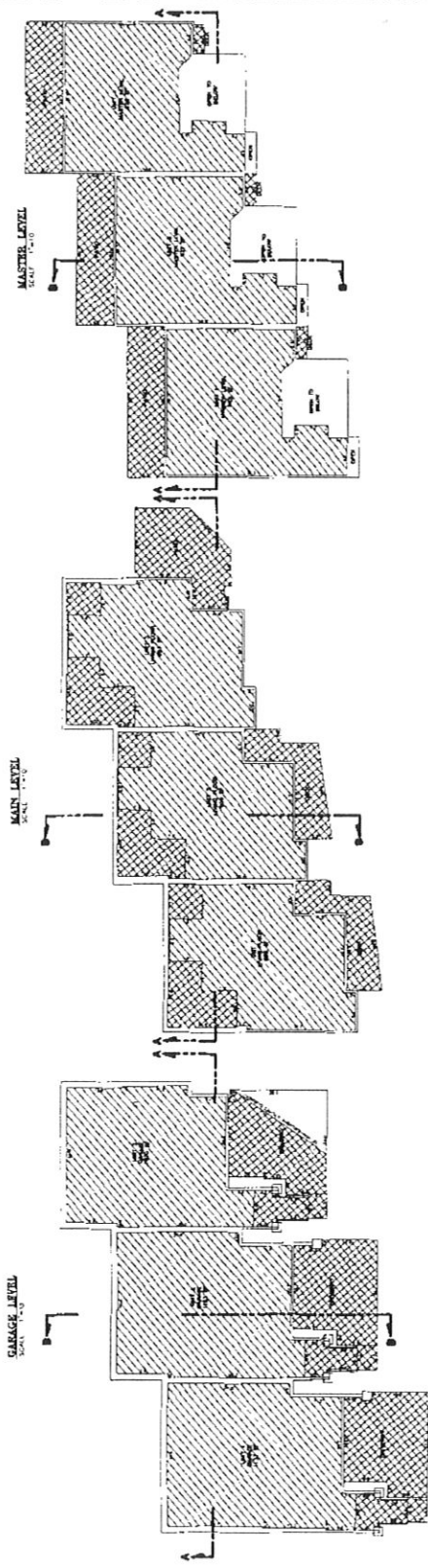
I hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

I hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.

ENGINEER'S CERTIFICATE

I hereby certify that the above described plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.



SQUARE FOOTAGE TABLE

LEVEL	TOTAL AREA	NET AREA	PERCENT
Garage Level	10,000	8,000	80%
Main Level	15,000	12,000	80%
Master Level	5,000	4,000	80%
Total	30,000	24,000	80%

ELEVATION TABLE

LEVEL	FINISH FLOOR	FINISH CEILING	FINISH BASE
Garage Level	10.00	10.00	9.00
Main Level	11.00	11.00	10.00
Master Level	12.00	12.00	11.00

RECORDED

PLANS OF THIS COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF DATE _____ BY _____ REG. _____

NOV 14

A RECORD OF SURVEY PLAT

TAHOMA CONDOMINIUMS

A CONDOMINIUM PROJECT LOCATED IN SECTION 15 TOWNSHIP 2 SOUTH RANGE 10 EAST AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH