

Ordinance No. 2020-10

AN ORDINANCE APPROVING A ONE YEAR EXTENSION OF THE MARCH 8, 2018 APPROVAL OF THE ALICE CLAIM SUBDIVISION AND PLAT AMENDMENT LOCATED AT THE INTERSECTION OF KING ROAD, RIDGE AVENUE, AND SAMPSON AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property located at the intersection of King Road, Ridge Avenue, and Sampson Avenue has petitioned the City Council for approval of a one year extension of time to record the Alice Claim Subdivision and Plat Amendment; and

WHEREAS, on January 16, 2020, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on January 15, 2020, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, on January 30, 2020, the City Council held a public hearing and approved a one year extension of the March 8, 2018 Alice Claim Subdivision and Plat Amendment to March 8, 2021;

WHEREAS, it is in the best interest of Park City, Utah to approve the one year extension of the March 8, 2018 Alice Claim Subdivision and Plat Amendment to March 8, 2021.

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

SECTION 1. APPROVAL. The one year extension of the March 8, 2018 Alice Claim Subdivision and Plat Amendment, 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 the intersection of King Road, Ridge Avenue and Sampson Avenue.
2. The project includes nine (9) lots on approximately 9.034 acres.
3. The project was approved by the City Council on March 8, 2018 as Ordinance 2018-08.
4. Condition of Approval #2 requires that the Subdivision and Plat Amendment be recorded within two years from the date of City Council Approval.
5. The applicant has stated that they have been working diligently to satisfy the Conditions of Approval of Ordinance 2018-08 but still have to complete some public improvements prior to recording the Alice Claim Subdivision and Plat Amendment.
6. Per [LMC 15-7.1-6\(C\)\(5\) Final Subdivision Plat](#), applicants may request time extensions of the City Council approval by submitting a request in writing to the Planning Department prior to expiration of the approval.

7. The applicant submitted a Request for Extension Application to the Planning Department on December 4, 2019, prior to the March 8, 2020 expiration.
8. The City Council may grant an extension to the expiration date when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change in circumstance includes physical changes to the Property or surroundings. Notice shall be provided consistent with the requirements for a Final Plat in Section 15-1-12.
9. Staff has reviewed the applicant's Request for Extension and found no changes in circumstance, including no physical changes to the property or surroundings.

Conclusions of Law:

1. There is Good Cause for this one year extension of the March 8, 2018 Alice Claim Subdivision and Plat Amendment to March 8, 2021.
2. The extension is consistent with the Park City Land Management Code and applicable State law Subdivisions and Plat Amendments.
3. Neither the public nor any person will be materially injured by the proposed one year extension of the Alice Claim Subdivision and Plat Amendment.
4. Approval of the one year extension, 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. With the exception of Condition of Approval #2, all Conditions of Ordinance 2018-08 remain in full force and effect.
2. The applicant will record the Alice Claim Subdivision and Plat Amendment prior to March 8, 2021 unless an additional extension is submitted to the Planning Department and approved by the City Council prior to expiration of this approval.


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

PASSED AND ADOPTED this 30th day of January, 2020.

PARK CITY MUNICIPAL CORPORATION

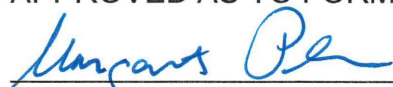

Andy Beerman, MAYOR

ATTEST:


Michelle Kellogg, City Recorder



APPROVED AS TO FORM:


Margaret Plane, Special Counsel

Attachment 1 – Proposed Subdivision and Plat Amendment

