



STAFF REPORT

TO: Summit County Council

FROM: Summit County Auditor Office

DATE: November 8, 2023

RE: BOE Decisions Ratification

Actions Requested by BOE

See attached spreadsheet for parcels that have been given their Final Notice for Action and are ready for the BOE review and ratification.

Action Requested – as the BOE, please approve or ratify the changes made.

Scheduling Hearings – Ongoing

Some appellants listed have requested a hearing or have scheduled a hearing. If they have requested an independent hearing prior to their public hearing date/time per their Final Notice, they will have an independent hearing scheduled. For those on this list who will have an independent hearing, the hearing officer decision following their hearing will supersede an approval today and they will be included in a future council report for final approval.

Note – a column has been added to indicate properties that have had an independent hearing and shows the resulting hearing officer decision. Any properties with an independent hearing decision in the prior week have been sorted to the top of the list. If there is no date in the hearing date column, the property has not had an independent hearing and is part of the public hearing group.

Thank you for your time!

2023 BOE Adjustments 11/08/2023

#	Account #	Parcel ID	Old Market Value	New Market Value	MV Difference	BOE Hearing Date	Appellant Reason/Provided Documentation	Assessor's Written Response
1	0213367	PB-6-A-249	\$ 2,030,523	\$ 2,030,523	\$ -	10/12/2023	Market value is higher than comps	The CMA provided includes many sales which are not considered comparable to the subject including townhouses, etc. The range of sale prices in the CMA is from \$1,000,000 to \$2,565,000 with an average of \$1,851,083. If the non-comparable sales are removed from the CMA, then the average increases and the County's opinion of value is supported.
2	0310601	PB-PR-4-AM	\$ 2,168,588	\$ 2,080,344	\$ (88,244)	10/12/2023	Market value higher than comps	Newer homes command a premium compared to homes built in the 80's and 90's. The evidence provided by the realtor and given the most weight were sales from 1993 and 1988. The subject was built in 2016. Using the average \$/sf of sales from Pinebrook built in 2000 or newer, I have adjusted the value of the subject property accordingly.
3	0304331	BN-B-1-107	\$ 2,683,869	\$ 2,550,000	\$ (133,869)	10/12/2023	Market value higher than comps	Valuation date is 01/01/2023. Sales occurring in 2023 will be analyzed and used to form the opinion of value in 2024. Per Park City Board of Realtors single family values in Jeremy Ranch increased 46% by average from 2022 to 2023. The median sale price went from \$1,675,000 to \$2,400,000. 2022 \$/sf of the evidence provided with the appeal supports the County's value.
4	0391577	WLCKR-13	\$ 4,212,358	\$ 4,010,394	\$ (201,964)	10/12/2023	Market value higher than comps	The evidence provided with the appeal is partial screen shots that can not be read or analyzed by the assessor's office. The characteristics of the subject have been updated in the CAMA system, and the resulting value has been applied in this stipulation.
5	0047260	PSC-527	\$ 363,300	\$ 363,300	\$ -	10/12/2023	Comparable sales	Assessed value is determined on the lien date of 01/01/23. 2022 sales are used to determine the value as of that date. Sales for similar sized units in subject's subdivision ranged from \$310,000-\$430,000 in 2022. Comp submitted sold in 2023 and will be considered for 2024 tax assessments. 2022 Comps support assessed value, no change recommended.
6	0375703	BELARB-4	\$ 7,644,000	\$ 6,800,000	\$ (844,000)	10/12/2023	Comparable sales information	Comps submitted were substantially smaller than subject property per county records. Similar sized unit in the subject subdivision sold for approximately 7,195,000. Reducing value to reflect sales price of similar unit.
7	0457487	NPC-308	\$ 724,500	\$ 724,500	\$ -	10/12/2023	2021 comparables and appreciation rate	2022 sale of \$712K for a smaller unit. 4 sales in 2022 indicate an average sales price of \$540k but PC MLS states a 44% increase in 2022 over 2021 - which when applied to that average, puts the mass appraised value of \$724,500 within range. Recommend holding mass appraised value.
8	0018972	PC-24	\$ 2,848,596	\$ 2,184,519	\$ (664,077)		Market value higher than attached comps	Change the value to reflect the CMA report that the owner supplied
9	0021224	PC-441	\$ 1,200,000	\$ 1,200,000	\$ -		Comparable sale	The lot size comes from the Recorder's office per recorded deeds. If there is a lot size question that would need to be brought up with the Summit County Recorder. We have the lot valued like all other .11 acre lots in old town. No change recommended
10	0021398	PC-455	\$ 1,578,723	\$ 1,578,723	\$ -		Appraisal	The appraisal submitted was for 2021 the Park City MLS shows a 33% increase in home values in 2022 if we apply a 33% increase to the appraisal value it shows a new value of \$ 1,729,000. Recommend no Change
11	0021422	PC-458-A	\$ 1,444,032	\$ 1,444,032	\$ -		Condition of home description	Sales in old town during 2022 range from \$1,400,000 to \$ 1,800,000. Sales increased in old town from 2021 to 2022 per the Park City MLS by 33% No change recommended.
12	0023246	PC-580	\$ 1,363,120	\$ 1,100,000	\$ (263,120)		Appraisal	Adjust value to reflect Fee Appraisal submitted by Owner
13	0023535	PC-604	\$ 3,093,120	\$ 3,093,120	\$ -		2021 closing docs and plat map	Sale of property on 7/30/2021 at \$ 2,396,000 Park City MLS shows a 33% increase in Old Town home sales in 2022 if we apply that 33% to the sale price the value is \$ 3,186,680. Recommend no change.
14	0025894	QT-439	\$ 2,268,000	\$ 1,984,500	\$ (283,500)		Comp information attached	Several of the comparables submitted are much different in size and location from the subject making them poor indications of value. However, analysis of those comparable sales most similar to the subject supports a reduction to \$1,050/sq. ft. applied to the legally recorded private ownership of 1,890 sq. ft. Adjustment to this rate of valuation is recommended.

15 0030761	SNC-1067	\$	697,600	\$	600,000	\$	(97,600)	Settlement statement from 2/2022 and comps	Adjustment to recent purchase price is appropriate. Market trends in the subject's area do not warrant a downward adjustment from the February purchase price. Zillow's algorithm is not a reliable source of accurate values.
16 0047815	PSC-708	\$	363,300	\$	311,400	\$	(51,900)	Letter of explanation	Six units of similar size to the subject sold in Prospector Square in 2022. These sold for a range of \$795-\$1,035 per square foot. Some of these units have been fully remodeled and some have not. After review of these sales and the evidence submitted an adjustment to \$900 per square foot is recommended.
17 0049563	RC-2-129	\$	885,000	\$	885,000	\$	-	2020 settlement statement attached.	See sales at 130 Yonex, 107 Segura, and 170 Dunlop for sales in Racquet Club in 2022. These sales were used to develop the County's opinion of value. There are no sales available that support a reduction.
18 0049670	RC-2-140	\$	885,000	\$	885,000	\$	-	Comparable sales	The comps provided as evidence are exactly the sales used to develop the County's opinion of value. The subject's original condition is accounted for in the County's opinion of value, thus the lower value than any of the actual sales prices of the comps. No change is supported.
19 0051635	TH-35	\$	5,105,043	\$	5,105,043	\$	-	information claiming it is not their primary and confirmed with Arizona they are receiving an exemption there	
20 0054696	PP-87-10	\$	8,975,704	\$	8,281,912	\$	(693,792)	Comp sales	Adjusted to account for removal of basement. The value is supported by sales in the area and equalized with other similar quality homes in the Old Ranch Rd. area.
21 0055727	PT-22-A	\$	1,036,800	\$	907,200	\$	(129,600)	Letter and comps	A unit of identical size in the subject's complex sold in September 2022 for \$700 per square foot. The special assessments were known at the time of this of sale indicating they are reflected in the purchase price. Adjustment to \$700 per square foot is recommended.
22 0061212	PB-IA-48	\$	1,643,660	\$	1,265,859	\$	(377,801)	CMA attached. Owner also attached primary application and DL, but it looks like they already are listed as primary	Adjust the market value per CMA evidence submitted by owner
23 0066070	SU-I-28	\$	1,154,980	\$	1,154,980	\$	-	primary scanned into models	
24 0087829	NS-757-1	\$	46,500	\$	31,000	\$	(15,500)	Letter of explanation and comps	Secondary acreage rate for land locked parcels in the meadow west of W East Canyon Rd valued at \$20,000. Reduction in value is supported.
25 0107601	HL-68	\$	250,602	\$	250,602	\$	-	Comp information provided in letter	The county records show the living sq. ft. to be 552 sq. ft. that puts the assessed value per sq. ft. at \$453. Recommend keeping the current mass appraisal value.
26 0112585	AP-91	\$	228,085	\$	228,085	\$	-	explanation on appeal form	Due to the property being under appeal to the State Tax Commission and waiting on a decision from them. Recommend no change in value at this time but will keep 2023 appeal rights open pending a decision from the State Tax Commission.
27 0113088	CD-674-A-1	\$	369,115	\$	264,030	\$	(105,085)	unfinished cabin, building permit app attached	Adjusted value after correcting percent complete of new construction.
28 0113872	CD-701-B	\$	1,998,080	\$	1,998,080	\$	-	letter of explanation	The increase in value of the property is due to the increase in the land value of properties that have river access. Properties of similar size and with river access the selling price range of these properties was \$850,000 to \$1,300,000. Recommend keeping the current mass appraisal value.
29 0117642	LD-1	\$	235,995	\$	209,212	\$	(26,783)	explanation line states the 1960 cabin as plumbing and structure issues	Reviewed information on condition and characteristics of cabin changed the effective age of cabin. Adjusted the 2023 mass appraisal value.
30 0126791	CD-743	\$	9,984,652	\$	9,657,855	\$	(326,797)	Spreadsheet and picture	Adjusted value after review of cabins in Holiday Park adjusted for percent complete on newly constructed cabin and adjusted for condition on several of the older cabins.
31 0127351	CD-764-9	\$	906,915	\$	852,990	\$	(53,925)	Spreadsheet and letter	Adjusted value after site visit and review of property characteristics and condition of cabins.
32 0132567	HE-A-349-B	\$	1,547,643	\$	1,547,643	\$	-	Primary scanned into models. CMA attached	The data provided as evidence of value is erroneous. HE-A-350 has a \$488,000 market value for land. HE-A-348 has a \$523,600 market value for land. HE-A-360 has a \$522,400 market value for land. The subject's land value is correct and equalized. No change is necessary.
33 0144745	PI-D-91	\$	380,626	\$	380,626	\$	-	primary scanned into models	

34	0159545	SS-2283-IMP	\$	103,324	\$	44,090	\$	(59,234)	Letter	Adjusted quality and condition characteristic attributes. Lease on land decreases value as the lease is more than half over. Value adjustment is supported.
35	0164321	WA-20-33	\$	330,049	\$	330,049	\$	-	Comps attached	Comparable sales in 2022 sold between \$330k to \$685k. Adjustments made for acreage, sq ft., condition, basement, bath count & garage space. Adj. values on sales range from \$323k to \$499k, median value of \$425k. No decrease is supported.
36	0165393	WA-6-620	\$	121,100	\$	121,100	\$	-	letter and comp info	Value for 01/01/2023 is determined from vacant land sales from 2022. Land sales range from \$95,000 to \$121,900 for land ranging from 0.88 acres to 1.10 acres. No reduction is supported. Up to 1 acre of land is valued at a building lot rate, the remaining acreage is valued at a secondary acreage rate.
37	0165401	WA-6-621	\$	208,038	\$	208,038	\$	-	CMA	Comparable sales sold between \$330,000 to \$410,000. Adjustments made for acreage, sq ft., bath count, & garage space. Adjusted values from comparables range from \$262,000 to \$384,000, with a median of \$323,000. No reduction in value is supported.
38	0165419	WA-6-622	\$	270,393	\$	270,393	\$	-	letter, cma and account info	Comparable sales from 2022 range from \$330,000 to \$410,000. Adjustments made for acreage, sq ft, bath count, & garage space. Adjusted values on these comparable sales range from \$311,000 to \$434,000, with a median value of \$372,000. No reduction is supported at this time.
39	0182554	SS-82-2	\$	1,521,495	\$	1,521,495	\$	-	Comp info	Reviewed submitted comparable sales and other available comparable sales. The sold price per square foot of comparable sales ranged from \$416 to \$484 per square foot. The subjects current assessed value per square foot is \$390. Recommend no adjustment to mass appraisal value.
40	0183057	PB-3-101	\$	1,598,708	\$	1,230,000	\$	(368,708)	Comps attached	Adjust the market value per CMA evidence submitted by owner
41	0183065	PB-3-102	\$	450,000	\$	275,000	\$	(175,000)	Comps, vacant land that is narrow and has a shared driveway	Reduce value to reflect lot is very narrow and shares driveway with 3 homes
42	0184113	PB-4-202	\$	1,814,797	\$	1,655,000	\$	(159,797)	CMA's attached	Adjust the market value per CMA evidence submitted by owner
43	0185169	JR-4	\$	1,378,764	\$	1,378,764	\$	-	Letter, cma and home photos	The County's opinion of value for the subject is \$426/sf. Although there are limited sales of the same era as the subject's year built, \$426/sf is in line with the few sales there are in Jeremy Ranch. \$426/sf is well below the sales in Pinebrook with similar years built, and is very similar to the \$/sf of sales in Summit Park with similar years built. No change is necessary based on the research done on sales within 3 miles of the subject with similar years built.
44	0185524	JR-40	\$	1,701,542	\$	1,701,542	\$	-	Comp info and real estate contract	Per Park City Board of Realtor statistics, the median sales price in Jeremy Ranch increased 27% in 2021 and 43% in 2022. The County's opinion of value is reasonable considering the market appreciation reported by the Board of Realtors in the 21 months from the \$1,100,000 purchase to the valuation date for 2023 property taxes.
45	0185623	JR-50	\$	1,701,234	\$	1,701,234	\$	-	Jeremy ranch comp sales	The sales provided as evidence are from 2023. These sales are indicative of value for the 2024 lien date. The sales required for value as of 01/01/2023 are from 2022 and those sales support the County's opinion of value.
46	0186464	JR-2-214	\$	1,789,658	\$	1,723,774	\$	(65,884)	Appraisal	The date of report is more indicative of 2024 valuation date than 2023 valuation date. Additionally the adjustments are incorrect in the appraisal and do not make sense. \$10,000 for a fireplace, but only \$2,000 for central air, \$10,000 for a bathroom, and \$10,000 for a 2nd kitchen, but \$20,000 for an extra garage bay. These adjustments do not reconcile with market data. An adjustment is applied based on an adjustment to the characteristics of the subject, but the appraisal is not given any weight.
47	0186597	JR-2-227	\$	2,918,162	\$	2,552,139	\$	(366,023)	Letter and inspection report	The assessor's office is aware that the project was not complete as of 01/01/2023 and is only valuing the property at a percentage of completion, however, I have adjusted the percentage of completion based on the appeal provided by the owner and the change in value is reflected in this stipulation.
48	0186605	JR-2-228	\$	1,587,416	\$	1,587,416	\$	-	Comparable Market Analysis	The County's opinion of value is below both of the comps provided as evidence of value and well below the average and median value of the comps. No change is necessary based on the evidence provided.

49 0189989	RP-3-W-7	\$	810,000	\$	723,000	\$	(87,000)	Letter with pictures	It is noted that the property went under contract in December of 2022 at \$723,000. Adjustment to this value is recommended.
50 0191399	PAR-126	\$	1,161,000	\$	1,161,000	\$	-	Letter and comps	All of the comparable sales provided were significantly distant from the subject making them poor indications of value. Four units of similar size to the subject sold in Park Station in 2022. These units sold for an average of \$1,087 per square foot. This is higher than the subject's valuation. Recommend no change.
51 0191498	PAR-136	\$	1,161,000	\$	1,161,000	\$	-	Letter and comps	All of the comparable sales provided were significantly distant from the subject making them poor indications of value. Four units of similar size to the subject sold in Park Station in 2022. These units sold for an average of \$1,087 per square foot. This is higher than the subject's valuation. Recommend no change.
52 0193080	PWV-B-27-AM	\$	1,600,000	\$	1,600,000	\$	-	23 nightly rental app recd, and email from owners requesting this change	
53 0197123	UL-49-B	\$	684,902	\$	601,188	\$	(83,714)	Appraisal	Reviewed appraisal submitted. opinion of value in appraisal is \$600,000. Lowered value to appraised value.
54 0199376	UL-8-B	\$	758,754	\$	758,754	\$	-	Comps attached	Comparables submitted are inferior to the subject property. Subject sold on 08/24/2021 for \$800,000 MLS #1735354. An adjustment has been taken into consideration for the personal property included with the sale. Adjustment made for time as the market was still increasing from 08/2021. It is recommended to hold the value at \$758,754.
55 0202170	EYC-A-3	\$	982,800	\$	819,000	\$	(163,800)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$819,000.
56 0202196	EYC-B-1	\$	1,183,200	\$	986,000	\$	(197,200)	See attached letter with each vaule. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$986,000.
57 0202204	EYC-B-2	\$	1,119,600	\$	933,000	\$	(186,600)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$933,000.
58 0202212	EYC-B-3	\$	1,345,300	\$	1,039,550	\$	(305,750)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$1,039,550.
59 0202220	EYC-B-4	\$	1,345,300	\$	1,039,550	\$	(305,750)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$1,039,550.
60 0202238	EYC-C-1	\$	1,183,200	\$	986,000	\$	(197,200)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$986,000.
61 0202246	EYC-C-2	\$	1,119,600	\$	933,000	\$	(186,600)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$933,00
62 0202253	EYC-C-3	\$	1,345,300	\$	1,039,550	\$	(305,750)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$1,039,550.
63 0202261	EYC-C-4	\$	1,345,300	\$	1,039,550	\$	(305,750)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$1,039,550
64 0202279	EYC-D-1	\$	1,164,000	\$	970,000	\$	(194,000)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$970,000
65 0202287	EYC-D-2	\$	1,164,000	\$	970,000	\$	(194,000)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$970,000.
66 0202295	EYC-D-3	\$	1,390,400	\$	1,074,400	\$	(316,000)	See attached letter with each value. closing info, warranty deed,	Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$1,074,400.
67 0202303	EYC-D-4	\$	1,390,400	\$	1,074,400	\$	(316,000)	primary scanned into models in 2022 didn't carry over for 2023. letter and settlement statement for market appeal	The primary exemption has been applied. Previous historic sales are not relevant for todays market. After closer review of similarly sized and aged condos, we recommend an updated value of \$1,074,400.
68 0202311	MOT-A	\$	2,365,200	\$	2,365,200	\$	-	CMA, comps, Redfin value and zillow estimate	The comparables provided are not the best indicators of value for several reasons. Some are not condos, some closed in 2023 and some differ greatly from the subject in size. Analysis of comparable condo units sold in the subject's area supports a valuation rate of \$1,450 per sq. ft., much higher than the subject's current rate. Recommend no change.

69 0203103	QEC-8	\$	1,717,850	\$	1,548,086	\$	(169,764)	Letter	A unit of identical size in the Queen Esther development sold in 2022 for \$766 per square foot. Adjustment to this rate of valuation is recommended.
70 0208391	PCC-6-F	\$	1,399,500	\$	1,399,500	\$	-	Appraisal	The submitted appraisal uses some comps that are significantly distant from the subject when there are comparable units that sold much closer. Two of the comps are much smaller than the subject than other sold units in the area making them less than ideal indicators of value. Recommend no change.
71 0208557	LBC-14-4AM	\$	3,405,000	\$	3,405,000	\$	-	comp info attached	Eleven of the fourteen comparable sales provided are significantly different from the subject in size. The three sales of comparable size indicate that the subject is undervalued. Most notably, a unit of identical size sold in the subject's complex for \$3,586,000, more than the current assessed value. Recommend no change.
72 0209688	FEN-3	\$	795,000	\$	795,000	\$	-	primary scanned into models	
73 0212252	RP-T-22	\$	1,500,000	\$	1,500,000	\$	-	Market value higher than comp sales	2148 W Apache Trl #T12, 2110 W Comanche Trl #53, and 3662 Navajo Trl #68 were used to form the County's opinion of value. These are the best indicators of value for the subject and support the value in the valuation notice. Sales from 2023 will be considered for the 2024 valuation.
74 0212575	RP-T-66	\$	1,500,000	\$	1,500,000	\$	-	Comps	2148 W Apache Trl #T12, 2110 W Comanche Trl #53, and 3662 Navajo Trl #68 were used to form the County's opinion of value. These are the best indicators of value for the subject and support the value in the valuation notice. Sales from 2023 will be considered for the 2024 valuation
75 0212708	RP-T-92	\$	1,500,000	\$	1,500,000	\$	-	Redfin data	2148 W Apache Trl #T12, 2110 W Comanche Trl #53, and 3662 Navajo Trl #68 were used to form the County's opinion of value. These are the best indicators of value for the subject and support the value in the valuation notice. Sales from 2023 will be considered for the 2024 valuation
76 0213540	QM-II-12	\$	1,005,000	\$	1,005,000	\$	-	Comp sale information	Lien date is 01/01/2023. Sales from 2022 are superior indicators of value relative to the comps from 2021 provided as evidence. See sales at 1375 W Quail Meadows #24, 1513 W Meadow Loop #3, 1466 Silver Meadows #42, 1358 Silver Meadows #70, 1358 Silver Meadows #71, 4719 Silver MEadows #19, and 1313 Ptarmigan. These are the current sales in the area and they support the County's opinion of value.
77 0213979	RV-T-3-B	\$	1,629,000	\$	1,629,000	\$	-	Comps and letter of justification	The subject property sold in March 2022 for \$2,230,000 and is significantly undervalued. No downward adjustment is appropriate.
78 0215677	PWP-1-A	\$	2,583,900	\$	2,583,900	\$	-	Appraisal	Comparable 2 is significantly distant from the subject and as such is not a good indication of value. There was an additional sale in the Parkwood Place complex next door to the subject that was not considered. Recommend no change.
79 0230510	SS-137-C	\$	512,500	\$	512,500	\$	-	Letter	The market has increased substantially in the last 5 years with no increase in value on the subject property. Due to the diversity of recreational areas, not all variances can be accounted for. 2022 sales used to determine the 01/01/2023 value for the area sold between \$400k-\$765k with acreage ranging from 9.58-20.30 acres. No adjustment is appropriate at this time.
80 0231245	QEC-2-30	\$	1,640,700	\$	1,640,700	\$	-	letter and comps	Condominiums are assessed according to their legally recorded private ownership square footage. For the subject this figure is 1,823 square feet. A plat amendment is required to change the legally recorded private ownership figure.
81 0231260	QEC-2-32	\$	1,625,400	\$	1,625,400	\$	-	Square footage incorrect	Condominiums are assessed according to their legally recorded private ownership square footage. For the subject this figure is 1,806 square feet. A plat amendment is required to change the legally recorded private ownership figure.
82 0231278	QEC-2-33	\$	1,625,400	\$	1,625,400	\$	-	incorrect square footage	Condominiums are assessed according to their legally recorded private ownership square footage. For the subject this figure is 1,806 square feet. A plat amendment is required to change the legally recorded private ownership figure.
83 0235790	PCL-2-S-48	\$	2,831,200	\$	2,180,000	\$	(651,200)	Letter, comps and appraisal	The submitted appraisal provides basis for a downward adjustment.
84 0236954	JR-4-4028	\$	1,849,350	\$	1,712,000	\$	(137,350)	Appraisal	Adjusted value to reconcile with the appraisal provided.

85 0248777	PINE-8	\$	1,818,300	\$	1,818,300	\$	-	Market value higher than comps. CMA attached.	Comparable sales provided are all significantly smaller than the subject. Review of comparable sales in the subject's neighborhood supports a valuation of range of \$1,025-\$1,235 per square foot. The subject's valuation at \$1,100 per square foot is supported. No change is recommended.
86 0250617	PB-11-806	\$	1,255,584	\$	1,036,610	\$	(218,974)	Comps	Adjust value to reflect Comparable sales also make adjustments for roof problems the cost to cure. (we are unable to do anything about taxes we only deal with the value of your property)
87 0253355	PB-12-811	\$	993,875	\$	836,228	\$	(157,647)	Explanation and pictures	I have reviewed the pictures of your home and made adjustments on the condition and quality.
88 0256945	PI-G-67	\$	644,629	\$	600,598	\$	(44,031)	Comps	Reviewed comps submitted. Value is determined as of 01/01/2023 using 2022 sales, sales in 2023 will be used to determine value for 01/01/2024. 2022 comps from UREMLS range from \$540k-\$600k. Adjustments made for acreage, sq ft., basement, bath count, & garage space. Adj. values range from \$589k-\$609k, median value of \$602,760.
89 0256952	PI-G-68	\$	150,500	\$	150,500	\$	-	Comps	Due to the diversity of recreation areas not all variances can be accounted for. There were 4 vacant land sales in Pine Meadows in 2022 ranging from 0.93 acres - 1.11 acres that sold between \$119,000 - \$250,000. No adjustment to value at this time.
90 0257000	PI-G-73	\$	717,892	\$	673,926	\$	(43,966)	comps attached	Comp sales sold in 2023 and predict a better value for 1/1/2024. Effective date for this tax year is 01/01/2023, using 2022 sales. Comp sales from UREMLS range from \$540k-\$750k. Adjustments made form acreage, sq ft., basement, bath count, & garage space. Adj. values range from \$579k-\$750k, median value of \$671,880.
91 0258545	SS-2178-B	\$	2,336,394	\$	1,794,677	\$	(541,717)	Letter including comps	Comparables given are active listings. Reviewed cabin comparable sales with less than 2 acres sold between \$1,175,000 to \$1,300,000. Adjustments made for sq ft., basement, bath count & garage space. Adj. values on cabin comps range from \$1,183,000 to \$1,314,000. Large range land sales in 2022 range between \$1,500 to \$2,500 per acre.
92 0259899	CHC-205	\$	416,500	\$	395,000	\$	(21,500)	Comps and photos	Adjusted to average of this sized unit sales in complex.
93 0260897	OA-3	\$	2,364,552	\$	1,750,000	\$	(614,552)	Appraisal	Adjust value to reflect Fee Appraisal submitted also home sold 10/11/2022
94 0265367	ME-1A-10	\$	2,707,316	\$	2,707,316	\$	-	Comps attached	After reviewing the comparable sales that were supplied for this appeal if we use the average price per Square foot of \$619 and multiply it by your square footage we would need to increase your value for 2023. Recommend no change
95 0268551	NS-BDY-37-X	\$	-	\$	-	\$	-	Recorders Error: Add value to land since it is no longer owned by that state.	Deed entry #01180622 and Affidavit entry #01206986 have no affect in Summit County. As of 01/01/2023 the State of Utah Department of Natural Resources Div of Wildlife Resources were and are currently the legal owners. Value is exempt.
96 0269344	PC-459-460-A	\$	1,605,864	\$	1,400,000	\$	(205,864)	Busy street - can't get out of driveway, comp	Adjust home value to reflect comparable sale provided by owner on Park Ave.
97 0274435	PTAR-3	\$	1,450,000	\$	1,200,000	\$	(250,000)	Letter and comp info	Adjusted based on townhouse sales in the neighborhood for 2022.
98 0276026	ROYL-301-2AM	\$	1,782,000	\$	1,200,000	\$	(582,000)	Appraisal	Appraisal submitted substantiates need for a reduction in value. Newly recommended value \$1,200,000.
99 0276059	ROYL-304	\$	1,335,600	\$	1,245,000	\$	(90,600)	letter and comps	Adjustment to 2022 purchase price is recommended. The comps provided to support a downward time adjustment are not good indicators of market movements. One sale is in a significantly different market area and the other is a time share which is a much different type of ownership from the subject which drives its value down in comparison.
100 0276109	ROYL-309-2AM	\$	2,138,600	\$	1,620,000	\$	(518,600)	Appraisal	Appraisal submitted substantiates need for a reduction in value, however there were inconsistencies in the adjustments with the submitted appraisal. Newly recommended value \$1,620,000 or approximately \$1,285 per sq ft.
101 0276141	ROYL-404	\$	1,335,600	\$	1,245,000	\$	(90,600)	Appraisal	A unit identical in size to the subject sold at Royal Plaza in 2022 for \$1,245,000. The submitted appraisal makes a condition adjustment to this sale based on vaulted ceilings but photos of the two units do not demonstrate this difference. The appraiser states that the comps bracket the subject but only a single positive adjustment is made. This is not typical appraisal practice.

102	0284061	GG-309	\$	491,250	\$	491,250	\$	-	square footage may be incorrect, and pictures of bad view	We use the legally recorded square footage from the platt. This unit is valued with 380\sqft. We recommend holding the mass appraised value.
103	0284202	GG-504	\$	838,750	\$	817,500	\$	(21,250)	square footage incorrect	Stipulated agreement to \$1,250\price per square foot. Which takes the value to 817,500
104	0284210	GG-505	\$	860,000	\$	818,750	\$	(41,250)	Square footage incorrect. floor plan attached	Stipulated agreement to \$1,250 price per square foot taking that value to \$818,750. We use the legally recorded square footage of 655sqft.
105	0285639	BN-B-1-104-AM	\$	2,583,805	\$	2,583,805	\$	-	Comp sales attached	Superior indicators of value for the subject property exist beyond the evidence provided in the appeal. See sales at 8864 Cheyenne, 9094 Flint, 2359 Daybreaker, 3565 Wrangler, and 3717 Saddleback. These are the sales that are most similar to the subject in terms of characteristics and are all located in the Jeremy Ranch many more proximate to the subject than the comps provided in the appeal.
106	0291751	RPL-18	\$	2,026,316	\$	2,026,316	\$	-	comps information attached	There are 8 sales in Ranch Place from 01/01/2022 to 03/01/2023. The avg \$/sf of those sales is \$866. This far exceeds and provides support for the County's \$718/sf opinion of value for the subject. No change is supported by the sales.
107	0293112	FHE-II-68	\$	2,621,240	\$	2,621,240	\$	-	Zillow info, description	Per the Park City Board of Realtors median single family residential sales, in Park Meadows, increased 15% in 2022 with the median sales price going from \$2,905,000 to \$3,388,850. The number of sales declined by 47% but the price of those sales continued to rise through all of 2022.
108	0301014	BN-A-3-59	\$	3,425,082	\$	3,049,721	\$	(375,361)	letter and comp info	The subject property is either significantly newer or significantly larger than the comps provided. I have updated the subject's characteristics in the CAMA system to properly account for age, condition, and quality and the new value produced by the CAMA is reflected in this stipulation notice.
109	0301378	WFS-5	\$	2,296,221	\$	2,296,221	\$	-	primary scanned into models	
110	0304380	BN-B-1-112	\$	2,137,981	\$	2,137,981	\$	-	CMA	Lien date for 2023 property taxes is 01/01/2023. The sales that indicate value for this date are sales from 2022. The evidence provided in the appeal is indicative of 2024's value not 2023. See sales at 8864 Cheyenne, 9094 Flint, 2359 Daybreaker, 3565 Wrangler, and 3717 Saddleback for the comps used to determine the County's opinion of value for 01/01/2023.
111	0304976	FT-28-A	\$	209,080	\$	209,080	\$	-	Property should have been on FAA (greenbelt) assessment.	Property assessment changed to FAA (greenbelt) assessment.
112	0307235	RPL-III-154	\$	6,114,018	\$	6,114,018	\$	-	Cost summary and comps	There are 8 sales in Ranch Place from 01/01/2022 to 03/01/2023. The avg \$/sf of those sales is \$866. The sales provided as evidence have an avg \$/sf of \$789. These numbers demonstrate that the costs provided do not reflect market recognition of value for the property. \$866 x 5590 = \$4,840,940 and \$789 x 5590 = \$4,410,510. Additionally, the subject is newer and nicer than all of the sales and superior in quality to most of the sales. A \$/sf of \$1094 is a reasonable value when compared to similar quality and conditions homes in similar subdivisions throughout the Park City Area.
113	0308738	PP-26-C-1	\$	465,500	\$	107,065	\$	(358,435)	comp sales attached	This un-buildable lot has no utilities and the slope will not allow construction. Therefore reduce value to reflect that.
114	0310270	MRSA-3	\$	8,480,556	\$	7,281,750	\$	(1,198,806)	Appraisal	Adjust value to reflect Fee appraisal and effective age adjustments (Sale price 5,475,000 X .33% = 7,281,750)
115	0310775	PB-PR-21	\$	500,000	\$	50,000	\$	(450,000)	Professional report	Lot is un-buildable as it sits needs remediation of the steep slope to hold the dirt back from crushing whatever is built on it. Remove 90% of the lot value to reflect this problem.
116	0315063	ITT-1	\$	3,200,000	\$	2,000,000	\$	(1,200,000)	letter and appraisal	Adjusted value to reconcile with provided appraisal.
117	0315071	ITT-2	\$	3,200,000	\$	2,100,000	\$	(1,100,000)	Appraisal	Adjusted value to reconcile with the appraisal provided.
118	0315105	ITT-5	\$	3,200,000	\$	2,100,000	\$	(1,100,000)	Appraisal	Adjusted value to reconcile with the appraisal provided.
119	0315121	ITT-7	\$	3,200,000	\$	2,050,000	\$	(1,150,000)	Comps	Adjusted value to reconcile with the appraisal provided.

120	0315170	ITT-12	\$	3,200,000	\$	2,000,000	\$	(1,200,000)	Market value higher than appraisal	The best indication of value is comp 1 in the appraisal. It is the only sale in the subject's project in 2022. The adjustment for view has been removed as it is not supported and both units have similar views. The adjusted price of comp 1 with the view adjustment removed it the value reflected in this stipulation.
121	0318364	CSP-6A-A	\$	1,074,500	\$	1,074,500	\$	-	Comp sale info in explanation line. no additional evidence sent	Three units identical in size to the subject sold in the Cove at Sunpeak in 2022. The lowest of these three sales closed at \$1,075,000. Sales closing after lien date 1 Jan 2023 will be used in the valuation process for tax year 2024. The primary residential exemption is only granted after a qualifying application is filed with the Assessor's office. Recommend no change.
122	0318703	CSP-1C-A	\$	1,307,800	\$	1,280,000	\$	(27,800)	CMA	Average adjustment made to best comps in the same complex and closer to lien date. Recommend value of \$1,280,000.
123	0338172	MLCH-A-AM	\$	4,003,380	\$	2,926,003	\$	(1,077,377)	Comp sales MSA and analysis	Adjust value to reflect Comparable sales that were supplied by owner.
124	0350581	CSLC-B-B270-AM	\$	1,665,600	\$	1,482,425	\$	(183,175)	Comp info	Sales within the B building do reflect a reduction in value.
125	0350599	CSLC-B-B267-AM	\$	1,654,800	\$	1,482,425	\$	(172,375)	comps	Sales within the B building do reflect a reduction in value.
126	0350607	CSLC-B-B276-AM	\$	1,654,800	\$	1,482,425	\$	(172,375)	comps	Sales within the B building do reflect a reduction in value.
127	0350615	CSLC-B-B273-AM	\$	1,654,800	\$	1,482,425	\$	(172,375)	comps	Sales within the B building do reflect a reduction in value.
128	0353510	QMR-3-AM	\$	8,690,840	\$	7,380,000	\$	(1,310,840)	Appraisal report	Value is updated to coincide with the 2022 State Tax Commission Stipulation.
129	0353585	QMR-10-AM	\$	16,596,444	\$	10,310,295	\$	(6,286,149)	Appraisal	Value is updated to coincide with the 2022 State Tax Commission Stipulation.
130	0353650	QMR-17-2AM	\$	16,305,390	\$	9,225,000	\$	(7,080,390)	appraisal	Value is updated to coincide with the 2022 State Tax Commission Stipulation.
131	0356919	LARMOR-1	\$	4,961,568	\$	4,219,476	\$	(742,092)	Appraisal	Adjust value to reflect Fee appraisal value
132	0363550	COTPRK-1307	\$	3,066,750	\$	2,100,000	\$	(966,750)	Appraisal	Submitted appraisal is sufficient basis for reduction in value. Adjustment to \$2,100,000 is recommended.
133	0377675	RPL-IV-161	\$	2,655,882	\$	2,655,882	\$	-	Comps attached	There are 8 sales in Ranch Place from 01/01/2022 to 03/01/2023. The avg \$/sf of those sales is \$866. This far exceeds and provides support for the County's \$755/sf opinion of value for the subject. No change is supported by the sales.
134	0379986	PRLW-2	\$	1,764,996	\$	1,600,000	\$	(164,996)	Appraisal	Appraisal contain errors in adjustments for ADU's, basement areas, market appreciation, and land. Upon correcting the error's in the appraisal I have developed an alternate opinion of value.
135	0384366	CWPC-3A-93	\$	10,173,292	\$	10,173,292	\$	-	Comparable sales and additional information	The median sales \$/sf for Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 7144sf of living space. The County's opinion of value is supported.
136	0384416	CWPC-3A-98	\$	16,132,416	\$	16,132,416	\$	-	Comps	The median sales \$/sf for Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 12,196sf of living space between the two residential improvements. The County's opinion of value is supported.
137	0388078	CT-362-E	\$	62,724	\$	62,724	\$	-	Non buildable lot that has no value	It is agreed that due to the shape and width of the subject lot that it wouldn't be able to be built on separately, this has been taken into consideration. Although the value represents the contributory value of the property to the adjoining building and property as it would be sold together. Land value is \$6 per square foot, which is the same as the adjoining property.
138	0389027	LBC-2-7AM	\$	3,600,000	\$	3,600,000	\$	-	Appraisal showing incorrect sq footage and CMA	Sales closed in 2023 will be used in the valuation process for tax year 2024. Condominiums are assessed according to their legally recorded private ownership figure. For the subject this is 3,000 sq. ft. A unit of similar size in the Little Belle development sold in 2022 for \$1,316, more than the subject's assessed rate. Recommend no change.
139	0390678	NBF-60	\$	726,909	\$	687,650	\$	(39,259)	Comp info	Adjusted value per submitted CMA and other available comparable sales information.

140	0392187	CWPC-3B-115	\$	11,642,344	\$	11,642,344	\$	-	Attached CMA	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 9825sf of living space. The County's opinion of value is supported.
141	0392245	CWPC-3B-121	\$	13,394,728	\$	13,061,517	\$	(333,211)	Comparable sales	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 8166sf of living space and an adjustment has been made accordingly.
142	0396105	FPRV-2-E	\$	703,350	\$	703,350	\$	-	comp sale	Sales closing after lien date 1 Jan 2023 will be used in the valuation process for tax year 2024. Units of comparable size in the Foxpointe development sold for a range of \$586-\$754 per square foot. The mass appraised value is supported. Recommend no change.
143	0396360	FPRV-6-C	\$	692,550	\$	692,550	\$	-	Comps	The two comparable sales provided both closed after lien date 1 Jan 2023. These sales will be used in the valuation process for tax year 2024. Two comparable units in the subject's complex sold in 2022 for a range of \$784,150-\$786,500. The mass appraised value is supported. Recommend no change.
144	0400816	FS-III-J-1	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models. Letter and Comps for market appeal	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
145	0400824	FS-III-J-2	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
146	0400832	FS-III-J-3	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
147	0400840	FS-III-J-4	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
148	0400857	FS-III-J-5	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for Market appeal . reach out to Auditors for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
149	0400865	FS-III-J-6	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
150	0400873	FS-III-K-1	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for Market appeal. Reach out to Auditors for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
151	0400881	FS-III-K-2	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
152	0400899	FS-III-K-3	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for market appeal. Reach out to Auditors for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
153	0400907	FS-III-K-4	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comp for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
154	0400915	FS-III-K-5	\$	816,000	\$	686,400	\$	(129,600)	primary scanned into models Letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
155	0400923	FS-III-K-6	\$	816,000	\$	686,400	\$	(129,600)	Letter and comps. reach out to auditor for evidence	Primary denied. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order. New valuation of \$686,400 recommend.
156	0400931	FS-III-L-1	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models Letter and comps for market appeal. Reach out to Auditors for evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
157	0400949	FS-III-L-2	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models Letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
158	0400956	FS-III-L-3	\$	625,600	\$	533,600	\$	(92,000)	Letter and comps. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
159	0400964	FS-III-L-4	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models Letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
160	0400972	FS-III-L-5	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models Letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.

161	0400980	FS-III-L-6	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
162	0400998	FS-III-M-1	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models Letter and comp for Market Appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
163	0401004	FS-III-M-2	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models Letter and comp for Market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
164	0401012	FS-III-M-3	\$	625,600	\$	533,600	\$	(92,000)	Letter and comps. Reach out to Auditor for Evidence	Primary denied. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
165	0401020	FS-III-M-4	\$	625,600	\$	533,600	\$	(92,000)	Letter and comp. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
166	0401038	FS-III-M-5	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models Letter and comp for Market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
167	0401046	FS-III-M-6	\$	625,600	\$	533,600	\$	(92,000)	primary scanned into models letter and comp for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order. New valuation of \$533,600 recommend.
168	0401228	SV-1-5-AM	\$	2,199,972	\$	1,750,171	\$	(449,801)	Letter	Reviewed property characteristics and corrected errors in property characteristics. Adjusted 2023 mass appraisal value.
169	0402465	HPCR-102-AM	\$	597,500	\$	465,000	\$	(132,500)	2022 Settlement statement attached	Adjustment to recent purchase price is recommended.
170	0402499	HPCR-105-AM	\$	655,000	\$	550,000	\$	(105,000)	Appraisal	The appraisal provided justifies a decrease in value.
171	0402580	HPCR-201-AM	\$	1,391,500	\$	960,000	\$	(431,500)	Appraisal	The submitted appraisal is adequate basis for adjustment of value.
172	0402945	HPCR-319-AM	\$	658,750	\$	550,000	\$	(108,750)	Comps attached	The subject was purchased in 2022 for \$550,000. Adjustment to this value is recommended.
173	0403307	APRMC-23	\$	3,420,000	\$	3,078,000	\$	(342,000)	Letter	Appellant mention market changes occurring currently. With the lien date of January 1st, only sales in 2022 will be reviewed. The appellant lists 2 comps in 2022 that are older, inferior in quality and location. After review of sales in the Deer Valley Entrance, we find a ppsq of \$900 to be supported. Recommend value of \$3,078,000.
174	0409163	KINCAID-1	\$	3,673,224	\$	3,358,542	\$	(314,682)	Comps	Adjust value to CMS's recommended value of \$3,358,542 for 2023
175	0411482	SGNH-27	\$	3,865,876	\$	3,658,339	\$	(207,537)	Comparable sales	The sales the best indicate value for the subject as of 01/01/2023 are 3492 E Westview Trl, 7105 Juniper Draw, 2063 Saddlehorn, 2426 Saddlehorn, and 4616 Aspen Camp Lp. These sales are used to develop the opinion of value in this stipulation.
176	0412373	HSD-10	\$	2,575,477	\$	2,351,681	\$	(223,796)	Market value higher than attached comps	Adjust value to reflect comparable sales submitted in the CMA
177	0412993	RJL-B	\$	4,444,740	\$	3,850,000	\$	(594,740)	Appraisal	Adjusted the subject's characteristics to reconcile with the appraisal provided.
178	0417489	WWS-2D-D7	\$	1,449,780	\$	1,320,184	\$	(129,596)	2019 Purchase price	After review of property the effective age of the home was changed and the value adjusted.
179	0419162	ESCLAL-201-AM	\$	1,822,500	\$	1,822,500	\$	-	letter, 2020 stipulation of agreement, renovation costs	Sales within ESCLAL are more than the 100K sought for furnishing adjustment. Recommend holding mass appraised value.
180	0419675	ESCLAL-423-AM	\$	2,529,000	\$	2,529,000	\$	-	CMA	Sales within ESCLAL itself support the mass appraised value. No change recommended.
181	0424568	GLDG-202	\$	3,584,000	\$	3,584,000	\$	-	Comps	Comparables provided all closed in 2023 and will be used in the valuation process for tax year 2024. Only sales closed before lien date 1 Jan 2023 are used in the valuation for tax year 2023. Comparable units in the Grand Lodge and competing projects sold for a range of \$2,722,500-\$4,415,000. Recommend no change.
182	0424592	GLDG-207	\$	4,134,000	\$	3,700,000	\$	(434,000)	CMA attached	A unit identical in size to the subject sold in the Grand Lodge at \$3,700,000. Adjustment to this value is recommended.
183	0424626	GLDG-304	\$	4,134,000	\$	3,699,930	\$	(434,070)	CMA attached	Only sales closed in 2022 are used in the valuation process for tax year 2023. One unit in the Grand Lodge of the same size as the subject closed in 2022 at \$1,790 per square foot. Adjustment to this rate of valuation is recommended.
184	0424717	GLDG-404	\$	4,134,000	\$	3,950,000	\$	(184,000)	Comp sales	To be equitable only 2022 sales will be reviewed as the lien date in UT is January 1st each year. The sales that the appellant lists are incorrect. #407 sold 3.7 million and the last remodel was 5 years ago. Another unit this size sold for 4.5 million that was not the Penthouse. Recommend holding mass appraised value.

185 0425300	ALLC-305	\$	3,088,800	\$	2,597,400	\$	(491,400)		One 2023 sale not considered. Property most similar to Silver Strike sale, sold furnished is typical for area. Adjust price per square foot to \$1,850. Recommend value change to \$2,597,400.
186 0426068	COTSS-C-16	\$	5,501,600	\$	5,501,600	\$	-	Market value higher than comp	A comparable unit within Cottages at Silver Star sold in 2022 for \$1,312 per square foot. The subject is being valued at the comparable rate of \$1,300 per square foot. The sale of comparable units within Cottages at Silver Star in 2023, such as the comparable sale provided, will be taken into account for the valuation process for tax year 2024.
187 0432751	CWPC-4A-174	\$	30,070,336	\$	30,070,336	\$	-	Letter, 2 appraisals, deed information. THERE IS ONE MORE AP EVIDENCE THAT TYLER WOULD NOT TAKE< REACH OUT TO AUDITOR'S FOR IT	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 26,358sf of living space between the two residential improvements on the property. The County's opinion of value at \$1,141/sf is supported. The appellants opinion of value at \$383/sf not reasonable.
188 0432827	CWPC-4A-181	\$	16,672,312	\$	16,672,312	\$	-	Comps and analyticals	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 10.706sf of living space. The County's opinion of value is supported.
189 0433395	MLPC-9-AM	\$	2,704,800	\$	1,011,120	\$	(1,693,680)	Comparable sales	The sale of Moose Lodge Unit 8 is the basis for the valuation of the subject. After adjustments were made for renovation, furniture, and location of the unit, as discussed in the BOE hearing on 26 October, a valuation rate of \$660 per square foot is supported. Adjustment to this rate of valuation is recommended.
190 0439509	LBHV-1-1208	\$	824,375	\$	765,000	\$	(59,375)	comp info	The comparable sale referenced closed after lien date 1 Jan 2023. As such this sale will be included in the valuation process for tax year 2024. There were several units of nearly identical size to the subject that sold in the complex in 2022. These sales do warrant a downward adjustment. Adjustment to the requested value is recommended.
191 0439731	SS-142-E-2-A	\$	2,706,247	\$	2,121,105	\$	(585,142)	comps and matrix with adjustments	Comparables submitted sold in 2023 and predict a better value for 01/01/2024. This tax roll value has been determined as of 01/01/2023 using 2022 sales. Sales range from \$1,680,000-\$1,910,000. Adjustments made for acreage, quality, condition, sq ft., basement, bath count, & garage space. Adj. values range from \$1,872,000-\$2,225,550. Adjustment is supported.
192 0441815	LBHV-II-3308	\$	870,625	\$	760,000	\$	(110,625)	primary scanned into models	Review of sales in 2022 range from \$699k to 840K with the average \$760k. Recommend value change to average sales price in development.
193 0451883	LWPCRS-3712-AM	\$	1,078,250	\$	1,078,250	\$	-	Letter of explanation	No evidence is supplied to support the requested value. Seven units of comparable size to the subject sold in the Lodge at Westgate in 2022. These sold for an average of \$1,049 per square foot. This is \$100 higher than the subject's assessed valuation rate of \$950 per square foot. Recommend no change.
194 0451890	LWPCRS-3714-AM	\$	701,100	\$	701,100	\$	-	letter and chart	Several units of the same size as the subject sold in the Lodge at Westgate. The majority of these were on the same level as the subject. these sold for an average of \$923 which is higher than the valuation rate of the subject. Recommend no change.
195 0453269	LWPCRS-4810-AM	\$	728,650	\$	728,650	\$	-	Letter and comps	Several units in the Lodge at Westgate sold in 2022 that are similar in size to the subject and on the subject's floor and lower. These sold for an average of \$923 per square foot. This is higher than the subject's current rate of valuation. Recommend no change.
196 0453346	LWPCRS-4911A-AM	\$	701,100	\$	504,750	\$	(196,350)	comps	The evidence submitted justifies an adjustment to the requested value.
197 0453461	PRESRV-3-58	\$	5,304,568	\$	5,304,568	\$	-	Charts showing while value is too high	Actual sales from the Preserve were used to develop the County's opinion of value and are in direct contradiction to the evidence provided. See sales at 839 W Moose Hill, 9262 Raven Way, 1500 Red Fox, 111 Goshawk, and 8752 N Bitner Ranch Rd for a more clear indication of value for the subject property.

198	0454394	CWPC-4B-217	\$	20,294,224	\$	15,294,224	\$	(5,000,000)	Home had extensive water damage, damage estimate and photos. There is also a video of the damages that wouldn't upload into Tyler. Auditors can get it to you if you'd like	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 13,282sf of living space. The County's opinion of value is supported, however, I am making a \$5,000,000 to account for the damage and cost to repair per the bids supplied.
199	0455133	CWPC-3C-138-1AM	\$	11,702,380	\$	11,702,380	\$	-	Comparable sales	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 7420sf of living space between the 2 residential improvements on the property. The County's opinion of value is supported.
200	0455164	CWPC-3C-141-1AM	\$	13,441,758	\$	13,441,758	\$	-	letter, comp info, appraisal, photo	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 8,439sf of living space between the 2 residential improvements on the property. The County's opinion of value is supported.
201	0455171	CWPC-3C-142-1AM	\$	18,763,516	\$	18,763,516	\$	-	Letter and comps	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 14,713sf of living space. The County's opinion of value is supported.
202	0463833	CVOS-2-23-AM	\$	2,350,700	\$	2,350,700	\$	-	No amenities	Similar sized unit in Vintage on the Strand sold for 1,262/sqft. Same size but newer units with no amenities selling for 1,800sqft.
203	0465101	NAKOMA-15-1AM	\$	8,705,800	\$	8,200,000	\$	(505,800)	Appraisals attached	Both appraisals provided make inconsistent adjustments to their respective comps. For example, one appraisal makes age adjustments for 15 and 20 year old properties but not for a 17 year old property. Neither are good indications of value. After review of the comps submitted and the adjustments made a value of \$8,200,000 is recommended.
204	0465815	LWPCRS-3508B-AM	\$	396,000	\$	368,500	\$	(27,500)	County assessments of similar properties	Recommend adjusting value to \$368,500 to maintain equity within the subject's complex.
205	0472310	CWPC-4B-182-AM	\$	11,708,116	\$	11,708,116	\$	-	Comps and appraisal	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 7,724sf of living space. The County's opinion of value is supported.
206	0472473	CWPC-4A-160A-AM	\$	15,401,716	\$	15,401,716	\$	-	Letter and comp information	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 13,624sf of living space. The County's opinion of value is supported.
207	0474431	HRECR-905	\$	4,686,000	\$	4,000,000	\$	(686,000)	Deer Valley comps attached	The subject property was purchased in 2022 for \$4,000,000. Adjustment to this value is recommended.
208	0478109	CWPC-4ELK-2-226	\$	9,576,536	\$	8,075,876	\$	(1,500,660)	Letter and comps	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 5,049sf of living space and an adjustment is made accordingly.
209	0478774	MDC-1	\$	835,450	\$	835,450	\$	-	Appraisal amount screenshot	Units comparable to the subject in the immediate area sold for an average of \$618/sq. ft. The subject property has been erroneously assessed with a \$200,000 standby value since 2012 resulting in the large valuation increase in 2023. Increasing market conditions since the 2021 appraisal referenced support the current mass appraised value. Recommend no change.
210	0478781	MDC-2	\$	835,450	\$	835,450	\$	-	Appraisal amount screenshot	Units comparable to the subject in the immediate area sold for an average of \$618/sq. ft. The subject property has been erroneously assessed with a \$200,000 standby value since 2012 resulting in the large valuation increase in 2023. Increasing market conditions since the 2021 appraisal referenced support the current mass appraised value. Recommend no change.
211	0480700	455-PA-1	\$	4,076,700	\$	3,958,068	\$	(118,632)	market comps	Adjusted the value per CMA supplied by the owner

212 0482085	1063-NOR-1	\$	5,144,400	\$	3,758,376	\$	(1,386,024)	Comps	I have adjusted the quality of the subject in the County's CAMA system to reflect a more accurate value for the subject.
213 0482838	NPTERR-25-AM	\$	908,700	\$	861,810	\$	(46,890)	CMA	Two units sold in Newpark Terrace in 2022. Both units were nearly identical in size to the subject. Both sold at approximately \$690 per square foot. Adjustment to this rate of valuation is recommended.
214 0483196	SCLR-1A-1AM	\$	1,423,675	\$	1,423,675	\$	-	Comp info	Reviewed submitted comparable sales. Properties with river access sell for a significantly higher price than those properties without river access. Sales of comparable river access properties ranged from \$850,000 to \$1,300,000. Recommend keeping the current mass appraisal value.
215 0483761	CWPC-4ELK-5-231	\$	10,640,120	\$	10,615,882	\$	(24,238)	Market value higher than attached CMA	The median sales \$/sf for the 11 Colony sales from 01/01/2022 to 01/01/2023 was \$1640. If the 2 highside outliers are excluded and the 2 lowside outliers are excluded then the median sales \$/sf is \$1599.50. The subject has 6,637sf of living space. An adjustment is made accordingly.
216 0494004	LIFT-308	\$	1,974,000	\$	1,974,000	\$	-	Comparable Sales	Current listings do not reflect the state of the market on lien date 1 Jan 2023. Comparable units in the Lift complex sold for an average of \$1,773 per square foot. This is over \$200 per square foot higher than the subject's current assessment. Recommend no change.
217 0494181	LIFT-414	\$	1,837,500	\$	1,837,500	\$	-	Comps and appraisal. The quality that was sent to us isn't great	Many of the comps submitted closed in 2023 and will be used in the valuation process for tax year 2024. Of those that closed in 2022, many are in developments that are not considered competing projects to the subject. Sales of comparable units in the subject's complex and competing projects support the mass appraised value. Recommend no change.
218 0500433	DR-1-109	\$	783,848	\$	420,000	\$	(363,848)	Property should be affordable housing but did not sale until after the lien date.	Property should be affordable housing but did not sell until after the lien date.
219 0500806	DR-2-228	\$	1,415,533	\$	1,415,533	\$	-	residential declaration for property under construction scanned into models	
220 0504668	CWPC-5EML-303	\$	9,683,572	\$	6,000,000	\$	(3,683,572)	Home is still under construction. Photos	Per Utah Code, property tax on new construction is based on the percentage of completion of the improvements as of 01/01/203.
221 0510386	CWPC-5HML-327	\$	6,321,748	\$	6,321,748	\$	-	CMA and explanation letter	The appellant's opinion of value is nearly exact to the County's opinion of land value, however, the County has \$1,000,000 attributed to the percentage of completion of the subject's improvements as of 01/01/2023 per Utah code. The percentage of completion was determined by an appraiser from the assessor's office on 10/27/2022 and confirmed with inspection reports from the County's Building department.
222 0513253	FCS-217	\$	758,015	\$	668,390	\$	(89,625)	PRIMARY SCANNED INTO MODELS. Appraisal attached	Adjusted value after review of submitted information and comparable sales.
223 0514814	PCH-2-211	\$	705,000	\$	705,000	\$	-	PRIMARY SCANNED INTO MODELS	
224 0515482	PI-D-102A-2AM	\$	631,449	\$	610,007	\$	(21,442)	Comp information	Comp sales submitted sold in 2023. Value is determined as of 01/01/2023 using 2022 comparable sales. Comp sales from '22 sold between \$530,000 - \$618,000. Adjustments made for acreage, sq ft., basement, bath count, & garage space. Adjusted values range from \$605,000 - \$715,000, median value of \$614,000. Adjustment is supported.
225 0519383	PDDC-3-23	\$	2,372,917	\$	2,372,917	\$	-	Closing documents	From 11/15/2022 to 01/01/2023 there were 4 sales of model match units in Double Deer that sold from \$2,400,000 to \$2,500,000. No change is necessary.
226 0530269	PP-WMC	\$	1	\$	474,398	\$	474,397	Recorder found these mining claims were not being assessed by the centrally assessed people at the state tax commission	Recorder found these mining claims were not being assessed by the centrally assessed people at the state tax commission, therefore we will assess them for 2023.
			TOTAL	\$		\$	(63,027,526)		



STAFF REPORT

To: County Council
From: Mike Kendell, County Engineer
Date: November 8, 2023
Subject: FirstDigital Communication LLC Franchise Agreement.

Background:

This is a Franchise Agreement between Summit County and FirstDigital Communication LLC.

They are a local Utah Company based out of Lindon, Utah. They have been providing telecommunication services for 20 years. Their work is performed by a combination of in-house crews and third-party contractors. It depends on the scope of the project.

Earlier this year, they reached out to Summit County to obtain a Franchise Agreement to continue to provide telecommunication services to existing customers that had expanded into Summit County.

The County sent them a copy of the standard Franchise Agreement for them to review and sign. There were some emails back and forth between FirstDigital Communication LLC and Dave Thomas and they agreed to the Franchise Agreement in Appendix A.

Recommendation:

Staff recommends that County Council approve the Franchise Agreement.

**FRANCHISE AGREEMENT BETWEEN
SUMMIT COUNTY, UTAH AND
FirstDigital Communications LLC**

This Franchise Agreement ("Franchise") is between Summit County, Utah, hereinafter referred to as the "County" and FirstDigital Telecom Communications, LLC ("Fiber Provider"), an Utah based Corporation, hereinafter referred to as "the Grantee." The County and the Grantee are referred to together as "the Parties."

The County hereby acknowledges that the Grantee has the financial, legal, and technical ability to provide services, facilities, and equipment necessary to meet the fiber optic-related needs of the community, and having afforded the public adequate notice and opportunity for comment, desires to enter into this Franchise with the Grantee for the construction and operation of a Fiber Optic System on the terms set forth herein.

SECTION 1

Definition of Terms

1.1 Terms. For the purpose of this Franchise, the following terms, phrases, words, and abbreviations shall have the meanings ascribed to them below. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number:

- A. "Affiliate" when used in relation to any person, means another person who owns or controls, is owned or controlled by, or is under common ownership or control with, such person.
- B. "County" means Summit County, Utah, or the lawful successor, transferee, or assignee thereof.
- C. "FCC" means Federal Communications Commission or successor governmental entity thereto.
- D. "Fiber Optic System" means the Grantee's facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide Fiber Optic Service to multiple customers within the Service Area.
- E. "Grantee" means Fiber Provider or the lawful successor, transferee, or assignee thereof.

F. "Person" means an individual, partnership, association, joint stock company, trust, corporation, or governmental entity but not the County.

H. "Public Way" shall mean the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, parkway, way, lane, public way, drive, circle, or other public right-of-way, including, but not limited to, public utility easements, dedicated utility strips, or rights-of-way dedicated for compatible uses and any temporary or permanent fixtures or improvements located thereon now or hereafter held by the County in the Service Area which shall entitle the County and the Grantee to the use thereof for the purpose of installing, operating, repairing, and maintaining the Fiber Optic System. Public Way shall also mean any easement now or hereafter held by the County within the Service Area for the purpose of public travel, or for utility or public service use dedicated for compatible uses, and shall include other easements or rights-of-way as shall within their proper use and meaning entitle the County and the Grantee to the use thereof for the purposes of installing and operating the Grantee's Fiber Optic System over poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments, and other property as may be ordinarily necessary and pertinent to the Fiber Optic System. Public Way shall not include bike paths or trails not dedicated for utility services or compatible uses.

I. "Service Area" means the present boundaries of the County, and shall include any additions thereto by annexation or other legal means, subject to the exceptions in subsection 3.9.

SECTION 2

Grant of Franchise

2.1 Grant. The County hereby grants to the Grantee, during the Term, a nonexclusive Franchise which authorizes the Grantee to construct and operate a Fiber Optic System in, along, among, upon, across, above, over, under, or in any manner connected with Public Ways within the Service Area, and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain, or retain in, on, over, under, upon, across, or along any Public Way such facilities and equipment as may be necessary or appurtenant to the Fiber Optic System.

2.2 Competitive Equity. The Grantee acknowledges and agrees that the County reserves the right to grant one (1) or more additional franchises or other similar lawful authorization to provide Fiber Optic Services within the County; provided, the County agrees that, within ninety (90) days of

the Grantee's request, it shall amend this Franchise to include any material terms or conditions that it makes available to the new entrant, or provide relief from existing material terms or conditions, so as to insure that the regulatory and financial burdens on each entity are materially equivalent. "Material terms and conditions" include, but are not limited to: insurance; System build-out requirements; security instruments; and notice and opportunity to cure breaches. The parties agree that this provision shall not require a word for word identical franchise or authorization for a competitive entity so long as the regulatory and financial burdens on each entity are materially equivalent.

2.3 Term. The Franchise granted hereunder shall be for an initial term of ten (10) years commencing on the Effective Date of the Franchise as set forth in subsection 7.7, unless otherwise lawfully terminated in accordance with the terms of this Franchise.

SECTION 3

Standards of Service

3.1 Conditions of Occupancy. The Fiber Optic System installed by the Grantee pursuant to the terms hereof shall be located so as to cause a minimum of interference with the proper use of Public Ways and with the rights and reasonable convenience of property owners who own property that adjoins any of such Public Ways. In an effort to assist the County Engineer, Grantee as requested by the County Engineer, which shall be limited to no more than twice in a calendar year, in managing the Public Ways, and all infrastructure contained therein, Grantee shall provide an inventory (GIS format) of all Grantee's infrastructure within the Public Ways to the County Engineer.

3.2 Other Ordinances. The Grantee agrees to comply with the terms of any lawfully adopted generally applicable local ordinance and regulations, to the extent the provisions of the ordinance or regulations do not have the effect of limiting the benefits or expanding the obligations of the Grantee that are granted by this Franchise. Neither party may unilaterally alter the material rights and obligations set forth in this Franchise. In the event of a conflict between any ordinance and this Franchise, the Franchise shall control, provided however, that the Grantee agrees that it is subject to the lawful exercise of the police power of the County.

3.3 Restoration of Public Ways. If during the course of the Grantee's construction, operation, or maintenance of the Fiber Optic System there occurs a disturbance of any Public Way by the Grantee, Grantee shall replace and restore such Public Way at Grantee's expense to a condition reasonably comparable to the condition of the Public Way existing immediately prior to such disturbance and in a manner reasonably approved by the County Engineer.

3.4 Relocation for the County. Upon its receipt of reasonable advance written notice, to be not less than five (5) business days in the event of a temporary relocation and no less than ten (10) business days for a permanent relocation, the Grantee shall, at its own expense except as provided by law or entitlement, protect, support, raise, lower, temporarily disconnect, relocate in or remove from the Public Way, any property of the Grantee when lawfully required by the County by reason of traffic conditions, public safety, street abandonment, freeway and street construction, change or establishment of street grade, installation of sewers, drains, gas or water pipes, power lines or other municipal utility infrastructure, or any other type of public structures or improvements which are not used to compete with the Grantee's services.

3.5 Relocation for a Third Party. The Grantee shall, on the request of any Person holding a lawful permit issued by the County, protect, support, raise, lower, temporarily disconnect, relocate in or remove from the Public Way as necessary any property of the Grantee, provided: (A) the expense of such is paid by said Person benefiting from the relocation, including, if required by the Grantee, making such payment in advance; and (B) the Grantee is given reasonable advance written notice to prepare for such changes. For purposes of this subsection, "reasonable advance written notice" shall be no less than ten (10) business days in the event of a temporary relocation, and no less than sixty (60) days for a permanent relocation.

3.6 Trimming of Trees and Shrubbery. After obtaining the prior written consent of the County, the Grantee shall have the authority to trim trees or other natural growth overhanging any of its Fiber Optic System within Public Ways in the Service Area so as to prevent branches from coming in contact with the Grantee's wires, cables, or other equipment. The Grantee shall reasonably compensate the County for any damage caused by such trimming, or shall, in its sole discretion and at its own cost and expense, with the prior written consent of the County, reasonably replace all trees or shrubs damaged as a result of any construction of the Fiber Optic System undertaken by the Grantee. Such replacement shall satisfy any and all obligations the Grantee may have to the County pursuant to the terms of this Section. Nothing herein shall give the Grantee the right to trim trees not within Public Ways without the permission of the landowner or without the permission of the County upon showing of public need.

3.7 Safety Requirements. Construction, operation, and maintenance of the Fiber Optic System shall be performed in an orderly and workmanlike manner. All such work shall be performed in accordance with generally applicable federal, state, and local regulations and the National Electric Safety Code. The Fiber Optic System shall not endanger or unreasonably interfere with the safety of Persons or property in the Service Area.

3.8 Aerial and Underground Construction. Prior to construction, in each case, all applicable permits shall be applied for and granted and all fees shall be paid. All other codes and ordinances of the County that pertain to such construction shall be complied with.

A. In those areas of the Service Area where all of the transmission or distribution facilities of the respective public utilities providing telephone communications and electronic services are underground, the Grantee likewise shall construct, operate, and maintain all of its transmission and distribution facilities underground. In those areas of the Service Area where the transmission or distribution facilities of the respective public utilities providing telephone communications, and electric services are both aerial and underground, the Grantee shall consult with the County Engineer to determine whether the construction will be aerial or underground, and wherever possible depending on the season and the location construct, operate and maintain all of its transmission and distribution facilities, or any part thereof, underground. If the reason for not putting the facilities underground is seasonal, subject to County waiver as weather and other conditions may require the Grantee shall make reasonable efforts to move such facilities underground as weather permits, but no later than June 30 of the next summer.

B. For the purposes of this Franchise, with the exception of service drops, facilities to be placed "underground" shall be at least twenty-four (24) inches below the surface grade.

C. Nothing contained in this Section shall require the Grantee to construct, operate, and maintain underground any ground-mounted appurtenances such as subscriber taps, line extenders, system passive devices (splitters, directional couplers), amplifiers, power supplies, pedestals, or other related equipment.

3.9 **Extensions of the Fiber Optic System.** The Grantee shall have the right, but not the obligation, to extend the Fiber Optic System into any portion of the Service Area where another operator is providing Fiber Optic Service, into any annexed area which is not contiguous to the present Service Area of the Grantee, or into any area which is financially or technically infeasible due to extraordinary circumstances, such as a runway or freeway crossing.

3.10 **New Construction.** In cases of new subdivision construction, the developer shall give Grantee reasonable notice of such construction or development and the particular date of which open trenching will be available for the Grantee's installation of conduit. Costs of trenching shall be borne by the developer unless agreed to otherwise between Grantee and developer.

3.11 **Technical Standards.** The Grantee is responsible for insuring that the Fiber Optic System is designed, installed and operated in a manner that fully complies with FCC rules as revised or amended from time to time. As provided in these rules, the County shall have, upon request, the right to obtain a copy of tests and records required in accordance with appropriate rules but has no authority, pursuant to federal law, to enforce compliance with such standards.

3.12 **As-Built CAD Drawings.** The Grantee shall provide the County Engineer with as-built CAD drawings of the Fiber Optic System within the Public Way with GIS mapping coordinates.

SECTION 4

Regulation by the County

4.1 Renewal of Franchise.

A. The County and the Grantee agree that any proceedings undertaken by the County that relate to the renewal of the Grantee's Franchise shall be governed by and comply with the provisions of federal law and FCC regulations.

B. The Grantee and the County agree that at any time during the term of the then current Franchise, while affording the public appropriate notice and opportunity to comment, the County and the Grantee may agree to undertake and finalize informal negotiations regarding renewal of the then current Franchise and the County may grant a renewal thereof.

4.2 **Conditions of Sale.** If a renewal of the Grantee's Franchise is denied or the Grantee's Franchise is lawfully terminated pursuant to Section 6 of this Franchise, and the County either lawfully acquires ownership of the Fiber Optic System or by its actions lawfully effects a

transfer of ownership of the Fiber Optic System to another party, any such acquisition or transfer shall be in accordance with federal law.

The Grantee and the County agree that in the case of a final determination of a lawful revocation or termination of the Franchise, the Grantee shall be given a reasonable opportunity to effectuate a transfer of its Fiber Optic System to a qualified third party. Furthermore, the Grantee shall be authorized to continue to operate pursuant to the terms of its prior Franchise during such a period of time; however, under no event shall such authorization exceed a period of time greater than twelve (12) months from the effective date of such revocation or termination. If, at the end of that time, the Grantee is unsuccessful in procuring a qualified transferee or assignee of its Fiber Optic System which is reasonably acceptable to the County, the Grantee and the County may avail themselves of any rights they may have pursuant to federal or state law. It is further agreed that the Grantee's continued operation of the Fiber Optic System during the twelve (12) month period shall not be deemed to be a waiver, nor an extinguishment of, any rights of either the County or the Grantee.

4.3 Transfer of Franchise. The Grantee's right, title, or interest in the Franchise shall not be sold, transferred or assigned, other than to an entity controlling, controlled by, or under common control with the Grantee, without the prior consent of the County, such consent not to be unreasonably withheld. No such consent shall be required, however, for a transfer in trust, by mortgage, by other hypothecation, or by assignment of any rights, title, or interest of the Grantee in the Franchise or Fiber Optic System in order to secure indebtedness. Within thirty (30) days of receiving a request for transfer, the County shall notify the Grantee in writing of any additional information it reasonably requires to determine the legal, financial and technical qualifications of the transferee. If the County has not taken action on the Grantee's request for transfer within one hundred twenty (120) days after receiving such request, consent by the County shall be deemed given.

SECTION 5

Insurance and Indemnification

5.1 Insurance Requirements. The Grantee shall maintain in full force and effect, at its own cost and expense, during the term of the Franchise, Comprehensive Commercial General Liability Insurance in the amount of Two Million Dollars (\$2,000,000) combined single limit per occurrence and Three Million Dollars (\$3,000,000) aggregate for bodily injury and property damage. The Grantee shall provide a Certificate of Insurance designating the County as an additional insured to the County. Additionally, the Grantee shall maintain in full force and effect, Automobile Liability insurance with limits of no less than \$500,000 combined single limit per accident for bodily injury and property damage. Such insurance shall be noncancellable except upon thirty (30) days prior written notice to the County. Upon written notice from the County, the Grantee shall increase the limits of such insurance to at least the amount of the Limitation of Judgments described in Section 63-30d-604 of the Governmental Immunity Act of Utah, as calculated by the state risk manager every two years and stated in Utah Admin. Code R37-4-3.

5.2 Indemnification. The Grantee agrees to indemnify, save and hold harmless, and defend the County, its officers, boards and employees, from and against any and all claims, demands, liens, and all liability for damages of whatsoever kind, including but not limited to any liability or

claims resulting from property damage or bodily injury (including accidental death), which arise out of the Grantee's acts or omissions pursuant to or related to this Franchise, and to pay any and all costs, including reasonable attorney's fees, incurred by the County in defense of such claims, provided that the County shall give the Grantee written notice of its obligation to indemnify the County within ten (10) days of receipt of a claim or action pursuant to this subsection. Notwithstanding the foregoing, the Grantee shall not indemnify the County for any damages, liability or claims resulting from the willful misconduct or negligence of the County.

SECTION 6

Enforcement and Termination of Franchise

6.1 Grounds for Termination. The County may terminate or revoke this Franchise and all rights and privileges herein provided for any of the following reasons:

A. The Grantee, by act or omission, materially violates a material duty herein set forth in any particular within the Grantee's control, and with respect to which redress is not otherwise herein provided, including the failure to provide an inventory of all infrastructure within the Public Ways. In such event, the County, acting by or through its County Manager, may determine, after hearing, that such failure is of a material nature, and thereupon, after written notice giving the Grantee notice of such determination, the Grantee, within sixty (60) calendar days of such notice, shall commence efforts to remedy the conditions identified in the notice and shall have ninety (90) calendar days from the date it receives notice to remedy the conditions. After the expiration of such 90-day period and failure to correct such conditions, the County may declare the franchise forfeited and this Franchise terminated, and thereupon, the Grantee shall have no further rights or authority hereunder; provided, however, that any such declaration of forfeiture and termination shall be subject to judicial review as provided by law, and provided further, that in the event such failure is of such nature that it cannot be reasonably corrected within the 90-day time period provided above, the County shall provide additional time for the reasonable correction of such alleged failure if the reason for the noncompliance was not the intentional or negligent act or omission of the Grantee.

6.2 Remedies at Law. In the event the Grantee or the County fails to fulfill any of their respective obligations under this Franchise, the County or the Grantee, whichever the case may be, shall have a breach of contract claim and remedy against the other, in addition to any other remedy provided herein or by law; provided, however, that no remedy that would have the effect of amending the specific provisions of this Franchise shall become effective without such action that would be necessary to formally amend the Franchise.

6.3 Third Party Beneficiaries. The benefits and protection provided by this Franchise shall inure solely to the benefit of the County and the Grantee. This Franchise shall not be deemed to create any right in any person who is not a party and shall not be construed in any respect to be a contract in whole or in part for the benefit of any third party (other than the permitted successors and assigns of the Parties hereto). County agrees Grantee's GIS information will be deemed proprietary and confidential and shall not be shared as a public record.

6.4 Uncontrollable Events. The Grantee shall not be held in default under, or in noncompliance with,

the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default, where such noncompliance or alleged defaults occurred or were caused by strikes, acts of God, power outages, or other events reasonably beyond its ability to control including any delays caused by the County.

6.5 Bonds and Surety

- A. Except as expressly provided herein, the Grantee shall not be required to obtain or maintain bonds or other surety as a condition of being awarded the Franchise or continuing its existence.
- B. Notwithstanding the above provisions, the Grantee shall be responsible for standard performance bonds and insurance required for encroachment permits for work done within Public Ways.

6.6 Termination by Grantee. Notwithstanding any other provision of this Franchise to the contrary, Grantee may terminate this Franchise with or without cause six months after giving the County notice of Grantee's intent to terminate.

SECTION 7

Miscellaneous Provisions

7.1 Actions of Parties. In any action by the County or the Grantee that is mandated or permitted under the terms hereof, such party shall act in a reasonable, expeditious, and timely manner. Furthermore, in any instance where approval or consent is required under the terms hereof, such approval or consent shall not be unreasonably withheld.

7.2 Entire Agreement. This Franchise constitutes the entire agreement between the Grantee and the County on the subject of Fiber Optic Service. Amendments to this Franchise for any purpose, including but not limited to any changes in state or federal law, shall be mutually agreed to in writing by the Parties.

7.3 Notice. Unless expressly otherwise agreed between the Parties, every notice or response required by this Franchise to be served upon the County or the Grantee shall be in writing, and shall be deemed to have been duly given to the required party when placed in a properly sealed and correctly addressed envelope: a) upon receipt when hand delivered with receipt/acknowledgment, or b) upon receipt when sent certified or registered mail.

The notices or responses to the County shall be addressed as follows:

Summit County Manager
60 North Main
Street PO Box 128
Coalville UT 84017

With Copy to:

Summit County Attorney
60 North Main Street
P.O. Box 128
Coalville, UT 84017

The notices or responses to the Grantee shall be addressed as follows:

FirstDigital Communication
Attn: Legal
357 South 670 West, Suite 300
Lindon UT, 84042

The County and the Grantee may designate such other address or addresses from time to time by giving notice to the other in the manner provided for in this subsection.

7.4 Descriptive Headings. The captions to Sections and subsections contained herein are intended solely to facilitate the reading thereof. Such captions shall not affect the meaning or interpretation of the text herein.

7.5 Severability. If any Section, subsection, sentence, paragraph, term, or provision hereof is determined to be illegal, invalid, or unconstitutional, by any court of competent jurisdiction or by any state or federal regulatory authority having jurisdiction thereof, such determination shall have no effect on the validity of any other Section, subsection, sentence, paragraph, term or provision hereof, all of which will remain in full force and effect for the term of the Franchise.

7.6 Applicable Law. The terms and conditions contained herein shall be interpreted according to the laws of the State of Utah, except where expressly preempted by federal law.

7.7 Effective Date. The Effective Date of this Franchise is the ___ day of _____, 2023 pursuant to the provisions of applicable law. This Franchise shall expire on the ___ day of _____, 20___, unless extended by the mutual agreement of the Parties.

Considered and approved this ___ day of _____ 2023.

SUMMIT COUNTY

Roger Armstrong, Chair
Summit County Council

RSTDIGITAL COMMUNICATIONS, LLC

Name: Alex Jackson
Its: COO



Proclamation No. 2023-13

**PROCLAMATION RECOGNIZING
Jed Keith Williams
FOR 20 YEARS OF PUBLIC SERVICE TO THE CITIZENS OF
UTAH**

Whereas, Jed Williams, was hired as a Patrol Deputy in Summit County in 1999; and

Whereas,; Jed Williams was an active Field Training Officer charged with imparting his wisdom on a whole generation of new deputies, several of whom are currently in the Summit County Command Staff; and

Whereas,; Jed Williams was an invaluable asset to Patrol, Investigations, Search and Rescue, and Corrections where he spent his long career and was sorely missed in each Division from which he transferred; and

Whereas,; Jed Williams liked to keep things close to his chest never using ten words when five would do. Once riding shotgun on a high-speed chase, the only words uttered by him were. "There is a curve coming up....: **"There is a curve coming up!....THERE IS A CURVE COMING UP!"** ; and

Whereas; Jed Williams was such a consummate professional that he never had a single founded inmate grievance or citizen complaint in the twenty years with Summit County; and

Whereas;; Jed Williams knew the forest like the back of his hand and was instrumental at locating those who had lost their way; and

Whereas; Jed Williams' was the Heinz 57 of the Sheriff's office and the county. Jed oversaw numerous projects, and you could put him on anything and he would make it amazing!!!

Whereas; you could occasionally hear really loud chomping from the corner of Jed's office..... Advil is to be chewed, not swallowed... and also the best tasting of all headache medicine according to Jed.

Whereas,; Jed Williams kept things so close to his chest that his retirement caught the department, his family....but not Mike Crystal by complete surprise; and we barely had time to plan anything....

Whereas; Jed Williams was such a valued colleague, employee, Mentor and friend, to all that knew him at Summit County.

Now, therefore, be it resolved that the Summit County Council does hereby recognize the retirement of Jed Keith Williams and thanks him for his contributions to the County, for his continued support of employees and his commitment to making Summit County an all-around better place for those who live in and visit here.

APPROVED AND ADOPTED this 8th day of November, 2023.
SUMMIT COUNTY COUNCIL

Roger Armstrong, Chair

Malena Stevens, Vice-Chair

Christopher F. Robinson

Tonja B. Hanson

Canice Harte

Evelyn Furse, Clerk



Truth In Taxation Discussion
Fiscal Year 2024

What is Truth In Taxation



Truth in Taxation is a public hearing process that provides residents the opportunity to learn about and comment on the County's proposal to increase property tax revenues.

Because the calculation of property tax rates does not account for inflation, the Utah Taxpayers Association recommends that taxing entities address for inflation by going through this process every five to eight years.

Truth In Taxation Discussion Fiscal Year 2024



State-wide 27 Calendar Year Entities Going Through Truth In Taxation:

- **Seven Counties** (Iron 99.5%, Sanpete 23.7%, Summit 15.6%, Uintah 73.2%, Wasatch 4.4%, Wayne 20.5%, Weber 7.2%)
- **Seven Entities in Summit County** (General 15.6%, Assess & Collect 37.8%, So Summit Fire 182.7%, SA#3 20.8%, SA#6 69.5%, NS Recreation 70.5%, Municipal Services 5.8%)



Estimated
Impact on Avg
Primary Home
Market Value

Entity	Avg Value	Impact
General	\$1,352,000	\$45.36
Assess & Collect	1,352,000	23.05
So Summit Fire	763,000	216.96
SA#3	1,000,000	79.20
SA#6	1,216,000	91.63
No Summit Recreation	785,000	18.57
Municipal Services	1,198,000	11.86



County
General
Rates
Comparisons

Top 5	Rates
Emery County	0.004150
Daggett County	0.003050
Millard County	0.002895
San Juan County	0.002764
Sevier County	0.002551
Bottom 5	
Iron County	0.000837
Utah County	0.000656
Washington County	0.000493
Rich County	0.000479
Summit County	0.000391

County Municipal Rates Comparisons



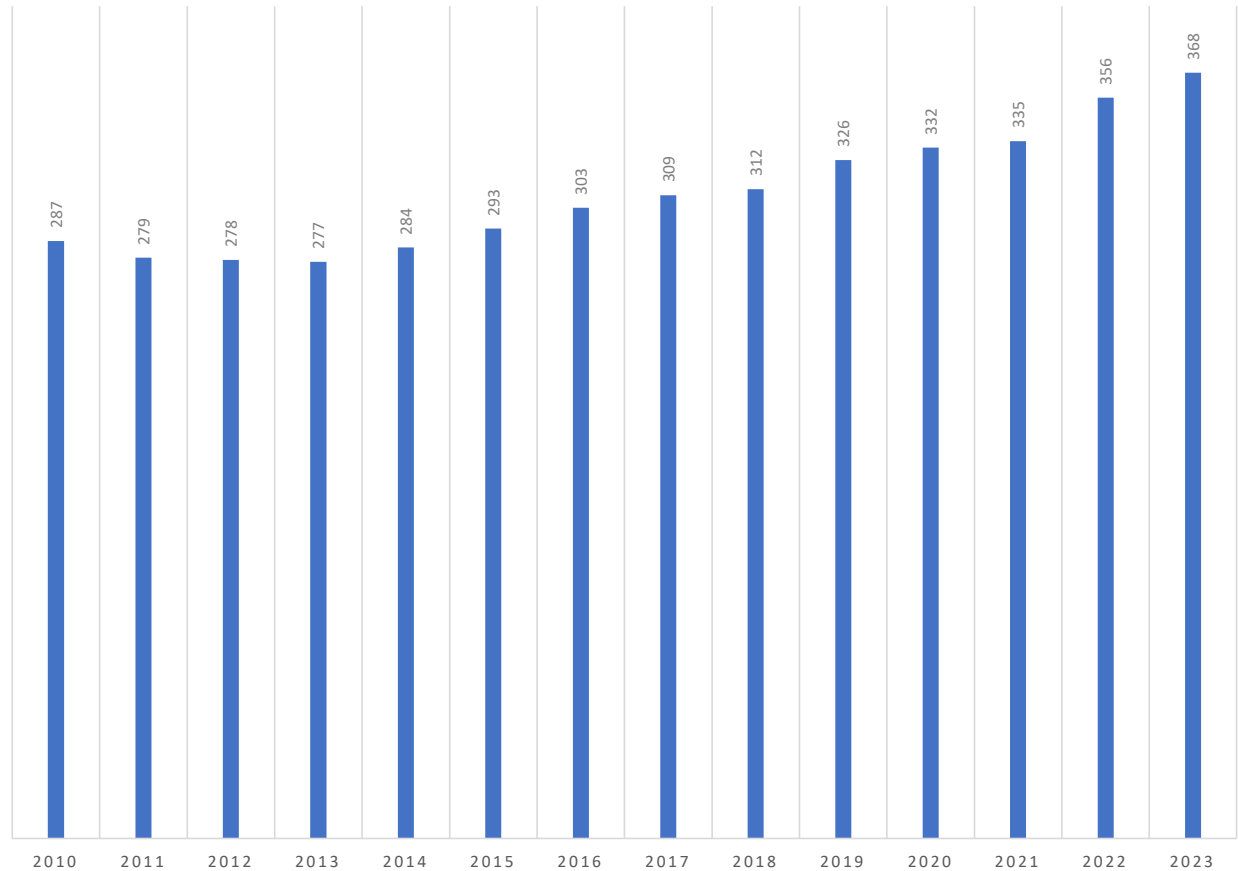
Municipal	2021	2022	2023
Coalville	0.002484	0.001399	0.001230
Francis	0.001824	0.001157	0.001050
Henefer	0.000695	0.000463	0.000463
Kamas	0.001202	0.000856	0.000811
Oakley	0.000507	0.001000	0.001000
Park City	0.001000	0.000737	0.000542
County	0.000502	0.000376	0.000307

Since 2010 the County has added 81 new positions (2.0% per year)

- Part-time positions decreased one position to 27
- Time Limited & Reserves increased six positions to 16



FULL TIME POSITIONS

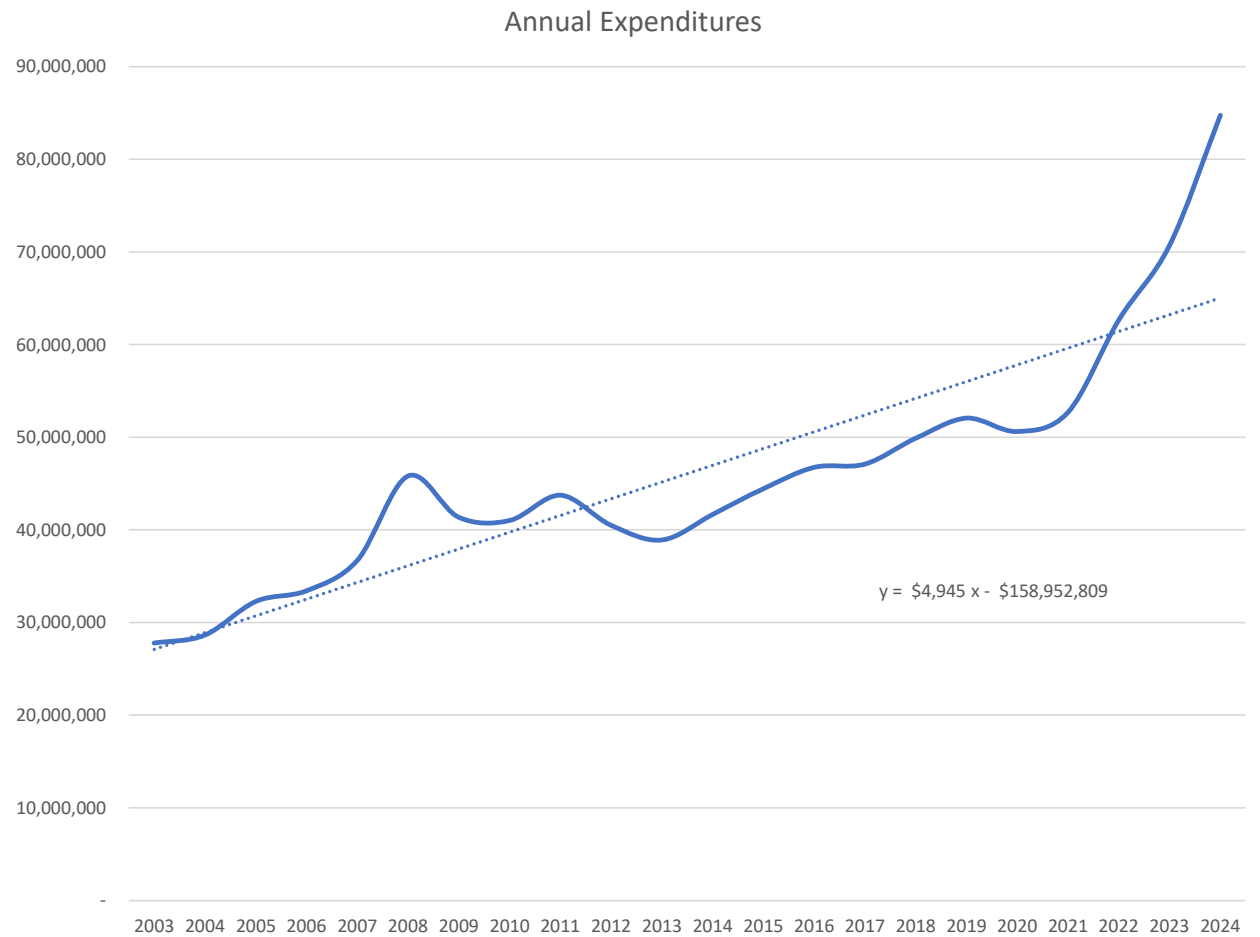




Programs & Services Since 2017

- Increased lobbying efforts on both State and Federal level; more participation in NACO
- Economic development small business grants program
- Housing Authority
- Housing and Transit Reinvestment Zone
- Financial Administration Ordinance and department
- Public Engagement department
- Lands & Natural Resources department
- Acquisition of conservation easements and open space properties
- Additional requirements for maintaining minutes, number of meetings, boards
- Election requirements increased
- Law suits (Dakota Pacific, Hideout, etc)
- Children's Justice Center property
- Significant increase in property valuations, leading to appeals, etc
- Revisiting development code for eastern Summit County
- Increasing activity in Eastern Summit County Water Conservancy District
- Reorganization of Major Crimes division
- Full-time Search & Rescue position
- Changed EMS program, delivery of services, funding
- Increased Stormwater Management program
- MS4 (Municipal Separate Storm Sewer System) program
- Reinstated transportation division
- Improving technology security
- Instituted a "floater" program, utilize positions efficiently between departments
- Leadership training programs
- Increased responsibility for properties and facilities (CJC building), roundabouts
- Sustainability efforts including solar panels, EV charging stations
- Fairgrounds improvements, reconstruction
- County Fair size and participation, added outside consulting services
- Library checkout lockers
- Pandemic efforts
- Mental health and substance abuse prevention efforts
- Increased Senior Citizens programs
- Constructed and remodeled facilities
- Imposed new sales taxes for transit and transportation
- Reauthorized RAP tax, issued bonds
- Canyons Village Assessment Area, issued bonds, construction projects & land acquisition
- Changed transient room tax allocations with PC Chamber Bureau

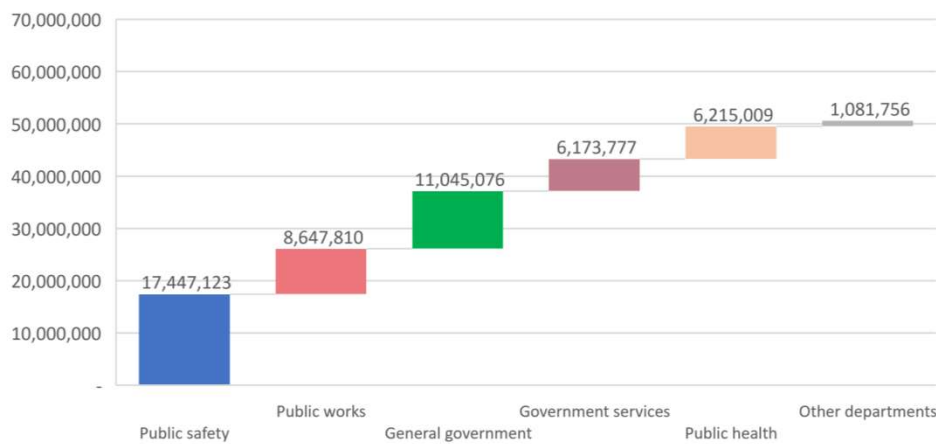
County Annual Operating Expenses



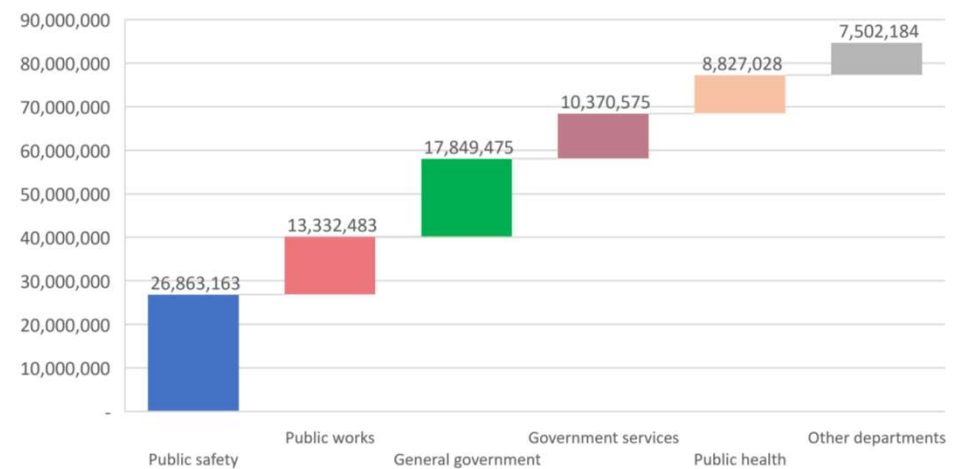


Comparison of County Operating Expenditures

Summit County Operating 2020 Expenditures



Recommended 2024 Budget



Government Function	(\$ Increase)	(% Increase)
Public Safety	\$9,416,040	10.8%
Public Works	4,684,673	10.8%
General Government	6,804,399	12.3%
Government Services	4,196,798	13.6%
Public Health	2,612,019	8.4%
Other Departments	6,420,428	118.7%

\$2.7 million additional ARPA funds used between 2020-2022

\$3.0 million to other funds
\$2.2 million place holder for COLA/merit

Why is a Tax Increase Required



Summit County needs to increase property tax revenues to keep up with inflation and maintain expected service levels in the community. If the County does not increase revenues, services and programs that are supported by the General, Municipal, and Assessing & Collecting funds will need to be reduced or eliminated in order to adopt a balanced budget.



Questions?



Sustainability in Action

Republic Services Winter Plan for Summit County – October 2023

Executive Summary of Communications, Policy, and Operation

To manage the expected inclement weather most effectively Republic Services and Summit County have collaborated over the past several months on the following plan.

WINTER PICK UP POLICY

If Trash/Recycling is not picked up on the designated service date due to weather, then residents should bring containers in before 7pm and put them out again the next morning for pick-up.

If containers are still unable to be serviced, then Republic will not return until the next regularly scheduled service day (following week for trash or two weeks for recycling).

COMMUNICATION

- SummitCounty.Info will be promoted as the site for residents' first line of information regarding trash and recycling pick up and will include the local phone number and email address to contact Republic directly.
- Summit County residents who have already signed up for notifications will receive targeted phone messages and/or text messages from Republic Services when service is delayed to weather via [Text-Em-All](#).
- Residents who have not signed up for notifications may do so easily over the phone, via email, or online.
- The "Trash Dash" tracking sheet will only be activated for significant delays and will provide service delay information by location.
- Summit County social media channels will be used for general information and education rather than day-to-day service updates.

OPERATIONS

- Updated Fleet – Multi-million-dollar investment in three residential (2300, 2610, 2611) and two frontload trucks (1313, 1315) with an additional Container Deliver truck coming online in December.
- Currently fully staffed with additional winter assistance coming locally from Republic Services' Salt Lake, Pleasant Grove, and Ogden divisions.
- Coordination of snowplow removal routes between the county and Republic.
- Overflow drop-off containers will be identified for select high-demand areas and will be serviced daily when residential pick up is delayed.

Throughout the winter Republic Services will continue work closely with Summit County staff for both communication and operational issues are addressed in real time.

Darren Fair – Operation Supervisor (dfair@republicservices.com) will be onsite to address any operational concerns.



TO: Summit County Council
FROM: Amy Yost – Chairperson RAP-REC Committee
RE: 2023 RAP Recreation Recommendations
DATE: October 31, 2023

Background:

The mission of the Summit County Recreation Arts and Parks Advisory Committee – RAP Recreation (the ‘Committee’) is to advise and recommend to the County Council the best use(s) of the funds collected from the tax for the purposes of financing, in whole or in part, parks, botanical operations and recreational facilities. **A recreational facility is defined as any publicly owned or operated park, campground, marine, dock, golf course, playground, athletic field, gymnasium, swimming pool, or other facility used for recreational purposes. See [Title 2 Chapter 14 Summit County Recreation Arts and Parks Advisory Committee](#).**

Discussion:

The RAP-REC committee held its first organizational meeting on August 10, 2023. An online training was conducted for review of the grant process on August 30, 2023, for any applicants wishing to obtain additional information before the application window was opened. With valued assistance from Summit County staff member Amy Jones, the opportunity to apply for grants was formally noticed in the local papers, social media outlets as well as emails sent to past recipients. Applications were accepted online during the month of September through the Summit County website beginning on September 1, 2023 and ending September 30, 2023. As in years past, the application process allowed for a fully electronic paperless process.

The County received seventeen (17) online applications. Four (4) from North Summit County, Five (5) from South Summit County, Four (4) from Park City, Two (2) from Snyderville Basin and

Two (2) that were split evenly between Park City and Snyderville Basin. (Mountain Trails and Summit Bike Share). The committee was informed that the total amount of funds available for allocation in 2023 is \$1,790,000. The approximate area allocation is as follows:

North Summit	13%; \$232,700
South Summit	18%; \$322,200
Park City	21%; \$375,900
Snyderville Basin	48%; \$859,200

All applications were reviewed by Summit County Legal staff to determine funding eligibility, and all were found to be acceptable for review by the committee for the RAP Parks and Recreation Funding. The committee met on October 10, 2023, to review the applications and divide them out among the committee members to review and gather any additional information from the applicants.

Applicant interviews were conducted in Coalville at the Courthouse building on October 23rd and 24th, 2023 with a work session following the interviews on October 24th to arrive at the funding recommendations for the 2023 cycle. All seventeen (17) applicants appeared before the committee for presentations and interviews. All committee members were present with the interviews, with the exception of Breke Harnagel who was out of the country at the time and unable to attend.

Summary:

The total requests amounted to \$3,877,194.89 from all seventeen applicants. With the \$1,790,000 funds available, it represents a ratio of 2.2 of requests to funding available and results in a funding deficiency larger than the amount to allocate. The top single funding request was for \$963,098.45 which equaled nearly 54% of the total funds available, while the next two were for \$450,000 and \$364,911 respectfully.

While the committee has dealt with these large funding deficiencies in past years, this year’s top three funding requests would have used nearly all the funding had they been fully funded, leaving the other 14 requests with no funding. The committee struggled with how to fund some of these relatively large funding requests as even subparts of their request would have fully exhausted the funding allocation. Most of the applicants were very diligent with their applications, breaking out total expenses for various items in their requests and providing us with their highest priorities within those items. This made the decision process go a little smoother where full funding was not an option.

The recommended allocation breakdown is as follows:

North Summit	11% - \$205,500
South Summit	22% - \$390,055
Park City	33% - \$592,228
Snyderville Basin	34% - \$602,217

Requested Action:

The Committee submits to Council for their consideration and approval the summary of the 2023 Summit County Recreation Arts and Parks Advisory Committee for RAP Tax Recreation funding recommendations as outlined above and detailed on the attached spreadsheets.

The committee would like to ask the council for further guidance moving forward on future large requests as they may not be the best candidates of the .1% RAP sales tax funding on future cycles.

2023 RAP Recreation Grant Recommendations					
Reference #	Applicant Name	Project Description	Amount Requested	Amount Recommended	Committee Recommendation
RAPREC-01-23	Coalville City	Trail Improvements	\$167,500	\$0	The committee felt that the City needed to reach out to the State Historical Preservation Dept to find out if there are any guidelines for preservation of the petroglyphs to prevent future vandalism once any improvements are made. Also suggested other grants available that could be applied for to help with this request due to less funds available than requests.
RAPREC-02-23	Coalville City	Trailhead Parking and Improvements	\$155,500	\$155,500	Funds are to be used for Trailhead parking improvements, enhancement to embankment trail down to Chalk Creek and picnic tables and additional signage as needed.
RAPREC-03-23	Francis City	Phase II Park, Wild Willow Bike track, play area, restrooms, picnic area	\$386,250	\$108,055	Phase 2 of Wild Willow Park for landscaping, benches, trash cans, a shelter, pet waste stations and paved parking. Again, due to lack of funding we were not able to provide full ask. Also, the committee was concerned about the limited parking.
RAPREC-04-23	Henefer Town	Re-purpose existing tennis and basketball courts. Add Pickle ball courts	\$60,000	\$50,000	Refurbish 2 tennis courts at town park. Buy removeable pickleball nets, new tennis nets, and re-paint courts for tennis and pickleball. Contingency requested was 22% so recommended funding decreased to 6.5%
RAPREC-05-23	Kamas City	Town Park Fencing, bathrooms, rodeo stock pens, flag pole	\$300,000	\$15,000	Items requested were not related to recreation. We funded the items in budget that were related to recreation. Had more RAP funds been available, we would have been able to consider the additional request.

RAPREC-06-23	Mountain Trails Foundation	Resurfacing Materials	\$250,000	\$250,000	Improve the multi-use "double track" trail by applying a road base gravel through Round Valley from Matts Flat/Cammy's intersection up Cammy's to Round Valley Express down to Highland trailhead. This will create a more sustainable trail which will be safer, easier for grooming in winter and will withstand water run off in the spring.
RAPREC-07-23	North Summit Recreation	Facility Expenses for new Recreation Fields	\$963,098.45	\$0	While the committee empathizes with North Summit Rec's previous challenges as well as supports the North Summit building recreation facilities, the committee nevertheless recommends not funding any of the request. Given that the Rec District has not yet spent the \$1.1 Million funding from 2021, the committee feels that this latest ask is too soon with no real definition of what a smaller portion could be used for or timing of the project. The committee would like to see the project completed in phases, where the funds requested and granted would be more manageable overall, thus allowing for a successful completion of the project. The committee recommends that the Council work with the district to obtain alternate funding for this project once the scope is further defined.
RAPREC-08-23	Park City High School-Baseball/Softball	Field Improvements - Infield Tarps, Mounds by batting cages, scoreboard, Netting	\$66,000	\$33,000	The committee recommends funding ½ of the request or \$33,000 on tarps, netting, windscreens and bleacher sets. All of these items can be utilized at a new field in the future.

RAPREC-09-23	Park City Municipal	Rail Trail Bridges, Bank stabilization	\$364,911	\$364,911	The current bridges are in deteriorating condition and are potentially dangerous to users. They are not wide enough for the amount of traffic (both bike and pedestrian) on the trail. The approved amount will be used for bank stabilization and new bridges that would allow the trail to be groomed in the winter, which is not possible now due to the width and deteriorated condition of the bridges.
RAPREC-10-23	Park City Municipal	Robotic Field Painter	\$42,570	\$42,570	Funds approved are to be used to buy the Robotic Painter from Tiny Mobile due to pricing and the weight of the machine (it only takes one person to lift device into truck.) PCMC will save quite a bit of money due to the decrease in man power and time to stripe fields. Additionally, the machine can stripe the field much more accurately than a person.
RAPREC-11-23	Park City Municipal	Trails & Openspace Dept. Mowing/Mulcher Equipment	\$26,747	\$26,747	This request is for a specialized mowing and side-vegetation removing machine. This machine would be used in the maintenance of pathways and trails. The machine would provide much more efficiency of the work crews – the current work is done by using chainsaws, weed wackers and pruners and requires many man hours to accomplish the tasks that this one machine could do. The machine also mulches the vegetation on-site which eliminates the need to transport the vegetation off-site to be mulched by a 3 rd party vendor, as is now the case. While this requested machine is from the highest bidder, the machine that is contemplated to be purchased is compatible with equipment in the PCMC current inventory.

RAPREC-12-23	Peoa Recreation Special Services District	Pipe Fencing to replace existing barbed wire fence	\$29,000	\$22,000	The committee recommended funding of \$22,000 for 1,025ft of fence surrounding the west paddock that directly addressed the goals of the grant request
RAPREC-13-23	South Summit School District (SSAFC)	Remodel Locker Rooms, add bathrooms upstairs, Replace Mechanical System to improve water chlorination/chemicals.	\$284,249	\$110,000	Funds to be used for improvements to existing locker rooms and a new water chemical system for pools. This will greatly reduce the use of chlorine and acid use to balance the pH. We did not fund additional bathrooms upstairs due to lack of RAP tax funds.
RAPREC-14-23	South Summit Trails Foundation	Phase II. Expand Trails, add bathroom, Nature Playground, Picnic Tables	\$135,000	\$135,000	Phase 2 of Oakley Trail Park including bike trail park, pavilion, natural playground, restrooms. Project total cost is \$216,500. The applicant collected \$59,500 in donations for construction.
RAPREC-15-23	Summit Community Gardens and EATS	Add Shading to Picnic Table Area	\$41,370	\$41,370	Funding for 3 Hypar shade structures to provide shelter for youth programs and events in the garden area. The goals of the request are to increase the usability of the gathering space, create a better visitor experience, and preserve the natural space.
RAPREC-16-23	Summit County LNR	Planning Studies, Equipment, Wages	\$495,000	\$435,847	This application requested funding for 1)planning documents for the purpose of establishing sustainable recreation on the 910 Cattle Ranch, 2) equipment, and 3) staffing. The committee recommended funding for planning documents and equipment but not for staff. The committee felt funding for staff would set a precedent for future RecRAP applications.

RAPREC-17-23	Summit County - Summit Bike Share	Helmets	\$95,000	\$0	The majority of the \$95,000 funding request consists of \$2,400 for 200 bike helmets and \$90,000 for a combination of different sized lockers sufficient to store approximately 78 helmets at 6 stations. The committee recommends no funding for this request as they felt this request is more for tourist needs than local recreational needs, and that there may more cost efficient and effective solutions for managing a helmet program. The committee suggests the program look into how private businesses are handling this issue of helmet management and sanitation.
		Total Funding Requests	3,862,194.89	1,790,000.00	
		Total Funds Available	1,790,000.00	0.00	
		Total Recommended Funding	1,137,296.00	1,790,000.00	

2023 Summit County Recreation RAP Allocations

Available RAP Tax Bond Proceeds:								\$1,790,000
Region	Funding Requested	% Allocation By Population	Funding Allocation	Funding Allocation Recommended	Percentage of Funding Allocation	Percentage of Funding Request	Percentage of Funds Recommended	
East County - North	\$ 1,346,098.45	13.0%	\$232,700	\$205,500	88.3%	15.3%	11%	
East County - South	\$ 1,149,498.50	18.0%	\$322,200	\$390,055	121.1%	33.9%	22%	
Park City	\$ 672,728.00	21.0%	\$375,900	\$592,228	157.5%	88.0%	33%	
Snyderville Basin	\$ 708,870.00	48.0%	\$859,200	\$602,217	70.1%	85.0%	34%	
Total	\$ 3,877,194.95	100%	\$1,790,000	\$1,790,000			100%	
		Remainder		\$0				

STAFF REPORT

TO: Summit County Council
FROM: Margaret Olson, Summit County Attorney, Frank Smith, Sheriff, and Malena Stevens, Summit County Council
DATA: October 25, 2023
SUBJECT: Strategic Plan Review and Possible Approval

BACKGROUND:

During the 2022 Utah Legislative Session, the Legislature passed SB179, which required all counties to establish a Criminal Justice Coordinating Council (CJCC). In accordance with this Mandate, Summit County established their CJCC in November 2022, and the CJCC began meeting monthly to create a strategic plan. This plan outlines the current state of the criminal justice system in Summit County and indicates areas for improvement and evolution of that system.

The CJCC has met monthly since April 2023 and throughout that time scheduled subcommittee meetings for seven specific areas. These areas were: Data Collection, Housing, Spanish Speaking Services, Pretrial Services, Drug Court Aftercare, Youth Services and Prevention, and Indigent Defense. Subcommittees all met at least once, with some subcommittees meeting multiple times. Subcommittees also invited individuals not on the CJCC to participate in subcommittee conversations to add perspective to the conversation, including attorneys, judges, police officers, and other community members.

At each monthly meeting, the CJCC has reviewed subcommittee feedback and subsequent updates to the strategic plan, and the CJCC has provided feedback on goals, direction, and the overall plan. These changes were incorporated into the current draft of the strategic plan, and the CJCC adopted the CJCC Strategic Plan on October 2, 2023.

COUNCIL ACTION:

Review the Summit County Criminal Justice Strategic Plan, provide comment, and adopt the plan.

Summit County Criminal Justice Strategic Plan

Mission Statement

The Criminal Justice System is intended to provide law and order to our communities, keeping individuals and society safe and accountable. Because of the power entrusted within this system to impact lives in dramatic ways, it is imperative that the system operates as holistically as possible, focusing not simply on enforcing the law but also on using the tools within the law to enhance the lived experience of individuals and the communities. It is with this intention that Summit County has drafted this Criminal Justice Strategic Plan, which outlines the existing system, identifies what is and is not currently working, identifies what improvement could be made, and determines the most feasible phased approach in instituting those improvements.

Summit County is dedicated to providing a safe, equitable, and just community for all individuals who live, work, and visit the community. This Strategic Plan will provide continued guidance regarding how the system can improve and how all sectors can support individuals who interact with the criminal justice system.

Advisory Summary

During the 2022 Utah Legislative Session, the Legislature passed SB179, which required all counties to establish a Criminal Justice Coordinating Council. This bill followed other statewide criminal justice reform bills, such as the Justice Reinvestment Initiative (JRI), and is a direct result of listening tours held in 2021 focused on how to enhance the efficacy of the JRI. Summit County Council passed Ordinance Number 954 to establish the Summit County Criminal Justice Coordinating Council (CJCC) on November 2, 2022.

Beginning in April 2023, the CJCC began meeting monthly to create the strategic plan and determine concerns or issues within the Summit County criminal justice system. The CJCC intends to continue meeting monthly to continue discussions on current issues and further strategic plan implementation efforts into the future.

Criminal Justice Coordinating Council

SB179 outlines who must and can be members of the CJCC. When designing the makeup of the body, it was determined that adding additional members to the CJCC would be beneficial in expanding the perspective of the council and allowing for additional agency collaboration. Current members of the CJCC are:

- Malena Stevens, Summit County Council Member (CJCC Chair)
- Frank Smith, Summit County Sheriff (CJCC Vice Chair)
- Darwin Little, Park City Police Department Captain

- Margaret Olson, Summit County Attorney
- Trish Cassell, Summit County Chief Prosecutor
- Cliff Venable, Summit County Public Defender
- Judge Rich Mrazik, 3rd District Court Judge
- Judge Shauna Kerr, Summit County Justice Court Judge
- David Hanna, Adult Probation and Parole
- Cristie Frey, Huntsman Mental Health Institute
- Wendy Crossland, Summit County Victim Advocate Director
- Tana Toly, Park City Council Member
- Aaron Newman, Summit County Behavioral Health Director
- Meagan McKenna, Mountainlands Community Housing Trust Housing Advocate
- Tyler Toly, Drug Court Graduate

History and Overview

Following the establishment of the CJCC, the committee began meeting as an entire council and in subcommittees. These subcommittees were established by the CJCC to further determine gaps in specific areas of the criminal justice system and how those gaps might be filled. The subcommittee groups met between monthly meetings and reported back on their discussions. These subcommittees met as many times as necessary to determine next steps, and subject-matter experts from the community were also invited to attend and contribute during subcommittee meetings.

The designated subcommittees were:

- Data Collection
- Housing
- Spanish Speaking Services
- Pretrial Services
- Drug Court Aftercare
- Youth Services and Prevention
- Indigent Defense

Data Collection

The Data Collection Subcommittee discussed what has been working well and what could be improved within the data collection and data sharing components of the Summit County criminal justice system. Currently, Summit County Sheriff's Office, Summit County Attorney's Office, and Park City Police Department all use the same software, which allows data-sharing for all departments. Because the same software is used it enables both data sharing and report generation. There are areas we can improve some communication with defense attorneys, including streamlining the information needed for defense attorneys to more easily represent their clients.

Housing

The Housing Subcommittee discussed how affordable housing—or lack thereof—impacts the criminal justice system. There are currently multiple groups convening surrounding the topic of affordable housing in Summit County with critical stakeholders, including multiple nonprofits, community members, schools, and other government entities. The Park City and Summit County Councils are also considering forming a Housing Authority, and the subcommittee indicated that it could be advantageous to have a member of the CJCC involved in the Housing Authority in some way. This would highlight that affordable housing is needed for drug court participants, first responders, and other key criminal justice personnel. Because of the high cost of housing in Summit County, it has been challenging for potential drug court participants to find housing. There have been qualified people turned away from drug court because they couldn't secure the necessary housing in Summit County. Retention of staff is also a key concern because of long commutes resulting from a lack of affordable housing.

Spanish Speaking Services

The Spanish Speaking Services Subcommittee discussed the status of Spanish Speaking services in Summit County and how those services can be enhanced and improved within the criminal justice system. It can be challenging in Summit County to get information to primary Spanish Speakers regarding their rights and how, when, and where to interface with the criminal justice system. This may be particularly challenging on the east side of the county where population is more spread out and there are traditionally fewer services available. Law Enforcement has been working to provide information to Spanish media outlets and social media, and through community meetings and hosting community programming in Spanish.

Currently, law enforcement is partnering with non-profits offering services to the Spanish speaking community; however, it is important to find additional ways to enhance this communication. Increasing criminal justice personnel presence within these communities could provide additional inroads into the Spanish speaking population. This could be accomplished through hiring additional Spanish speaking law enforcement officers or adding programs specific for Spanish speaking community members.

Also needed are additional Spanish speaking resources in our courts. There have been issues in procuring a sufficient number of court translators since the pandemic, and most of those translators attend virtually, not in person. Enhancing translation services would increase the level service of this portion of the community and allow for additional and better communication regarding all parts of the criminal justice process.

Pretrial Services

The Pretrial Services Subcommittee discussed potentially adding Pretrial Services as a suggested enhancement to the Summit County Justice System in the CJCC Strategic Plan. Summit County currently does not have a Pretrial Services program. The Sheriff's Office reported information

gathered from other Utah jurisdictions who have a pretrial service program. That research indicated that most small jurisdictions in Utah have law enforcement providing pretrial services because of capacity issues and need for 24/7 services. Instituting this would require a legal analysis by the Summit County Attorney's Office in collaboration with Summit County Judges to ensure that the program was in alignment with statute. It would also require alignment in how a Pretrial Service program would be operated and enforced. The subcommittee also wanted to explore the idea of creating a combined Pretrial Services program with Wasatch County to increase capacity/decrease financial burden on any one jurisdiction.

Because Pretrial Services can be inclusive of many different offenses, the subcommittee seemed to like the idea of a phased approach to pretrial services, beginning with substance use/alcohol related offenses. This could then be expanded over time to include mental health related offenses and others. The phasing would need to be agreed upon by the CJCC for best likelihood of success.

Drug Court Aftercare

The Drug Court Aftercare Committee discussed the difficulty for Drug Court participants following graduation from the program. Without the support system provided by Drug Court, some find sobriety challenging. Many Drug Court graduates do participate in AA and find support there, but this may or may not be appropriate for all graduates. The subcommittee was also uncertain about opportunities for Drug Court to partner with the AA program for continued care/support of drug court graduates. The idea was posed that it may be helpful to have either a current nonprofit with a related mission, such as Summit County Club House, offer services to this population or to support a new nonprofit that could provide ongoing support to Drug Court graduates. Having drug court aftercare located within the confines of a nonprofit structure would allow for additional funding sources, particularly philanthropy, that could be more readily accessible in Summit County than ongoing government funding.

The subcommittee also discussed some of the other community programs that could be supported and enhanced to assist sobriety among drug court graduates. It was also mentioned that having an affordable (possibly government subsidized) detox option within Summit County would be useful. There are current organizations in Summit County that may be able to offer these types of program in the future, if the CJCC wanted to pursue that option.

Youth Services and Prevention

The Youth Services Subcommittee discussed that there are currently no services for youth convicted of juvenile crimes within Summit County; services are all currently located in the Salt Lake Valley, including sex specific therapy, youth receiving center, and juvenile detention. There are no sex behavioral programs for youth, which is an issue since there is evidence that youth who receive sex-based treatment for sexual crimes have a high incidence of not reoffending as adults. Instituting this program, the Utah Network on Juveniles Offending Sexually (NOJOS) Program, would be a productive step in providing these services for youth who qualify. There are multiple levels of this program, so the strategic plan could include a phased approach addressing how to attract a NOJOS certified provider to Summit County, what spaces might be

available to house this type of service, etc. A juvenile receiving center, which would act as a time out for youth in crisis, would also provide benefit for Summit County Youth. This would be a longer-term goal and be more costly due to space and staffing needs.

Summit County has many different offerings for juvenile victims of crime, including a robust Children’s Justice Center (CJC) that has a dedicated forensic interviewer. Juveniles who have been perpetrated against can come to the CJC and find support and resources. Summit County Attorney’s Office and Park City Police Department also have Victim Advocates ready to assist juvenile victims, along with therapy services available within the community for children.

Indigent Defense

The Indigent Defense Subcommittee discussed how neighboring jurisdictions have increased wages for public defenders to the same level as prosecutors. This pay-parity has proved useful within these jurisdictions in hiring and retaining quality defense attorneys. Summit County is fortunate to currently have excellent public defenders, but it may become challenging to retain these quality defense attorneys into the future with the current compensation package. Summit County may not be able to increase wages dramatically in the short-term, but it would be useful to include this idea as a strategic plan goal within the next few years.

Some of the biggest concerns for the Summit County public defenders were not having a dedicated investigator and Spanish translation services. Currently, Summit County public defenders have to contract for each case they need investigative help. Spanish translators are not often willing to come to Summit County, so defendants have to use zoom for translation services, which is less effective. Also, many documents are only in English—including County documents—so some defendants find it challenging to fully understand the system and or how to comply.

It is also important to have adequate physical space within Summit County buildings for the public defenders. There may be possibility with current Summit County building redesigns to accommodate this so public defenders can more easily meet with clients, and so there is future room to expand when needed.

Strategic Goals Identified

- Equity
- Communication
- Quality of Life
- Rehabilitation

Goal I: Provide for **equity** in access and opportunity for all individuals interfacing with the criminal justice system.

Objectives for Achieving this Goal:

1. Develop robust in-person court translation services
2. Establish Spanish speaking indigent defense resources
3. Increase wages for indigent defense to be on parity with prosecutors
4. Hire an investigator for exclusive use by indigent defense
5. Build additional indigent defense office space
6. Establish a pretrial services program
 - a. Hire additional officers
 - b. Lobby for legislative clarification in statute governing pretrial services
 - c. Create an agreed upon policy/procedure
 - d. Focus initially on drug and alcohol offenses

Goal II: Enhance **communication** within agencies, between agencies, and with offenders.

Objectives for Achieving this Goal:

1. Support Summit County and Park City establishing a Regional Housing Authority
 - a. Drug court
 - b. Sex offenders/felons
 - c. LEO/employee housing (stipend)
2. Assign a CJCC Member as a liaison or member of the Regional Housing Authority
3. Establish housing for drug court participants
4. Additional community education regarding criminal justice system processes and procedures
 - a. Translation of pamphlets and paperwork into Spanish
5. Hire/incentivize additional Spanish speaking law enforcement officers
 - a. Stipend for LEO and dispatch
 - b. Increase number of Spanish-speaking mental health providers
 - c. MCOT stipend
 - i. Stipend for housing
 - ii. Stipend for Spanish-speakers
6. Hire/incentivize additional Spanish speaking prosecutors, indigent defense attorneys, and law enforcement

Goal III: Increase **quality of life** for all those who interact with the criminal justice system over time and the Summit County Community.

Objectives for Achieving this Goal:

1. Evaluate needs in East Summit County for additional resource support
2. Provide additional education about existing resources
3. Establish a Receiving Center
4. Establish a Juvenile Receiving Center

Goal IV: Provide offenders with tools to increase **rehabilitation**, integration, and participation within the community while decreasing reoffending.

Objectives for Achieving this Goal:

1. Establish affordable housing options for drug court participants
2. Establish additional group therapy/classes options for drug court participants and other offenders
3. Form a plan to increase support opportunities for offender reintegration.
4. Establish a drug court aftercare program or work with community members to establish a community aftercare program
5. Incentivize subsidized detox options within Summit County
6. Establish first 2 levels of Utah Network on Juveniles Offending Sexually (NOJOS) Program

2024 Goals

1. Begin building additional indigent defense office space
 - a. Cost: Incorporated into the Justice Center Remodel
2. Establish a pretrial services program
 - a. Hire additional officers
 - i. Cost: \$400,000 for 2 officers
 - b. Lobby for legislative clarification in statute governing pretrial services
 - c. Create an agreed upon policy/procedure
 - d. Focus initially on drug and alcohol offenses
 - e. Focus on Spanish speaking pretrial services
 - f. Justice involved case management expansion
 - i. Cost: \$150,000 for a case manager
3. Support Summit County and Park City establishing a Regional Housing Authority
 - a. Cost: \$0
4. Assign a CJCC Member as a liaison or member of the Regional Housing Authority
 - a. Cost: \$0
5. Evaluate needs in East Summit County for additional resource support
 - a. Cost: Dependent on how information is collected/surveyed to determine need
6. Increase wages for indigent defense to be on parity with prosecutors
 - a. Cost: \$321,000

Community Resources Map

Summit County has worked hard over the past decade to enhance services within the criminal justice system to benefit both victims and offenders and we are proud of our initiatives. These

enhancements have been collaborations between government, nonprofit, and private citizens and have covered many different aspects of the criminal justice system. Within the **Community Resources Map** are some of the initiatives and improvements made in key areas within Summit County's Criminal Justice System.

DRAFT

Summit County Criminal Justice Coordinating Council

Map of Community Resources

Legend:

Law Enforcement

Courts

Corrections and Detention

Summit County Attorney's Office

Community Resources

Law Enforcement

1. Summit County Sheriff's Office
6300 Justice Center Rd., Park City, 84098
435-615-3600
<https://www.summitcountysheriff.org>
 - a. Search and Rescue Team
 - b. Physical Resources
 - i. Drones
 - c. 24/7 Program
 - i. Provides supervision to eligible participants to retain driving privileges safely following a first-offense DUI
 - ii. Requires UA testing twice daily
 - d. Citizens Advisory Board
 - i. Community members appointed to review significant police complaints
 - e. Citizen's Academy
 - i. Educational academy informing community members of law enforcement roles and responsibilities
 - ii. Provides citizens with additional opportunities to engage with law enforcement
 - f. School Resource Officer Program
 - i. Schools provided with specific officers to assist with juvenile investigations in the schools
 - ii. Provides additional safety to schools

- iii. Allows for students to develop a positive relationship with police and ask questions in a non-threatening environment
 - g. Community Education
 - i. Present to community organizations regarding crime prevention
 - ii. Work with HOAs regarding safety issues
 - iii. Assists religious organizations (and others) with safety protocols
 - h. Crisis Intervention Team
 - i. Most officers trained in Crisis Intervention Team methodology, allowing for enhanced de-escalation skills
- 2. Park City Police Department
2060 Park Avenue, Park City, UT 84098
435-615-5500
<https://www.parkcity.org/departments/police>
 - a. Victim Advocacy
 - i. Full-time employee with volunteer program
 - ii. Provides 24/7 on-scene assistance to crime victims
 - iii. Connects and coordinates follow-up services
 - iv. Provides victim support during court process
 - b. Physical Resources
 - i. Drone
 - ii. Mobile incident command trailer
 - c. Traffic Unit
 - i. Motorcycle officers provide additional focus on traffic violations and education
 - d. Community Outreach Program
 - i. Driver's license class to assist Spanish speaking community members to understand how to get a driver's license or driver's privilege card
 - e. Citizen's Academy
 - i. Educational academy informing community members of law enforcement roles and responsibilities
 - ii. Provides citizens with additional opportunities to engage with law enforcement
 - iii. Provided in English and Spanish
 - f. Citizens Advisory Board
 - i. Community members appointed to review significant police complaints
 - g. School Resource Officer Program
 - i. Schools provided with specific officers to assist with juvenile investigations in the schools
 - ii. Provides additional safety to schools

- iii. Allows for students to develop a positive relationship with police and ask questions in a non-threatening environment
 - h. Community Education
 - i. Present to community organizations regarding crime prevention
 - ii. Work with HOAs regarding safety issues
 - iii. Assists religious organizations (and others) with safety protocols
 - i. Explorer Program
 - i. Provides education, training, and volunteer experience to community youth interested in a career in law enforcement
 - j. Crisis Intervention Team
 - i. Most officers trained in Crisis Intervention Team methodology, allowing for enhanced de-escalation skills
- 3. Summit County/Park City
 - a. SWAT Team
 - i. 35 members
 - ii. Includes law enforcement from across the county
 - iii. Explosive breaching
 - iv. Flash Bank
 - v. Precision rifles
 - b. Wasatch Back Major Crimes Unit
 - i. Collaboration with Wasatch County Sheriff and Heber City Police Department
 - ii. Provides targeted investigative support cross-jurisdictionally for major crimes
 - c. DEA
 - i. Officers from Park City Police Department and Summit County Sheriff's Office are assigned to assist DEA
 - ii. Resources and support from DEA are allocated to the region to investigate major drug related investigations
 - d. Sexual Assault Hospital Response
 - i. In collaboration with Peace House, a local domestic violence shelter, victim advocates provide additional victim advocate support for victims at the Park City Hospital.
 - e. Mobile Crisis Outreach Team (MCOT)
 - i. In conjunction with Wasatch County
 - ii. Coordinates responses with law enforcement with mental health providers to allow for less-restrictive outcomes
- 4. Kamas City Police Department
 170 N. Main St., Kamas, UT. 84036
 435-783-4344

5. Utah Highway Patrol - Section 7 – 435-655-3445

Corrections

1. Summit County Jail
 - a. Hosts about 70 inmates
 - b. Full time medical staff
 - c. Medically Assisted Treatment to assist inmates undergoing opioid withdrawal
 - d. Behavioral health support
 - i. Peer support
 - e. Classes and Programs Offered to inmates
 - i. Religious services available
 - ii. MRT
 - iii. Crochet
 - iv. Finance classes
 - v. Life skills classes
 - vi. Management and GED education
 - vii. Fit to Recover classes
 - viii. Guitar
 - ix. Alcoholics Anonymous and LDS 12 Step Program
 - f. Working Inmate Program
 - i. Provides inmates with basic skills
 1. Drywall
 2. Culinary
 3. Trades
2. Adult Probation and Parole

Courts

1. Third District Court
2. Juvenile Court
3. Summit County Justice Court

Summit County Court Support Services

1. Probation Services
 - a. Develop case action plan
 - b. Case monitoring
 - c. Drug screening

- d. Field visits
 - e. Home visits
 - f. Court notifications
 - g. Court advocacy
 - h. Fines/restitution payments
2. Drug Court
- a. Court-supervised comprehensive drug and alcohol treatment program for clients with an alcohol and/or drug related charge
 - b. Client must participate in court-ordered Intensive Outpatient and Moral Recognition Therapy groups.
 - i. Group therapy
 - 1. Substance abuse group
 - 2. Family group
 - 3. Anger management
 - 4. MRT group
 - 5. DBT group
 - 6. Thinking Errors group
 - ii. Individual therapy
 - iii. UA testing
 - c. Allows clients to have charges reduced or dismissed upon successful completion of the program.
 - d. Daily check-ins with probation officers

Summit County Attorney's Office

Address: 6300 Justice Center Rd., Park City, 84098

Phone Number: 435-615-3600

Website: <https://www.summitcounty.org/230/Attorney>

- 1. Screens and prosecutes cases for Summit County District and Justice courts
- 2. Collaborates with law enforcement, defense counsel, and the criminal justice system
- 3. Provides and helps victims prevail over their trauma and victimization by providing resources, court process updates, advocacy, and education through the victim assistance program
- 4. Works closely with victims throughout a case to minimize re-victimization and provide the safest, healthiest, and most compassionate care throughout the entire continuum and process of a case.
- 5. Provides education and advocacy to community agencies and local organizations about mandatory reporting and the justice system
- 6. Works closely with the Children's Justice Center to provide children with the best and most appropriate care

Peace House

Provides victim of domestic violence the most comprehensive and compassionate services possible.

Hours: Open Monday - Sunday 24/7, No holidays or breaks

Address: 700 Round Valley Dr #115, Park City, UT. 84060

Intake Phone Number: (435) 658-4739

Website: <https://peacehouse.org>

1. Emergency Shelter
2. Case Management
3. Transitional Housing
4. Counseling and Therapy
5. Community Education
6. Safe Pets Program in conjunction with Nuzzles and Co.

Christian Center of Park City

Humanitarian community resource center.

General Hours: Open Monday – Saturday 10:00 am—5:00 pm

Address: 1283 Deer Valley Dr., Park City, UT. 84060

Intake Phone Number: (435) 649-2260

Website: <https://ccofpc.org>

1. Food Pantry
2. Case Management
3. Local Outreach
4. Seasonal Worker Outreach
5. Native American Outreach
6. Counseling and Therapy

Huntsman Mental Health Institute

Provides mental health and substance use counseling, case management, and support for drug court participants.

Address: 1820 Sidwinder Dr, Ste. 100, Park City, UT 84060

Office Phone Number: (435) 658-9998

Website: <https://healthcare.utah.edu/locations/park-city-behavioral-clinic>

Summit County Behavioral Health Division

Provides coordination and navigation of community supports related to mental health and substance use concerns. Local Behavioral Health Authority.

Address: 650 Round Valley Dr #115, Park City, UT. 84060

Intake Phone Number: (435) 658-4739

Website: <https://summitcountyhealth.org/mentalhealth/>

1. Mobile Crisis Outreach Team
2. Behavioral Health Civil Commitment
3. Education Programs in Summit County Jail
4. Justice Involved Clinical Services
5. Medicaid and Unfunded Enrollment, including Targeted Adult Medicaid upon release from Summit County Jail.

Summit County Children's Justice Center

Provides a safe space for children who have been perpetrated against to speak with law enforcement. Law enforcement at the Children's Justice Center have been trained in forensic interviewing so as to not further traumatize the child or provide leading questions in an interview that might compromise a criminal investigation.

Address: 5870 Silver Summit Parkway, Park City, UT 84098

Office Phone Number: (435) 615-3919

Website: <https://summitcounty.org/593/Childrens-Justice-Center>

1. Interviews
 - a. Conducted by a certified child forensic interviewer
 - b. Videotaped and given to those working on the case in order to prevent the child from having to be interviewed multiple times
2. Victim Advocacy
 - a. Connect children and their families to resources
 - b. Provide children and families with information about what is happening in the court process
 - c. Track cases for the children and families
3. Medical Services
 - a. Employs nurses from Primary Children's, specialized in pediatric care
 - b. Provide the following services:
 - i. Physical exams

- ii. Sexual assault evidence collection
 - iii. Testing & occasional treatment for sexual transmitted infections or pregnancy
- 4. Mental Health Services
 - a. Connect children with professionals in trauma-informed therapy
 - b. Provide support groups for survivors and caregivers
 - c. Assess risk for PTSD
- 5. Community Outreach
 - a. Provide information to educate others on child abuse, consent, and the role of families/parents/community protecting children

Summit County Club House

Provides a recovery-based program for people living with mental illness that offers opportunities for support, education, and employment within Summit County.

Address: 6304 Highland Dr., Park City UT 84098

Office Phone Number: (800) 385-3507

Website: <https://www.summitcountyclubhouse.org>

Wasatch Crest Residential Treatment Center

Provides a recovery-based residential treatment center for people needing inpatient services for substance use.

Address: 241 Highland Dr., Park City UT 84098

Office Phone Number: (800) 385-3507

Website: <https://wasatchcresttreatment.com>

People's Health Clinic

Provides comprehensive healthcare for uninsured Summit and Wasatch County residents and workforce.

Address: 650 Round Valley Dr., Park City, UT 84060

Office Phone Number: (435) 333-1850

Website: <https://peopleshealthclinic.org>

Alcoholics Anonymous—Park City Chapter

Provides support groups and tools for people struggling with maintaining their sobriety.

Address: 1900 Homestake Rd., Park City, UT 84060

Office Phone Number: (435) 649-0022

Website: <https://alcoholicsanonymous.com/aa-meetings/utah/park-city/>

Online Court Assistance Program (Utah State Courts)

The Online Court Assistance Program is provided to assist court users who do not have an attorney to prepare court documents.

Website: <https://www.utcourts.gov/en/self-help/services/ocap.html>

1. Choose the interview for your document needs.
2. Complete the interview to create your documents.
3. Review your documents and make adjustments as needed.
4. Print documents to file at the courthouse and serve the other party.
5. Return to OCAP to print final documents or other documents when needed.

Summit County Recovery Foundation

Provides support to participants in Summit County's Drug Court. SCRF is dedicated to support and advocacy for individuals and families as they confront - and recover from - the diseases of drug/alcohol addiction.

Address: 6300 Justice Court Rd, Park City, UT 84098

Office Phone Number: (435) 655-5165

Latino Behavioral Health

Created to minimize the disparities in access to mental health services among the underserved Latino population in both Spanish and English. Provides both crisis services and clinical care.

Hours: Open Monday – Friday 10:00am – 6:00pm, and Saturdays 10:00am – 2:00pm

Address: 1885 W Ute Blvd #400, Park City, UT. 84098

Intake Phone Number: (435) 274-2936

Website: <https://latinobehavioral.org>



MINUTES

SUMMIT COUNTY

County Council

UTAH OLYMPIC PARK;QUINNEY CONFERENCE ROOM, 3RD FLOOR

3419 OLYMPIC PARKWAY, PARK CITY, UT, 84098

MONDAY, OCTOBER 30, 2023

Summit County Council Retreat

DRAFT

1) Welcome (9:15 AM)

Manager Shayne Scott welcomed everyone, outlined the plan for the Retreat and provided directions.

Roger Armstrong
Malena Stevens
Tonja B Hanson
Christopher Robinson
Canice Harte

Shayne Scott
Janna Young
Matt Leavitt
Margaret Olson
Dave Thomas
Jeff Jones
Pat Putt

2) Discussion regarding housing and current status of department; Jeff Jones (9:16 AM)

Jeff Jones, Director of Economic Development and Housing, presented current data on the County's economic development and housing. Council Members commented and asked questions while discussing how to address housing needs. Mr. Jones and Dave Thomas, Chief Civil Deputy Attorney, responded.

Attachment: Economic Development and Housing Presentation

Attachment: Industries Growth GRP Earnings Per Worker Concentration

Attachment: Summit County Inbound Outbound Commuter Data

Attachment: Summit County Occupation Data by Area Median Income Distribution

Attachment: 84017 inbound outbound commuter data

Attachment: 84033 inbound outbound commuter data

Attachment: 84036 inbound outbound commuter data

Attachment: 84055 inbound outbound commuter data

Attachment: 84060 inbound outbound commuter data

Attachment: 84061 inbound outbound commuter data

Attachment: 84098 inbound outbound commuter data

Attachment: Age Cohort Data for Summit County 10 Year Projection

3) Ice Breaker Activity, Let's Talk; Scott van Hartesvelt (10:15 AM)

Scott van Hartesvelt, Park City Leadership Class XXIX, and Gretchen Lee, Mountain Mediation, presented and facilitated a truncated version of Let's Talk.

Attachment: Storytelling Presentation

4) Long-range strategic planning discussion and working lunch; Shayne Scott (11:15 AM)

Manager Scott introduced a discussion about long-range planning. Pat Putt, Community Development Director, outlined the key topics and provided guidance for discussion. Those in attendance participated.

5) Discussion regarding Eastern Summit County planning items; Pat Putt (2:00 PM)

Pat Putt, Community Development Director, previewed for Council the issues arising in the Eastern County. Council Members asked questions. Mr. Putt responded.

6) Discussion regarding Snyderville Basin planning items (focus on Kimball Junction and Section 2.3 of the General Plan; Pat Putt (2:35 PM)

Council Member Christopher Robinson left at 2:35 PM.

Mr. Putt previewed the issues on the horizon for the Snyderville Basin.

Council Members asked questions, to which Mr. Putt responded.

Attachment: SB Land Use Code Ch. 2

7) Adjournment (2:55 PM)



MINUTES

SUMMIT COUNTY

County Council

UTAH OLYMPIC PARK;QUINNEY CONFERENCE ROOM, 3RD FLOOR

3419 OLYMPIC PARKWAY, PARK CITY, UT, 84098

TUESDAY, OCTOBER 31, 2023

Summit County Council Retreat

DRAFT

- 1) Welcome - Shayne Scott (9:07 AM)

Manager Shayne Scott welcomed everyone back.

- 2) Transportation; Carl Miller (9:08 AM)

Carl Miller, Regional Transportation Planning Director, reviewed the current and future transportation projects with Council. Council Members asked questions. Mr. Miller responded.

- 3) Public Works (landfill discussion); John Angell and Tim Loveday (10:15 AM)

Tim Loveday, Solid Waste Superintendent, described to Council the current state of solid waste in the County and future options. Council Members asked questions and commented. Mr. Loveday and John Angell, Public Works Director, responded.

Attachment: Solid Waste Presentation

- 4) Facility Master Planning Discussion; Mike Crystal (11:15 AM)

Mike Crystal, Facilities Manager, explained the status of the County facilities and plans for the future. Council Members asked questions and commented. Mr. Crystal and Manager Scott responded.

5) Public Lands; Jess Kirby (11:40 AM)

Jess Kirby, Lands and Natural Resources Director, gave an overview of the County's lands and the obligations related to those properties. Council Members asked questions and commented. Ms. Kirby responded.

Attachment: Lands and Natural Resources Presentation

6) Working lunch and Public Health/Sustainability; Phil Bondurant and Emily Quinton (12:40 PM)

Emily Quinton, Sustainability Manager, updated Council on the County's sustainability efforts and highlighted the goals for 2024. Council Members commented and asked questions. Ms. Quinton responded.

Dr. Phil Bondurant, Public Health Director, presented Council with the Health Department's plans for the year ahead. Council members asked questions and commented. Dr. Bondurant, Manager Scott, and Chief Civil Deputy Attorney Dave Thomas responded.

Attachment: Sustainability Presentation

7) Wrap up/Work Plan discussion/Misc (1:57 PM)

Manager Scott summarized the meeting and set forth next steps. Council Members added their thoughts. Manager Scott and Matt Leavitt, Financial Officer, responded.

8) Adjournment (2:30 PM)



STAFF REPORT

To: Summit County Council
From: Ray Milliner, County Planner
Date of Meeting: November 8, 2023
Type of Item: Code Amendment – Public Hearing
Process: Legislative

RECOMMENDATION: Staff requests that the Summit County Council review, conduct a public hearing and adopt amendments to Chapter 11-6-5 Accessory Dwelling Units in the Eastern Summit County Development Code.

BACKGROUND

Last year, the Summit County Council adopted amendments to the Housing Element in the Eastern Summit County General Plan. Among the amendments were the following strategy and implementation measures:

“STRATEGY D: Create or allow for, and reduce regulations related to, internal and detached accessory dwelling units in residential zones (Utah Code § 17-27a-403(2)(b)ii(E)).

Implementation Measure 7.10: Within two years of the approval of the Summit County Moderate Income Housing Plan by the State of Utah, amend the Development Code to reduce regulations related to accessory dwelling units.

Implementation Measure 7.11: Within two years of the approval of the Summit County Moderate Income Housing Plan by the State of Utah, amend the Development Code to make accessory dwelling units an allowed use in the AG-2.5, AG-5, AG-10, AG-20, AG-40, AG-80, VO, and C zones.

The origin of these amendments was a law passed by the Utah State Legislature (HB-462) that requires counties who meet certain criteria to include a moderate-income housing element in their General Plan, and Report on its compliance. The annual report was required to identify the selected strategies, the implementation plan for each strategy, and specific examples of what was done within the County to implement the strategies.

The purpose of these amendments is to bring the Eastern Summit County Development Code into compliance with the strategy and implementation measures in the General Plan.

PROPOSAL

The proposed amendments will do the following:

1. Eliminate Agricultural Dwelling Units from the Code.

2. Create live/work dwelling unit use, definition, and criteria.
3. Amend criteria and definition for Accessory Dwelling Units.
4. Create internal accessory dwelling unit use, definition, and criteria.
5. Make Accessory Dwelling and Internal Accessory Dwelling Units allowed uses in zones where residential uses are allowed.

DISCUSSION

Agricultural Accessory Dwelling Units

Currently Agricultural EDUs are a Low Impact permit in the AG-20, 40 and 80 zones and a Conditional use in the AG-5 and 10 zones. They are allowed within a single-family home or within a detached building. They are limited to 2,000 square feet, and the applicant must demonstrate that they have a 'viable agricultural operation' on the site.

The primary issue with Agricultural EDUs is the 'viable agricultural operation' component of the language ("agricultural operation" definition was removed from Appendix A of the Code in 2017, and replaced with:

"AGRICULTURAL ACTIVITY: The tilling of the soil, raising of crops (including timber), forage, grazing and raising of animals/fish for agricultural purposes."

To verify that the applicant is conducting an "agricultural activity" staff will research whether the property has greenbelt status. To qualify for greenbelt status a property owner must have had at least five acres of land in active agricultural production for at least 2 years. If the property meets these criteria, then it is determined that the owner is conducting an "agricultural operation."

If a person is conducting agricultural activity on a 5-acre farm, then she is eligible for an Agricultural EDU. There are very few 5-acre farms in Eastern Summit County with the need for a full-time employee and her family. Rather, the agricultural activity status simply gives the property owner an opportunity to build a larger unit than would be allowed on similar sized parcels or lots.

The Planning Commission has consistently expressed concern that people will take advantage of these regulations to acquire an additional unit of density on their property. Staff are recommending that the language be removed from the Code entirely.

Live/work Dwelling Units

Live/work Units are properties that combine residential and non-residential uses within one unit. Staff is proposing that the Commission review and adopt language that would allow live/work units in the Commercial and Light Industrial zones. Currently the Development Code allows a type of live/work unit in all the AG zones as a "Home Occupation." The Code restricts the work portion to small-scale activities and limits the numbers of employees or client visits. Live/work units are like home occupations, but the regulations are not as restrictive. In live/work units, the non-residential activity takes precedent over the residential activity.

The proposed regulations mirror the rules in the International Building Code, which limits the size of each unit to 3,000 square feet (residential and commercial) and requires that at least 50% of the floor area be commercial. It limits the number of workers allowed in a unit at one time to five and requires that either the owner or an employee of the business live there. The uses allowed in the unit would be limited to the uses in the zone, and the Planning Commission is given authority to limit the uses through a restrictive use covenant.

Accessory Dwelling Unit

Accessory dwelling units are a low impact permit in all zones that allow single family residences in the East Side Development Code. The proposed changes would allow the use in these zones but would create additional criteria that the property owner would need to follow.

- Keeps 1,000 square foot size requirement.
- Prohibits them within condominium units.
- Prohibits nightly rentals. Rentals must be for at least 30 days or more.
- Requires that property owners clearly identify the area to be an accessory dwelling unit on the building permit plans.
- Requires the property owner to work with the Health Department to ensure that the property has proper septic/sewer capability prior to permit issue.

These changes are meant to give the County more clarity over what is allowed and what is prohibited when reviewing the use, and ultimately when reviewing enforcement complaints.

Internal Accessory Dwelling Unit

These regulations are like those in the Accessory Dwelling Unit section. This is because Utah State Code says that internal accessory apartments that meet its definition are permitted in areas zoned for residential uses despite local regulations.

The State definition:

- “(a) “Internal accessory dwelling unit” means an accessory dwelling unit created:
- (i) Within a primary dwelling;
 - (ii) Within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the time of the internal accessory dwelling unit is created; and
 - (iii) For the purpose of offering a long-term rental of 30 consecutive days or longer.
- (b) (i) “Primary dwelling” means a single-family dwelling that:
- (A) is detached; and
 - (B) is occupied as the primary residence of the owner of record.
- (ii) “Primary dwelling” includes a garage if the garage:
- (A) is a habitable space; and
 - (B) Is connected to the primary dwelling by a common wall.”

Internal Accessory Dwelling Units differ from Accessory Dwelling Units in the following ways:

- The internal accessory dwelling unit must be within an existing single-family home. No unit is allowed within an accessory building.
- There is no size limitation to an internal accessory dwelling unit.
- The home where the internal accessory dwelling unit is located must be owner occupied.

If the County wants to allow Accessory Dwelling Units in areas that are outside of the State definition, then we must create separate regulations.

Analysis

Section 11-5-3 of the Eastern Summit County Development Code establishes a process for amendments to the text of the Code, it states that whenever an amendment to the Code is initiated, it must be reviewed by the Planning Commission who will deliver a recommendation to the County Council. The Code Amendments

County Council, after holding a public hearing, can approve, approve with modifications, or deny the amendment. There is no criterion.

The Eastern Summit County General Plan has specific goals related to future amendments.

“STRATEGY D: Create or allow for, and reduce regulations related to, internal and detached accessory dwelling units in residential zones (Utah Code § 17-27a-403(2)(b)ii(E)).

Implementation Measure 7.10: Within two years of the approval of the Summit County Moderate Income Housing Plan by the State of Utah, amend the Development Code to reduce regulations related to accessory dwelling units.

Implementation Measure 7.11: Within two years of the approval of the Summit County Moderate Income Housing Plan by the State of Utah, amend the Development Code to make accessory dwelling units an allowed use in the AG-2.5, AG-5, AG-10, AG-20, AG-40, AG-80, VO, and C zones.”

These amendments bring the Development Code into compliance with the State Code. They relate directly back to the General Plan strategies and implementation measures that were adopted by the Council last year. The amendments will aid in County efforts to provide affordable housing and give property owners an opportunity to generate income on their property.

Recommendation

Staff requests that the Summit County Council review, conduct a public hearing and adopt amendments to Chapter 11-6-5 Accessory Dwelling Units in the Eastern Summit County Development Code.

Findings of Fact

1. The goal of Chapter 2 of the Eastern Summit County General Plan is to develop land use codes which balance the diversity of desires of Eastern Summit County residents, including private property rights.
2. In furtherance of this goal, §11-1-1 of the Eastern Summit County Code provides that “The eastern Summit County general plan was developed to ensure that the rural, agricultural, and small-town character of the eastern portion of the county shall remain, even in the presence of growth and change. The intention of the county is to assure the managed, proper and sensitive development of land to protect and enhance these desired qualities and the lifestyle that exists.”
3. Last year, the Summit County Council adopted amendments to the Housing Element in the Eastern Summit County General Plan.
4. Among other things, one of the amendments to the housing element was to “Create or allow for, and reduce regulations related to, internal and detached accessory dwelling units in residential zones.”
5. The purpose of these amendments is to bring the Eastern Summit County Development Code into compliance with the strategy and implementation measures in the General Plan.
6. On September 21, 2023, the Eastern Summit County Planning Commission conducted a public hearing and reviewed new regulations for Accessory Dwelling Units in the Eastern Summit County Development Code.
7. The creation and use of accessory dwelling units will allow a mix of compatible residential uses in zones where residential uses are allowed.
8. Accessory dwelling units built on existing lots are new homes where infrastructure already exists, rather than in a place that would require new infrastructure.

9. The Summit County Council conducted a public hearing for the amendments on November 8, 2023.

Conclusions of Law:

1. The amendment is consistent with the goals, objectives, and policies of the General Plan.
2. The amendment is consistent with the requirements established in chapter 6 of the Eastern Summit County Development Code.
3. The proposed amendment is not detrimental to public health, safety, and welfare.

Exhibits

Exhibit A. Draft Ordinance with Language

SUMMIT COUNTY, UTAH
ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE EASTERN SUMMIT COUNTY
DEVELOPMENT CODE SECTION 11-6-5: ACCESSORY DWELLING UNITS, INTERNAL ACCESSORY
DWELLING UNITS, AND LIVE/WORK DWELLING UNITS, SECTION 11-3-16 CHART OF ALLOWED
AND PERMITTED USES AND APPENDIX A: DEFINITIONS**

PREAMBLE

WHEREAS, Utah Code Annotated (“UCA”) §17-27a-102(b) provides that counties can enact all ordinances that they consider necessary or appropriate to govern, among other things, accessory dwelling units; and,

WHEREAS the goal of Chapter 2 of the Eastern Summit County General Plan is to develop land use codes which balance the diversity of desires of Eastern Summit County residents, including private property rights; and

WHEREAS, in furtherance of this goal, §11-1-1 of the Eastern Summit County Code provides that “The eastern Summit County general plan was developed to ensure that the rural, agricultural, and small-town character of the eastern portion of the county shall remain, even in the presence of growth and change. The intention of the county is to assure the managed, proper, and sensitive development of land to protect and enhance these desired qualities and the lifestyle that exists.” and,

WHEREAS in October of 2022, the Summit County Council adopted amendments to the Housing Element in the Eastern Summit County General Plan; and

WHEREAS among other things one of the amendments to the housing element was to “Create or allow for, and reduce regulations related to, internal and detached accessory dwelling units in residential zones; and

WHEREAS The purpose of these amendments is to bring the Eastern Summit County Development Code into compliance with the strategy and implementation measures in the General Plan; and

WHEREAS the creation and use of accessory dwelling units will allow a mix of compatible residential uses in zones where residential uses are allowed; and

WHEREAS the Eastern Summit County Planning Commission held a public hearing on September 21, 2023; and

WHEREAS the Eastern Summit County Planning Commission recommended adoption of the amended sections of the Eastern Summit County Development Code on September 21, 2023; and

WHEREAS the Summit County Council held a public hearing on November 8, 2023; and,

NOW, THEREFORE, the County Council of the County of Summit, State of Utah, ordains as follows:

Section 1. **EASTERN SUMMIT COUNTY DEVELOPMENT CODE** The Eastern Summit County Development Code is amended as depicted in Exhibit A.

Section 2. **Effective Date.** This Ordinance shall take effect immediately after publication.

Enacted this ___ day of _____, 2023.

ATTEST:

SUMMIT COUNTY COUNCIL

Evelyn Furse
Summit County Clerk

Roger Armstrong, Chair

APPROVED AS TO FORM

David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Stevens _____

Councilmember Robinson _____

Councilmember Harte _____

Councilmember Armstrong _____

Councilmember Hansen _____

EXHIBIT A

PROPOSED AMENDMENTS TO CHAPTER 6

11-6-5: ACCESSORY DWELLING UNITS, INTERNAL ACCESSORY DWELLING UNITS, AND LIVE/WORK DWELLING UNITS:

~~—A. Scope: When designated in section 11-3-16 of this title, an accessory dwelling unit or an agricultural employee dwelling unit may be approved by the County. When approved through the conditional use process, both an accessory dwelling unit and an agricultural employee dwelling unit may be approved on the same parcel/lot.~~

~~—B. Accessory Dwelling Unit:~~

~~—1. An accessory dwelling unit shall not exceed one thousand (1,000) square feet of gross square footage, as measured from exterior wall to exterior wall of the dwelling unit itself.~~

~~—2. An accessory dwelling unit may be placed within a larger accessory structure (such as a barn or garage), but the dwelling unit itself shall be limited to one thousand (1,000) square feet.~~

~~—3. Other provisions of this title will apply to the size and permitting of the larger accessory structure.~~

~~—C. Agricultural Employee Dwelling Unit: An agricultural employee dwelling unit is a one-family dwelling unit of up to but not to exceed two thousand (2,000) square feet. Before an agricultural employee dwelling unit is approved, it must be demonstrated that the property on which the dwelling will be located contains a viable "agricultural operation", as defined in appendix A of this title. An agricultural employee dwelling unit shall be located in reasonable proximity to the primary residential dwelling unit as determined through the conditional use review. An agricultural employee dwelling unit can be constructed prior to the primary structure as long as the conditional use criteria is satisfied.~~

~~—D. Deed Or Restrictive Use Covenant Required: An accessory dwelling unit and an agricultural employee dwelling unit shall be connected by deed or restrictive use covenant to the principal dwelling unit or structure on the parcel/lot, and shall not be eligible for subdivision/condominiumization and conveyance to another person. (Ord. 708, 12-10-2008)~~

A. Accessory Dwelling Units: Accessory Dwelling Units are incidental to and on the same Lot as a One-Family Dwelling Unit.

1. Location: Accessory Dwelling Units may be established:

- a. within the footprint of a One-Family Dwelling Unit, or
- b. attached to a One-Family Dwelling Unit, or
- c. within or attached to a larger Accessory Structure (such as a barn or garage), or
- d. on the same Lot as a One-Family Dwelling Unit, or
- e. built as a standalone structure on the same Lot as a One-Family Dwelling Unit.

2. General Standards: All Accessory Dwelling Units shall conform to the following standards:

- a. **Size:** Accessory Dwelling Units shall be limited to a maximum Floor Area of one thousand (1,000) square feet, notwithstanding the definition of Floor Area as defined in 10-11-1, measured from the inside face of the perimeter wall to the inside face of the perimeter wall. Included within the floor area shall be all wall partitions, mechanical rooms, hallways, and stairwells.

- b. **Accessory Dwelling Units Per Lot:** No more than one (1) Accessory Dwelling Unit or one (1) Internal Accessory Dwelling Unit may be located on a Lot. In no case shall a Lot contain both an Accessory Dwelling Unit and an Internal Accessory Dwelling Unit.
- c. **Condominiums:** Accessory Dwelling Units shall not be established within Condominiums or Condominium units.
- d. **Ownership:** The Accessory Dwelling Unit may not be sold separately from the Single-Family Detached Dwelling Unit or the associated commercial Use.
- e. **Rental Term:** Nightly Rentals are prohibited in Accessory Dwelling Units. Rental terms for the Accessory Dwelling Unit shall be no less than thirty (30) days.
- f. **Parking:** In addition to the requirement for the primary Use, a minimum of one (1) off-street parking space must be provided for the Accessory Dwelling Unit.
- g. **Certificate of Occupancy:** A certificate of occupancy for an Accessory Dwelling Unit shall only be granted concurrent with or after the issuance of a certificate of occupancy for the Single-Family Detached Dwelling Unit or the associated commercial Use. If an existing residence is proposed to be converted to an ADU in conjunction with a proposed primary Single-Family Dwelling Unit, the Building Permit for the new primary Single-Family Dwelling Unit shall not be issued until Staff has determined that the structure to be converted to an ADU complies with all applicable requirements.
- h. **Review:** The Applicant for an Accessory Dwelling Unit must submit a floor plan, and Site plan showing the proposed location, size, layout, and any proposed changes to an existing Structure or Site as part of the building permit or Conditional Use Permit submittal.
- i. **Septic:** If the proposed Accessory Dwelling Unit is on a Lot with a septic system, the applicant shall demonstrate that the system can accommodate the Single-Family Detached Dwelling Unit or the associated commercial Use as well as the Accessory Dwelling Unit without failing.
- j. **Water:** The applicant shall demonstrate that there is adequate water to accommodate the Single-Family Detached Dwelling Unit as well as the Accessory Dwelling Unit without failing.

B. Internal Accessory Dwelling Units: As an alternative to the standards in 11-6-5(A), the following standards apply. Internal Accessory Dwelling Units are an incidental residential use within the Building Footprint of a Single-Family Detached Dwelling Unit.

1. **Applicability:** Internal Accessory Dwelling Units must comply with the standards found in Utah State Code Section 17-27a-526 as amended. If an Accessory Dwelling Unit is within or attached to a Single-Family Detached Dwelling Unit but does not comply with all standards in Utah State Code Section 17-27a-526 as amended, the standards outlined in 11-6-5(A) of this Title shall apply.
2. **Standards:** Internal Accessory Dwelling units must comply with the following standards:
 - a. **Accessory Dwelling Units Per Lot:** Either one (1) Internal Accessory Dwelling Unit or one (1) Accessory Dwelling Unit may be located on a Lot. In no case shall a Lot contain both an Accessory Dwelling Unit and an Internal Accessory Dwelling Unit.
 - b. **Ownership:** Either the Single-Family Detached Dwelling Unit or the Internal Accessory Dwelling Unit shall be occupied by the Owner, and the Internal Accessory Dwelling Unit shall not be sold separately from the Single-Family Detached Dwelling Unit.

- c. **Rental Term:** Nightly Rentals are prohibited in an Internal Accessory Dwelling Unit. Rental terms for the Internal Accessory Dwelling Unit shall be no less than thirty (30) days.
- d. **Parking:** In addition to the required parking for a Single-Family Dwelling Detached, at least one (1) off-street parking space must be provided for the Internal Accessory Dwelling Unit.
- e. **Utility Meter:** A separate utility meter may not be installed for an Internal Accessory Dwelling Unit.
- f. **Design:** The Internal Accessory Dwelling unit shall be designed in a manner that does not change the appearance of the primary dwelling as a Single-Family Detached Dwelling Unit.
- g. **Review:** The Applicant for an Internal Accessory Dwelling Unit must submit to the Community Development Department a floor plan, and Site plan showing the proposed location, size, layout, and any proposed changes to an existing Structure or Site.
- h. **Septic:** If the proposed Internal Accessory Dwelling Unit is on a Lot with a septic system, the applicant shall demonstrate that the system can accommodate the Single-Family Detached Dwelling Unit as well as the Internal Accessory Dwelling Unit without failing.
- i. **Water:** The applicant shall demonstrate that there is adequate water to accommodate the Single-Family Detached Dwelling Unit as well as the Accessory Dwelling Unit without failing.

C. Live/Work Dwelling Units: Live/Work Dwelling Units combine commercial, office or light manufacturing activities, that are allowed, low impact or conditional Uses in the zone, with a residential living space for the business owner or business owner’s employee and that person’s household into one single unit. For this Section, any term not defined in Appendix A, Definitions of this Title, shall have a meaning consistent with the International Building Code (IBC), latest edition.

1. **Applicability:** Following the appropriate process as required by the Chart of Allowed and Permitted Uses in 11-3-16 of this Title, Live/Work Dwelling Units shall be identified on the Plat or Condominium Plat.
2. **Standards:** Live/Work Dwelling Units shall be located, developed, and operated in compliance with the following standards:
 - a. **Work Activity:** No work activity with the potential to adversely affect others living or working in or nearby the Live/Work development by reason of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or would be hazardous by way of materials, process, product, or waste is allowed.
 - b. **Restrictive Use Covenant:** The Planning Commission, as part of the Conditional Use Permit review, may require a Restrictive Use Covenant limiting the Uses allowed in the project due to potential impacts (dust, glare, heat, noise, noxious gases, etc.).
 - c. **Size:** The Floor Area of a Live/Work Dwelling Unit may not exceed three thousand (3,000) square feet total.
 - d. **Floor Area:** At least 50 percent of the Floor Area of a Live/Work Dwelling Unit must be designated and regularly used for work activities.

- e. **First Floor:** The nonresidential function of the Live/Work Dwelling Unit shall be limited to the first floor or main floor of the Live/Work Dwelling Unit.
- f. **Parking:** In addition to the required parking for commercial use, each Live/Work Dwelling Unit shall have at least one (1) off-street parking space per unit. The Planning Commission may modify or waive this parking requirement through the Conditional Use Permit process.
- g. **Occupancy Limit:** Not more than five (5) workers or employees are allowed to occupy the workspace of the Live/Work Dwelling Unit at one time.
- h. **Residency Restriction:** At least one (1) resident of the residential portion of the Live/Work Unit shall be the owner or employee of the nonresidential use in the Live/Work Unit.
- i. **Rental Terms:** Nightly Rentals are prohibited in Live/Work Dwelling Units. Rental terms for the residential portion of the Live/Work Dwelling Units shall be no less than thirty (30) days.

To be added to Section 11-3-16 CHART OF ALLOWED AND PERMITTED USES

Use	R-2.5	AG-5	AG-10	AG-20	AG-40	AG-80	CA	C	LI	I	Additional Information
Accessory Dwelling Unit	⊥	⊥	⊥	⊥	⊥	⊥	⊥	⊥	⊥	⊥	Section <u>11-6-5</u> of this title
Dwelling Unit, Accessory	A	A	A	A	A	A	A	A			Section <u>11-6-5</u> of this title
Dwelling Unit, Internal Accessory	A	A	A	A	A	A	A	A			Section <u>11-6-5</u> of this title
Dwelling Unit, Live/Work								C	C		Section <u>11-6-5</u> of this title

To be added to Appendix A: Definitions

DWELLING UNIT, ACCESSORY: An Accessory Dwelling Unit is a type of Accessory Use that includes a residential unit with cooking, sanitation, and sleeping facilities, and is located on the same Lot or Lot of Record as the One-Family Dwelling Units or associated commercial use. Unless it is otherwise allowed as part of a Development, Settlement, or Consent Agreement, a guest house shall be considered an Accessory Dwelling Unit. An area used by the owner of the primary residence or primary tenant/business as a dwelling unit for the private use of the property owner's relatives, domestic help, caretakers, nursing staff, or similar users. An accessory dwelling unit shall contain cooking, sanitation and sleeping facilities.

DWELLING UNIT, AGRICULTURAL EMPLOYEE: A one-family dwelling unit located on a lot or parcel used for an agricultural activity. The dwelling unit must be an accessory use to the principal dwelling unit and agricultural activity on the property. An agricultural employee dwelling unit shall contain cooking, sanitation and sleeping facilities.

DWELLING UNIT, INTERNAL ACCESSORY: The definition of an Internal Accessory Dwelling Unit shall be identical to the definition used in Utah State Code section 17-27a-526(1)(a) as amended.

DWELLING UNIT, LIVE/WORK: A building containing both living facilities (including provisions for sleeping, eating, cooking, and sanitation) and adequate workspace reserved for and regularly used by one or more persons residing in the unit. A Live/Work Dwelling Unit shall comply with International Building Code 508.5-508.5.11 as amended.



STAFF REPORT

To: Summit County Council
From: Laura Kuhrmeyer, Ray Milliner County Planner
Date of Meeting: November 8, 2023
Type of Item: Snyderville Basin Development Code Amendments
Process: Public Hearing/Possible Action

Recommendation

Staff recommends the Summit County Council review the proposed language to amend Sections 10-2-10 (Use Table) and 10-8-5 (Accessory Dwelling Units/Agricultural Employee Dwelling Units) and Chapter 10-11 (Definitions) of the Snyderville Basin Development Code (Code), conduct a public hearing, and vote to approve the Development Code Amendment per the Findings of Fact and Conclusions of Law found in this report.

The proposed Amendments have been summarized below, and the redlined Amendments can be seen in Exhibits A, B, and C. Deleted language appears with a strikethrough. Proposed language (or language moved from a different Code section) is shown in red.

Background

The Snyderville Basin Moderate Income Housing Plan (Plan) was adopted on July 26, 2023. As a result of the updates to the Plan, Staff is proposing amendments to the Code to ensure the Goals, Objectives, and Policies of the Plan can be appropriately implemented.

On October 10, 2023, the Snyderville Basin Planning Commission (SBPC) reviewed the proposed Development Code Amendment, held a public hearing, and ultimately voted to forward a positive recommendation to the Summit County Council.

There were four items that the SBPC discussed and requested that Staff consider and bring forward to County Council.

- A. Consider whether or not Accessory Dwelling Units should be allowed for existing non-residential uses in the residential zones.
 - i. Staff determined that a dwelling unit proposed on a non-residential site in the residential zones would be considered a Single-Family Dwelling and would be allowed as outlined in the Use Table for each residential zone. However, it is likely that a Conditional Use Permit for such non-residential use would need to be amended in order to allow a Detached Single-Family Dwelling Unit.
- B. Clarify the Ownership section in 10-8-5(B)(2)(b).
 - i. Staff has added the following language for Internal Accessory Dwelling Units, “Either the ~~The~~ Single-Family Detached Dwelling Unit or the Internal Accessory

Dwelling Unit shall be occupied by the Owner, and the Internal Accessory Dwelling Unit shall not be sold separately from the Single-Family Detached Dwelling Unit.

- C. Clarify that for Section 10-8-5(C), terms not defined in the Development Code shall default to the International Building Code definitions.
 - i. Staff has added the following language for Live/Work Dwelling Units, “For this Section, any term not defined in Chapter 11 of this Title, shall have a meaning consistent with the International Building Code (IBC), latest edition.”
- D. Add the regulations outlined in Utah State Code 17-27a-526(4)(a) & (b).
 - i. Staff has added the following language for Internal Accessory Dwelling Units, “Utility Meter: A separate utility meter may not be installed for an Internal Accessory Dwelling Unit.” and “Design: The Internal Accessory Dwelling unit shall be designed in a manner that does not change the appearance of the primary dwelling as a Single-Family Detached Dwelling Unit.”

Proposal

The proposed amendments will do the following:

1. Eliminate Agricultural Employee Dwelling Units from the Code.
 2. Amend criteria and definition for Accessory Dwelling Units.
 3. Create internal accessory dwelling unit use, definition, and criteria.
 4. Create live/work dwelling unit use, definition, and criteria.
 5. Amend the Use Table (10-2-10) for Dwelling Units, Accessory
-
1. Eliminate Agricultural Employee Dwelling Units from the Code.

The current code allows an Agricultural Employee Dwelling Unit as a Low Impact Permit in the Rural Residential (RR), Hillside Stewardship (HS), Mountain Remote (MR), and Neighborhood Commercial (NC) zones and prohibits them in the Community Commercial (CC) and Service Commercial (SC) zones. An Agricultural Employee Dwelling Unit shall not exceed 2,000 square feet of gross square footage and the applicant must demonstrate that the property contains a viable agricultural operation.

The primary concern with the Agricultural Employee Dwelling Unit language is that “viable agricultural operation” is not specifically defined. In Chapter 11 of this title, Agriculture is defined as follows, *“The tilling of soil, raising of crops, foraging, grazing, and animals/fish for commercial agricultural purposes, and not including logging, animal hospitals, recreational activity not normally associated with a farm/ranch, or similar uses.”*

Because “viable agricultural operation” is not defined in our development code, Staff believes that the undefined term allows for residents to take advantage of the additional square footage allowed for Agricultural Employee Dwelling Units, as opposed to the smaller allowance for Accessory Dwelling Units, when there is not truly an agricultural activity taking place on the site.

Therefore, Staff proposes to remove Agricultural Employee Dwelling Units from the Snyderville Basin Development Code entirely. Staff has proposed to include a new Use and defined term, Live/Work Dwelling Unit, in its place (see section 4 below).

2. Amend criteria and definition for Accessory Dwelling Units.

The main changes in the Accessory Dwelling Unit criteria include the following:

- Clarify the way Floor Area shall be measured for ADU's specifically
- Prohibit Nightly Rentals in ADUs
- Clarify and reduce the parking required for an ADU
- Clarify what shall be submitted for review of a proposed ADU
- Ensure that lots that are on septic systems are able to accommodate both the primary residence and the proposed ADU

Additionally, Staff proposes to remove ADUs as an Allowed Use in the Community Commercial (CC) and Neighborhood Commercial (NC) zones. Staff proposes to classify ADUs as a Conditional Use in the Service Commercial (SC) zone and included specific criteria for ADUs that are within the SC zone, in addition to the general ADU criteria. Because the SC zone does not allow any other residential uses and is intended to be mainly commercial and industrial uses, staff has included criteria to ensure that the ADUs in this zone be used for owners or employees of the commercial use.

3. Create internal accessory dwelling unit use, definition, and criteria.

The Snyderville Basin Moderate Income Housing Plan requires that the Code be amended to include a definition of Internal Accessory Dwelling Unit that is consistent with the Utah State Code. As such, Staff proposes the following definition for Internal Accessory Dwelling Unit: **"The definition of an Internal Accessory Dwelling Unit shall be identical to the definition used in Utah State Code section 17-27a-526(1)(a) as amended."**

Staff has mirrored the requirements in the State Code in the Internal Accessory Dwelling Unit criteria. The proposed Amendments would classify Internal Accessory Dwelling Units as an allowed use in the Rural Residential (RR), Hillside Stewardship (HS), and Mountain Remote (MR) Zones.

4. Create live/work dwelling unit use, definition, and criteria.

Staff proposes to add a defined term, use, and criteria for Live/Work Dwelling Unit. The International Building Code (IBC) has specific criteria for Live/Work Dwelling Units, which staff has mirrored in the proposed criteria.

The proposed amendment would make Live/Work Dwelling Units a Conditional use in the CC, SC, and NC zones.

5. Amend the Use Table (10-2-10) for Dwelling Units, Accessory

Staff is proposing to amend the Use Table to:

- Prohibit Accessory Dwelling Units within the CC and NC zones
- Change Accessory Dwelling Units from Allowed to Conditional in the SC zone
- Remove Dwelling Unit, Agricultural Employee entirely
- Add Dwelling Unit, Internal Accessory to the Use Table as Allowed in the RR, HS, and MR zones and prohibited in all other zones
- Add Dwelling Unit, Live/Work to the Use Table as Conditional in the CC, SC, and NC zones and prohibited in all other zones.

These changes can be seen in the below table.

Use	RR	HS	MR	CC	SC	NC	Additional Information
Dwelling Unit, Accessory	A	A	A	A	A C	A	Section 10-8-5 of this Title
Dwelling Unit, Agricultural Employee	L	L	L	≠	≠	L	Section 10-8-5 of this Title
Dwelling Unit, Internal Accessory	A	A	A				Section 10-8-5 of this Title
Dwelling Unit, Live/Work				C	C	C	Section 10-8-5 of this Title

Analysis

Section 10-7-3 of the Snyderville Basin Development Code states that whenever there is initiated an amendment to the Code, it must be reviewed by the Planning Commission who will deliver a recommendation to the County Council. The County Council, after holding a public hearing, shall approve, approve with modifications or deny the amendment according to the following criteria.

Criteria 1: The amendment shall be consistent with the goals, objectives, and policies of the general plan. **COMPLIES**

Analysis: Implementation Measure 6.1.8 states, “Create or allow for, and reduce regulations related to internal or detached accessory dwelling units in residential zones.”

The proposed Code amendments define Internal Accessory Dwelling Units and reduce regulations.

Standard 2: The amendment shall not permit the use of land that is not consistent with the uses of properties nearby. **COMPLIES**

Analysis: The amendments apply to the entire Snyderville Basin Planning District. The land uses are compatible with their associated zone districts.

Criteria 3: The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted. **COMPLIES**

Analysis: The amendment will not permit suitability of the properties affected by the proposed amendment to the uses to which they have been restricted.

Criteria 4: The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property. **COMPLIES**

Analysis: The proposed Code language does not remove any existing restrictions that would unduly affect nearby property owners. They are designed to enhance the existing restrictions and bring them up to date with the General Plan and Moderate Income Housing Plan.

Standard 5: The amendment will not grant special favors or circumstances solely for one property owner or developer. **COMPLIES**

Analysis: The amendments apply to the entire Snyderville Basin Planning District.

Standard 6: The amendment will promote the public health, safety, and welfare better than the existing regulations for which the amendment is intended to change. **COMPLIES**

Analysis: The amendments are intended to bring the existing language in the Code up to date with State Code, the General Plan, and the Moderate Income Housing Plan.

Recommendation

Staff recommends the Summit County Council review the proposed language to amend Sections 10-2-10 (Use Table) and 10-8-5 (Accessory Dwelling Units/Agricultural Employee Dwelling Units) and Chapter 10-11 (Definitions) of the Snyderville Basin Development Code (Code), conduct a public hearing, and vote to approve the Development Code Amendment according to the following Findings of Fact and Conclusions of Law.

Findings of Fact

1. The Snyderville Basin General Plan was adopted on June 17, 2015.
2. As a result of the updates to the General Plan, Staff is proposing amendments to the Code to ensure the Goals, Objectives, and Policies of the Plan can be appropriately implemented.
3. The proposed amendments are for Chapter 2, Sections 10-2-1 through 10-2-6.

4. The intent of the Code amendments is to ensure consistency between the Code and General Plan.
5. The amendments apply to the entire Snyderville Basin Planning District.

Conclusion of Law

1. The amendments are consistent with the goals, objectives, and policies of the general plan.
2. The amendments do not permit the use of land that is not consistent with the uses of properties nearby.
3. The amendments do not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted.
4. The amendments do not permit the removal of the then existing restrictions which will unduly affect nearby property.
5. The amendments will not grant special favors or circumstances solely for one property owner or developer.
6. The amendments will promote the public health, safety, and welfare better than the existing regulations for which the amendment is intended to change.

Attachments

Exhibit A: Proposed Ordinance with Amendments

**SUMMIT COUNTY, UTAH
ORDINANCE NO. _____**

**AN ORDINANCE AMENDING THE SNYDERVILLE BASIN
DEVELOPMENT CODE SECTIONS 10-2-10 (USE TABLE) AND 10-8-5 (ACCESSORY DWELLING
UNITS/AGRICULTURAL EMPLOYEE DWELLING UNITS) AND CHAPTER 10-11 (DEFINITIONS)**

PREAMBLE

WHEREAS, Utah Code Annotated (“UCA”) §17-27a-102(b) provides that counties can enact all ordinances that they consider necessary or appropriate to govern, among other things, accessory dwelling units; and,

WHEREAS Objective I: of the Snyderville Basin General Plan states, “Ensure a range of housing alternatives in self-contained, well-designed communities.” Policy 2.40 continues, “Support a variety of housing types.”

WHEREAS, in furtherance of this goal, the Statement of Purpose of the Snyderville Basin Development Code provides that “The Snyderville Basin general plan was developed to ensure that the resort and mountain character of the basin is to be embraced and protected, while suburban development patterns, which erode the unique character of the basin, is discouraged and, to the extent possible, prohibited.”; and,

WHEREAS in October of 2022, the Summit County Council adopted amendments to the Housing Element in the Snyderville Basin General Plan; and

WHEREAS among other things one of the amendments to the housing element was to “Create or allow for, and reduce regulations related to, internal and detached accessory dwelling units in residential zones; and

WHEREAS one of the purposes of these amendments is to bring the Snyderville Basin Development Code into compliance with the strategy and implementation measures in the General Plan; and

WHEREAS the creation and use of accessory dwelling units will allow a mix of compatible residential uses in zones where residential uses are allowed; and

WHEREAS the Snyderville Basin Planning Commission held a public hearing on October 11, 2023; and

WHEREAS the Snyderville Basin Planning Commission recommended adoption of the amended sections of the Eastern Summit County Development Code on October 11, 2023; and

WHEREAS the Summit County Council held a public hearing on November 8, 2023; and,

NOW, THEREFORE, the County Council of the County of Summit, State of Utah, ordains as follows:

Section 1. **SNYDERVILLE BASIN DEVELOPMENT CODE** The Snyderville Basin Development Code is amended as depicted in Exhibit A.

Section 2. **Effective Date.** This Ordinance shall take effect immediately after publication.

Enacted this ___ day of _____, 2023.

ATTEST:

SUMMIT COUNTY COUNCIL

Evelyn Furse
Summit County Clerk

Roger Armstrong, Chair

APPROVED AS TO FORM

David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:	
Councilmember Stevens	_____
Councilmember Robinson	_____
Councilmember Harte	_____
Councilmember Armstrong	_____
Councilmember Hansen	_____

EXHIBIT A
PROPOSED AMENDMENTS TO CHAPTER 8

Proposed Amendments to Snyderville Basin Development Code 10-8-5

10-8-5: ACCESSORY DWELLING UNITS, ~~AGRICULTURAL EMPLOYEE DWELLING~~ INTERNAL ACCESSORY DWELLING UNITS, AND LIVE/WORK DWELLING UNITS:

- ~~—A. Accessory Dwelling Units: An accessory dwelling unit may be allowed as an incidental residential use on the same lot as the main dwelling unit in the RR, HS, MR, and NC zone districts. No more than one accessory dwelling unit shall be permitted on a lot. An accessory dwelling unit shall conform to the following criteria:~~
 - ~~—1. The accessory dwelling unit must be constructed at a location approved by the CDD or designated planning staff member.~~
 - ~~—2. The minimum parcel size for a lot containing a primary dwelling unit and an accessory dwelling unit which is not attached to or within the primary dwelling unit shall be one half ($\frac{1}{2}$) acre. There is no minimum acreage requirement for lots with accessory dwelling units which are attached to or within the primary dwelling unit. Accessory dwelling units considered to be attached to or within the primary dwelling units shall have at least one common wall.~~
 - ~~—3. The accessory dwelling unit may not be sold separately from the entire property, including the primary dwelling unit.~~
 - ~~—4. Setback requirements shall be the same as for the primary structure.~~
 - ~~—5. A building permit shall be required for an accessory dwelling unit.~~
 - ~~—6. Accessory dwelling units shall conform to the height limitations of the primary structure.~~
 - ~~—7. A certificate of occupancy for an accessory dwelling unit shall only be granted concurrent with or subsequent to the issuance of a certificate of occupancy for the primary use structure on said property.~~
 - ~~—8. A detached accessory dwelling unit shall not exceed one thousand (1,000) square feet of gross square footage, as measured from exterior wall to exterior wall of the accessory dwelling unit. An accessory dwelling unit may be placed within a larger accessory structure (such as a barn or garage), but the accessory dwelling unit shall be limited to one thousand (1,000) square feet. Other provisions of this title apply to the size and permitting of the larger accessory structure.~~
 - ~~—9. A restrictive use covenant shall be signed and recorded by the property owner prior to building permit issuance for the accessory dwelling unit. The restrictive use covenant shall state that the accessory dwelling unit may not be sold separately from the entire property, including the primary residence, and that the dwellings may not be condominiumized.~~
- ~~—B. Agricultural Employee Dwelling Unit: An agricultural employee dwelling unit is a one-family dwelling located on an agricultural parcel/lot. The dwelling must be an accessory use to the principal dwelling unit and agricultural operation of the property. An agricultural employee dwelling unit shall conform to the following criteria:~~
 - ~~—1. Before an agricultural employee dwelling unit is approved, the applicant must demonstrate that the property on which the dwelling will be located contains a viable agricultural operation as defined in chapter 11 of this title.~~
 - ~~—2. An agricultural dwelling unit shall contain cooking, sanitation and sleeping facilities.~~
 - ~~—3. The agricultural employee dwelling unit may not be sold separately from the sale of the entire property, including the primary residence.~~
 - ~~—4. A low impact permit and a building permit shall be required for an agricultural employee dwelling unit.~~
 - ~~—5. Setback requirements shall be the same as for the primary residence.~~
 - ~~—6. A certificate of occupancy for an agricultural employee dwelling unit shall only be granted concurrent with or subsequent to the issuance of a certificate of occupancy for the primary residence on said property.~~

- ~~7. An agricultural employee dwelling unit shall not exceed two thousand (2,000) square feet of gross square footage, as measured from exterior wall to exterior wall. An agricultural employee dwelling unit may be placed within a larger accessory structure (such as a barn or garage), but the agricultural dwelling unit itself shall be limited to two thousand (2,000) square feet. Other provisions of this title apply to the size and permitting of the larger accessory structure.~~
- ~~8. A restrictive use covenant shall be signed and recorded by the property owner prior to building permit issuance for the accessory dwelling unit. The restrictive use covenant shall state that the accessory dwelling unit may not be sold separately from the entire property, including the primary residence, and that the dwellings may not be condominiumized. (Ord. 708, 12-10-2008)~~

A. Accessory Dwelling Units: Accessory Dwelling Units are incidental to and on the same Lot as a Single-Family Detached Dwelling Unit or associated with an allowed, low impact, or conditional Commercial Use in the Service Commercial Zone.

1. **Location:** Accessory Dwelling Units may be established:

- a. within the footprint of a Single-Family Detached Dwelling Unit, or
- b. attached to a Single-Family Detached Dwelling Unit, or
- c. within or attached to a larger Accessory Structure (such as a barn or garage),
or
- d. on the same Lot as a Single-Family Detached Dwelling Unit, or
- e. built as a standalone structure on the same Lot as a Single-Family Detached Dwelling Unit, or
- f. associated with an allowed, low impact permit, or conditional Commercial Use in the Service Commercial zone (See Section 10-8-5-3(a)).

2. **General Standards:** All Accessory Dwelling Units shall conform to the following standards:

- a. **Size:** Accessory Dwelling Units shall be limited to a maximum Floor Area of one thousand (1,000) square feet, notwithstanding the definition of Floor Area as defined in 10-11-1, measured from the inside face of the perimeter wall to the inside face of the perimeter wall. Included within the floor area shall be all wall partitions, mechanical rooms, hallways, and stairwells.
- b. **Accessory Dwelling Units Per Lot:** No more than one (1) Accessory Dwelling Unit or one (1) Internal Accessory Dwelling Unit may be located on a Lot. In no case shall a Lot contain both an Accessory Dwelling Unit and an Internal Accessory Dwelling Unit.
- c. **Condominiums:** Unless approved through the Conditional Use process in the Service Commercial zone, Accessory Dwelling Units shall not be established within Condominiums or Condominium units.
- d. **Ownership:** The Accessory Dwelling Unit may not be sold separately from the Single-Family Detached Dwelling Unit or the associated commercial Use.
- e. **Rental Term:** Nightly Rentals are prohibited in Accessory Dwelling Units. Rental terms for the Accessory Dwelling Unit shall be no less than thirty (30) days.
- f. **Parking:** In addition to the requirement for primary Use, a minimum of one (1) off-street parking space must be provided for the Accessory Dwelling Unit.

- g. **Certificate of Occupancy:** A certificate of occupancy for an Accessory Dwelling Unit shall only be granted concurrent with or after the issuance of a certificate of occupancy for the Single-Family Detached Dwelling Unit or the associated commercial Use. If an existing residence is proposed to be converted to an ADU in conjunction with a proposed primary Single-Family Dwelling Unit, the Building Permit for the new primary Single-Family Dwelling Unit shall not be issued until Staff has determined that the structure to be converted to an ADU complies with all applicable requirements.
- h. **Review:** The Applicant for an Accessory Dwelling Unit must submit a floor plan, and Site plan showing the proposed location, size, layout, and any proposed changes to an existing Structure or Site as part of the building permit or Conditional Use Permit submittal.
- i. **Septic:** If the proposed Accessory Dwelling Unit is on a Lot with a septic system, the applicant shall demonstrate that the system can accommodate the Single-Family Detached Dwelling Unit or the associated commercial Use as well as the Accessory Dwelling Unit without failing.
- j. **Water:** The applicant shall demonstrate that there is adequate water to accommodate the Single-Family Detached Dwelling Unit as well as the Accessory Dwelling Unit without failing.

3. **Service Commercial Standards:** In addition to the above General Standards, Accessory Dwelling Units within the Service Commercial Zone shall conform to following standards:

- a. **Accessory Dwelling Units Per Lot/Unit:** No more than one (1) Accessory Dwelling Unit or one (1) Live/Work Dwelling Unit may be located on a Lot (or Unit if condominiumized). In no case shall a Lot (or Unit if condominiumized) contain both an Accessory Dwelling Unit and a Live/Work Dwelling Unit.
- b. **Residency Restriction:** At least one (1) resident of Accessory Dwelling Unit shall be the owner or employee of the associated commercial Use.
- c. **Business Operations:** As a Condition of Approval, verification of business operation and Business License must be submitted prior to the Certificate of Occupancy for the Accessory Dwelling Unit.

B. Internal Accessory Dwelling Units: As an alternative to the standards in 10-8-5(A), the following standards apply. Internal Accessory Dwelling Units are an incidental residential use within the Building Footprint of a Single-Family Detached Dwelling Unit.

- 1. **Applicability:** Internal Accessory Dwelling Units must comply with the standards found in Utah State Code Section 17-27a-526 as amended. If an Accessory Dwelling Unit is within or attached to a Single-Family Detached Dwelling Unit but does not comply with all standards in Utah State Code Section 17-27a-526 as amended, the standards outlined in 10-8-5(A) of this Title shall apply.
- 2. **Standards:** Internal Accessory Dwelling units must comply with the following standards:
 - a. **Accessory Dwelling Units Per Lot:** Either one (1) Internal Accessory Dwelling Unit or one (1) Accessory Dwelling Unit may be located on a Lot. In no case

shall a Lot contain both an Accessory Dwelling Unit and an Internal Accessory Dwelling Unit.

- b. **Ownership:** Either the Single-Family Detached Dwelling Unit or the Internal Accessory Dwelling Unit shall be occupied by the Owner, and the Internal Accessory Dwelling Unit shall not be sold separately from the Single-Family Detached Dwelling Unit.
- c. **Rental Term:** Nightly Rentals are prohibited in an Internal Accessory Dwelling Unit. Rental terms for the Internal Accessory Dwelling Unit shall be no less than thirty (30) days.
- d. **Parking:** In addition to the required parking for a Single-Family Dwelling Detached, at least one (1) off-street parking space must be provided for the Internal Accessory Dwelling Unit.
- e. **Utility Meter:** A separate utility meter may not be installed for an Internal Accessory Dwelling Unit.
- f. **Design:** The Internal Accessory Dwelling unit shall be designed in a manner that does not change the appearance of the primary dwelling as a Single-Family Detached Dwelling Unit.
- g. **Review:** The Applicant for an Internal Accessory Dwelling Unit must submit to the Community Development Department a floor plan, and Site plan showing the proposed location, size, layout, and any proposed changes to an existing Structure or Site.
- h. **Septic:** If the proposed Internal Accessory Dwelling Unit is on a Lot with a septic system, the applicant shall demonstrate that the system can accommodate the Single-Family Detached Dwelling Unit as well as the Internal Accessory Dwelling Unit without failing.

C. Live/Work Dwelling Units: Live/Work Dwelling Units combine commercial, office or light manufacturing activities, that are allowed, low impact or conditional Uses in the zone, with a residential living space for the business owner or business owner's employee and that person's household into one single unit. For this Section, any term not defined in Chapter 11 of this Title, shall have a meaning consistent with the International Building Code (IBC), latest edition.

1. **Applicability:** Following the appropriate process as required by the Use Table in 10-8-2 of this Title, Live/Work Dwelling Units shall be identified on the Plat or Condominium Plat.
2. **Standards:** Live/Work Dwelling Units shall be located, developed, and operated in compliance with the following standards:
 - a. **Work Activity:** No work activity with the potential to adversely affect others living or working in or nearby the Live/Work development by reason of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or would be hazardous by way of materials, process, product, or waste is allowed.
 - b. **Restrictive Use Covenant:** The Planning Commission, as part of the Conditional Use Permit review, may require a Restrictive Use Covenant that limits the Uses that are allowed in the project due to potential impacts (dust, glare, heat, noise, noxious gases, etc.).

- c. **Size:** In order to be consistent with the International Building Code, the Floor Area of a Live/Work Dwelling Unit may not exceed three thousand (3,000) square feet total.
- d. **Floor Area:** In order to be consistent with the International Building Code, at least 50 percent of the Floor Area of a Live/Work Dwelling Unit must be designated and regularly used for work activities.
- e. **First Floor:** In order to be consistent with the International Building Code, the nonresidential function of the Live/Work Dwelling Unit shall be limited to the first floor or main floor of the Live/Work Dwelling Unit.
- f. **Parking:** In addition to the required parking for the commercial use, each Live/Work Dwelling Unit shall have at least one (1) off-street parking space per unit. The Planning Commission may modify or waive this parking requirement through the Conditional Use Permit process.
- g. **Occupancy Limit:** Not more than five (5) workers or employees are allowed to occupy the workspace of the Live/Work Dwelling Unit at one time.
- h. **Residency Restriction:** At least one (1) resident of the residential portion of the Live/Work Unit shall be the owner or employee of the nonresidential use in the Live/Work Unit.
- i. **Rental Terms:** Nightly Rentals are prohibited in Live/Work Dwelling Units. Rental terms for the residential portion of the Live/Work Dwelling Units shall be no less than thirty (30) days.

Proposed Amendments to Snyderville Basin Development Code 10-2-10

Section 10-2-10 Use Table

Use	RR	HS	MR	CC	SC	NC	Additional Information
Dwelling Unit, Accessory	A	A	A	A	A C	A	Section 10-8-5 of this Title
Dwelling Unit, Agricultural Employee	L	L	L	*	*	L	Section 10-8-5 of this Title
Dwelling Unit, Internal Accessory	A	A	A				Section 10-8-5 of this Title
Dwelling Unit, Live/Work				C	C	C	Section 10-8-5 of this Title

Proposed Amendments to Snyderville Basin Development Code 10-11-1

Section 10-11-1 Definitions:

[...]

DWELLING UNIT, ACCESSORY: An Accessory Dwelling Unit is a type of Accessory Use that includes a residential unit with cooking, sanitation, and sleeping facilities, and is located on the same Lot or Lot of Record as the Single-Family Detached Dwelling Units or associated commercial use. Unless it is otherwise allowed as part of a Development, Settlement, or Consent Agreement, a guest house shall be considered an Accessory Dwelling Unit. ~~A structure or a portion of a structure which is used by the owner of the primary residency or primary tenant as a dwelling for the private use of the property owner's relatives, domestic help, caretakers, nursing staff, houseguest, or similar users. An accessory dwelling unit shall contain cooking, sanitation, and sleeping facilities.~~

~~**DWELLING UNIT, AGRICULTURAL EMPLOYEE:** A one family unit located on an agricultural parcel/lot. The dwelling unit must be an accessory use to the principal dwelling unit and agricultural operation of the property. An agricultural employee dwelling unit shall contain cooking, sanitation, and sleeping facilities.~~

DWELLING UNIT, INTERNAL ACCESSORY: The definition of an Internal Accessory Dwelling Unit shall be identical to the definition used in Utah State Code section 17-27a-526(1)(a) as amended.

DWELLING UNIT, LIVE/WORK: A building containing both living facilities (including provisions for sleeping, eating, cooking, and sanitation) and adequate workspace reserved for and regularly used by one or more persons residing in the unit. A Live/Work Dwelling Unit shall comply with International Building Code 508.5-508.5.11 as amended.

[...]