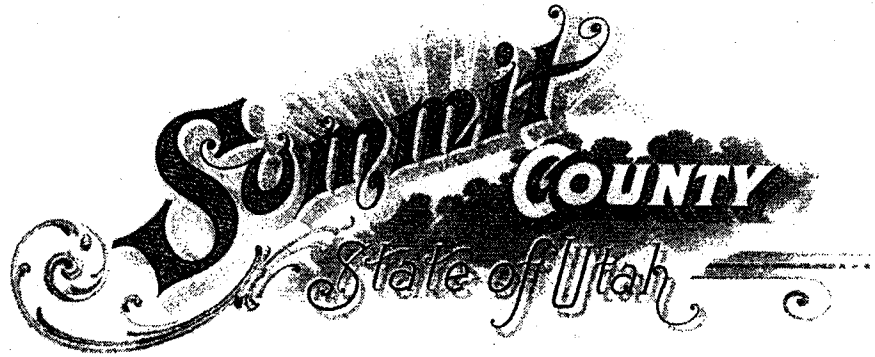


Auditor

Blake Frazier



August 12, 2014

County Council,

Please consider approving the Board of Equalization Stipulations for 2014. We've included a spreadsheet with the most recent Stipulations for your approval.

Thank You,

A handwritten signature in black ink that reads "Kathryn".

Kathryn Rockhill

Board of Equalization Clerk



0418867	SSPC-4	\$ 895,359.00	\$ 895,359.00	\$ -	\$ 532,407.00	\$ 895,359.00	\$ (362,952.00)	\$ 7,857.67	-40.54%	Changed from non-primary to Primary residential.
0062350	SU-A-12	\$ 443,901.00	\$ 443,901.00	\$ -	\$ 244,145.00	\$ 443,901.00	\$ (199,756.00)	\$ 3,978.24	-45.00%	
0064273	SU-C-49	\$ 369,900.00	\$ 389,092.00	\$ (19,192.00)	\$ 369,900.00	\$ 389,092.00	\$ (19,192.00)	\$ 3,487.04	-4.93%	
0231906	SUN-2	\$ 375,000.00	\$ 375,000.00	\$ -	\$ 206,250.00	\$ 375,000.00	\$ (168,750.00)	\$ 3,291.00	-45.00%	Changed from non-primary to Primary residential.
0302954	SUNR-SR-43	\$ 544,366.00	\$ 571,745.00	\$ (27,379.00)	\$ 299,401.00	\$ 314,460.00	\$ (15,059.00)	\$ 2,818.19	-4.79%	correction of input error, return to original values of 2013
0303010	SUNR-SR-49	\$ 183,000.00	\$ 183,000.00	\$ -	\$ 183,000.00	\$ 183,000.00	\$ -	\$ 1,640.05	0.00%	
0236327	SWD-11	\$ 1,100,000.00	\$ 1,100,000.00	\$ -	\$ 605,000.00	\$ 1,100,000.00	\$ (495,000.00)	\$ 9,653.60	-45.00%	Changed from non-primary to Primary residential.
0290274	TE-304-4AM	\$ 807,000.00	\$ 1,150,000.00	\$ (343,000.00)	\$ 807,000.00	\$ 1,150,000.00	\$ (343,000.00)	\$ 10,092.40	-29.83%	to list minus 5% list to sell discount or \$807,000
0050785	TH-14	\$ 555,497.00	\$ 555,497.00	\$ -	\$ 555,497.00	\$ 305,523.00	\$ 249,974.00	\$ 2,681.27	81.82%	
0483569	TH-20-A	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 1,000.00	\$ -	\$ 1,000.00	\$ -	#DIV/0!	
0059000	TL-1-14	\$ 603,316.00	\$ 603,316.00	\$ -	\$ 331,823.00	\$ 603,316.00	\$ (271,493.00)	\$ 5,051.56	-45.00%	Changed from non-primary to Primary residential.
0059844	TL-2-223	\$ 4,875.00	\$ 19,800.00	\$ (14,925.00)	\$ 4,875.00	\$ 19,800.00	\$ (14,925.00)	\$ 165.79	-75.38%	Lot is encumbered by home on TL-2-224.
0059851	TL-2-224	\$ 515,125.00	\$ 592,126.00	\$ (77,001.00)	\$ 283,318.00	\$ 325,670.00	\$ (42,352.00)	\$ 2,726.83	-13.00%	appraisal dated 10/4/2013, an adjustment has been made
0031579	TM-A-4	\$ 240,000.00	\$ 240,000.00	\$ -	\$ 240,000.00	\$ 132,000.00	\$ 108,000.00	\$ 1,158.43	81.82%	
0337356	TWOLF-17-AM	\$ 2,824,638.00	\$ 2,824,638.00	\$ -	\$ 1,553,550.00	\$ 2,824,638.00	\$ (1,271,088.00)	\$ 2,397.06	-45.00%	Changed from non-primary to Primary residential.
0379895	VPJR-B-11	\$ 350,000.00	\$ 350,000.00	\$ -	\$ 192,500.00	\$ 350,000.00	\$ (157,500.00)	\$ 2,930.55	-45.00%	Changed from non-primary to Primary residential.
0163331	WA-15-5	\$ 42,955.00	\$ 42,955.00	\$ -	\$ 42,955.00	\$ 42,955.00	\$ -	\$ 353.00	0.00%	
0163513	WA-16-26-35	\$ 150,885.00	\$ 174,505.00	\$ (23,620.00)	\$ 150,885.00	\$ 174,505.00	\$ (23,620.00)	\$ 1,434.08	-13.54%	Corrected overage (acreage over the building lot) from lot value to acreage value.
0180079	WAS-2-2	\$ 226,000.00	\$ 226,000.00	\$ -	\$ 124,300.00	\$ 226,000.00	\$ (101,700.00)	\$ 1,983.38	-45.00%	Changed from non-primary to Primary residential.
0174692	WD-2-6	\$ 260,000.00	\$ 260,000.00	\$ -	\$ 260,000.00	\$ 143,000.00	\$ 117,000.00	\$ 1,254.97	81.82%	
0434963	WEBE-B-3	\$ 370,000.00	\$ 489,151.00	\$ (119,151.00)	\$ 212,500.00	\$ 489,151.00	\$ (276,651.00)	\$ 4,289.37	-56.56%	Changed from Non-Primary to Primary. Adjusted value as per appraisal.
0351571	WFLD-1	\$ 1,389,778.00	\$ 1,389,778.00	\$ -	\$ 403,363.00	\$ 702,169.00	\$ (298,806.00)	\$ 6,157.32	-42.55%	Changed from non-primary to Primary residential.
0394704	WHLS-14	\$ 1,925,000.00	\$ 2,481,278.00	\$ (556,278.00)	\$ 1,925,000.00	\$ 2,481,278.00	\$ (556,278.00)	\$ 25,026.17	-22.42%	Adjusted market value to reflect sale.
0394639	WHLS-7	\$ 2,782,928.00	\$ 2,782,928.00	\$ -	\$ 1,531,339.00	\$ 1,531,339.00	\$ -	\$ 15,445.09	0.00%	
0391965	WLCRK-52	\$ 2,032,324.00	\$ 2,032,324.00	\$ -	\$ 1,117,778.00	\$ 2,032,324.00	\$ (914,546.00)	\$ 18,213.69	-45.00%	Changed from non-primary to Primary residential.
0445273	WRIGHT-1	\$ 95,000.00	\$ 95,000.00	\$ -	\$ 52,250.00	\$ 95,000.00	\$ (42,750.00)	\$ 853.10	-45.00%	Changed from non-primary to Primary residential.
0276745	WR-II-36	\$ 1,558,132.00	\$ 1,558,132.00	\$ -	\$ 856,972.00	\$ 1,558,132.00	\$ (701,160.00)	\$ 13,674.17	-45.00%	Changed from non-primary to Primary residential.
0392864	WV-26	\$ 1,155,000.00	\$ 1,155,000.00	\$ -	\$ 635,250.00	\$ 1,155,000.00	\$ (519,750.00)	\$ 11,649.33	-45.00%	Changed from non-primary to Primary residential.
0392666	WV-6	\$ 283,296.00	\$ 300,304.00	\$ (17,008.00)	\$ 283,296.00	\$ 300,304.00	\$ (17,008.00)	\$ 3,028.87	-5.66%	Corrected override value of lot, to reflect 77% for lot assessed value for topography,
Totals for 08/20/2014		\$ 425,331,242.00	\$ 406,387,243.00	\$ 18,943,999.00	\$ 382,049,377.00	\$ 379,515,584.00	\$ 2,533,793.00			
Running Total		\$ 425,331,242.00	\$ 406,387,243.00	\$ 18,943,999.00	\$ 382,049,377.00	\$ 379,515,584.00	\$ 2,533,793.00			

The Market value Increase for 2014 is (\$ 18,943,999) As of 8/20/2014

The Taxable Value Increase for 2014 is (\$2,533,793) As of 8/20/2014

**AMENDMENT TO TITLE 3, CHAPTER 4,
SPECIAL EVENTS; LARGE PUBLIC ASSEMBLIES**

ORDINANCE NO. ____

PREAMBLE

WHEREAS, Utah Administrative Rule, Disease Control & Prevention, Environmental Sciences, Massing Gatherings, R392-400, defines a large public gathering as five hundred (500) or more persons; and,

WHEREAS, the Summit County Board of Health has indicated that it is their preference that large public assemblies be defined consistent with state administrative rule; and,

WHEREAS, it is the purpose of this Amendment to conform the County Code to R392-400;

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

Section 1. **Amendment.** Special Events; Large Public Assemblies, Title 3, Chapter 4 of the Summit County Code is amended in accordance with Exhibit A herein.

Section 2. **Effective Date.** This Ordinance shall take effect 15 days after approval and upon publication in accordance with law.

Enacted this ____ day of _____, 2014.

ATTEST:

Summit County Council

Kent Jones
Summit County Clerk

Christopher F. Robinson, Chair

Approved as to Form
David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Armstrong	_____
Councilmember Robinson	_____
Councilmember Ure	_____
Councilmember Carson	_____
Councilmember McMullin	_____

EXHIBIT A

Chapter 4

SPECIAL EVENTS; LARGE PUBLIC ASSEMBLIES

3-4-2: DEFINITIONS:

As used in this chapter:

ADMINISTRATOR: The approving authority for large public assembly and special event permits. This may be the community development director (CDD) or county manager, depending on the size of special event as outlined in this chapter.

ASSEMBLY: A company of persons gathered together at any location at any single time for any purpose.

PERSON: Any individual natural human being, partnership, corporation, firm, company, association, society or group.

SPECIAL EVENT: Any activity on public or private property that results in any of the following:

A. The assembly of more than ~~five~~three hundred (~~5~~300) people at a location not typically experiencing such assembly, or the assembly occurring on roadways of more than one hundred (100) people, or assembly involving temporary road closures on nonresidential county or state roadways.

SPECIAL EVENT, MAJOR: Any special event that exceeds the criteria for a special event, minor.

SPECIAL EVENT, MINOR: Any special event that results in the public assembly of between ~~five~~three hundred (~~5~~300) and one thousand (1,000) people, or between one hundred (100) and five hundred (500) people if occurring on roadways. (Ord. 193-B, 11-16-2011)

3-4-3: LICENSE REQUIRED; FEE; EXCEPTIONS:

- A. License Required: No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to a special event that results in the actual or reasonably anticipated assembly of ~~five~~three hundred (~~5~~300) or more people, whether on public or private property, unless a license to hold the assembly has first been issued by the administrator. Application forms for such licensure, in order to facilitate the disclosure of information in accordance with this chapter, shall be available from the community development department (CDD).
1. Special events occurring on roads, such as running or cycling special events, shall be required to obtain a license when participation exceeds or is reasonably expected to exceed one hundred (100) people.
 2. No procession or parade, except a funeral procession, shall occupy, march or proceed along any street except in accordance with a special event permit issued by the administrator. All requests for such licenses shall state the time, place of formation, proposed line of march, destination, and such other information as the CDD may require. After the recommendation by the Summit County

sheriff's office, the administrator may issue the license which shall specify the time limitations or other conditions as the administrator may require.

B. Separate License; Nonrefundable Administrative Fee: A separate license shall be required for each special event in which ~~five~~three hundred (5300) or more people assemble or can reasonably be anticipated to assemble, or one hundred (100) or more for special events occurring on county or state roads. The nonrefundable administrative fees for each license shall be as follows:

1. Two hundred fifty dollars (\$250.00) for a single location special event, or four hundred dollars (\$400.00) for mobile or multilocation special events, to defray the costs associated with processing and reviewing the application.
2. In order to promote, protect and assure the safety and convenience of the people in their use of public streets and places, the sheriff's department shall coordinate the use of professional peace officers if the special event requires traffic control or police protection (public safety), and an additional fee shall be charged by the sheriff's department to cover the actual costs incurred. The sheriff's department shall specify the fee required upon its approval of the license application, based upon the number of officers and amount of support equipment required by such factors as the date and time of the special event; the route location and length; the anticipated traffic and weather conditions; the estimated number of participants and spectators; the composition, format and configuration of the special event; and the estimated duration of the special event. In no circumstance shall any law enforcement fee or law enforcement requirement hereunder be based upon the content of the speech at the assembly. The fee charged for traffic control and/or police protection (public safety) shall be paid prior to the issuing of the license.
3. Additional fees may be charged by the county health department or other county agencies for special services, equipment, or facilities provided by these agencies. Such additional fees shall be specified at the time the license application is approved by the administrator.

C. Exceptions:

1. This chapter shall not apply to any regularly established, permanent, enclosed structure such as a place of worship, stadium, athletic field, sports arena, public auditorium or coliseum, or other similar enclosed, permanently established place of assembly. This exclusion does not apply to structures which are operating under a temporary use permit. It is not permitted for assemblies to exceed by more than one hundred (100) people the maximum seating capacity of any other structure where an assembly is held. "Festival seating" and/or "standing room only admission" is not permitted at any special event held in such other structures.
2. This chapter shall not apply to government, school district, or religious sponsored special events held on regularly established fairgrounds, public hearings or other regularly established governmental activities. This chapter shall not apply to the normal day to day operation of ski and golf facilities or other similar permanently established recreation locations; provided, however, this chapter shall apply to public gatherings at ski resorts and golf courses or other similar permanently established recreation locations for purposes of other than normal day to day operation.
3. Neighborhood block parties, weddings, or other similar local noncommercial special events requiring a street closure of any residential street for less than one day is not considered a

special event. However, notice to the sheriff department and approval by the engineering department will still be required.

4. Assemblies and special events taking place entirely on public community trails under the jurisdiction of the Snyderville Basin special recreation district shall only be required to obtain applicable permits and approvals from the SBSRD and shall not be required to obtain a permit from the administrator. (Ord. 193-B, 11-16-2011)

3-4-4: CONDITIONS FOR ISSUING LICENSE:

- A. Number Determined: Before an applicant may be issued a license, he/she shall first determine the maximum number of people which will be assembled or admitted to the location of the special event. The maximum number shall not exceed the maximum number which can reasonably assemble at the location of the special event in consideration of the nature of the special event; and provided, that where the special event is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the special event by zoning or health ordinances and regulations of the county.
- B. Requirements Of Applicant: Before a license may be issued, the applicant shall provide proof that he/she will furnish at his/her own expense prior to the commencement of the special event, and as a condition to issuance of the license, the following:
 1. A crowd control fence enclosing the proposed location with appropriate gates as required by the county sheriff.
 2. Potable water, meeting all federal and state requirements for purity, sufficient to provide water for the maximum number of people assembled at the rate required by state law.
 3. ~~Separate enclosed toilets for males and females~~, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate required by state law. All portable toilets shall be serviced and pumped out within forty eight (48) hours of completion of the public assembly.
 4. A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people assembled at the rate of at least two and one-half (2.5) pounds of solid waste per person per day, together with a plan for holding and collecting all such waste at least once each day of the assembly and sufficient trash cans with tightfitting lids and personnel to perform the task. The applicant shall ensure that all trash and garbage associated with the assembly, to include trash and garbage which has been placed on property not owned by the applicant, is cleaned up within twenty four (24) hours of the assembly. A recycling plan for the duration of the special event shall also be provided.
 5. State licensed or certified medical providers, such as emergency medical technicians (EMTs), nurses, physician's assistant or medical doctor sufficient to provide the medical care for the maximum number of people to be assembled at a rate as required by the health department and local fire district, together with medical supplies and location as necessary to provide care; at least one such medical provider will be required for each assembly. Medical standby requirements may be modified or increased at the discretion of the appropriate local fire district if so authorized by the county health department.

6. Personnel situated at each entrance to the assembly grounds to restrict alcoholic beverages (including beer), glass or metal containers, and weapons of any kind.
7. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least five (5) foot-candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.
8. A free parking area inside of the assembly ground sufficient to provide parking space and the necessary access routes to each parking space, for the maximum number of people; provided, however, the requirement for free parking may be waived by the governing body if convinced that all vehicles will be kept off the public streets and allowing paid parking will not be injurious to the public health, safety and general welfare. Due to the traffic hazards it causes, in no case shall on street parking during special events be allowed.
9. [Telecommunications equipment](#)~~Telephones~~ sufficient to provide service for the maximum number of people to be assembled at the rate of at least one separate line and receiver for each one thousand (1,000) persons.
10. If the assembly is to continue overnight, camping facilities in compliance with all federal, state and local requirements sufficient to provide camping accommodations for the maximum number of people to be assembled.
11. Adequate security personnel for purposes of crowd and traffic control. Security personnel will be in distinctive dress or security uniforms that clearly differentiate them from the crowd (assembly) and are not permitted to carry weapons. Security guards must be either trained staff, duly sworn off duty police officers (out of uniform) of the state, or private guards licensed in the state. The county sheriff may require the use of an adequate number of professional peace officers for traffic control and police protection (public safety), such officers to be provided by the county sheriff's department. Security personnel and the county sheriff's department may interrupt any performance at any time in their discretion, in the event of a life threatening emergency.
12. Parking personnel sufficient to handle all vehicular traffic generated by the assembly as determined by the county, but in no event fewer than one parking attendant for every one hundred fifty (150) vehicles.
13. Fire protection, including alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all federal, state and local standards for the location of the assembly and sufficient emergency personnel to efficiently operate the required equipment.
14. A minimum one thousand dollar (\$1,000.00) refundable cash deposit filed with the CDD to cover any cost incurred in cleaning up any waste material produced or left by the assembly or other operational expenses. Depending on the size and impact of the special event, the required cash deposit amount may be increased.
15. A single limit broad form liability insurance policy acceptable to the administrator with minimum policy limits of one million dollars (\$1,000,000.00) for special events with an anticipated assembly of five thousand (5,000) or less; two million dollars (\$2,000,000.00) for special events with an anticipated assembly of at least five thousand one (5,001) to ten thousand (10,000); and five million dollars (\$5,000,000.00) for special events with an anticipated assembly of ten thousand one (10,001) or more. The policy must be from an A+12 rated or better insurance company which specifically names the county, its officers, agents, servants and employees as insureds. The administrator reserves the right to require additional insurance coverage based on the nature and

location of the assembly, the number of people to be assembled, and other relevant factors. The applicant must also obtain an employer's liability compensation insurance policy with a minimum policy limit of one million dollars (\$1,000,000.00) and workers' compensation insurance. The insurance policies shall be noncancellable ten (10) days prior to the assembly and must contain a provision that if canceled before said ten (10) day period, the insurance company must immediately notify in writing by registered mail the county attorney of such cancellation. If an insurance policy is canceled, the applicant shall immediately cancel the assembly or obtain like insurance acceptable to the administrator not less than ten (10) days prior to the assembly. Political special events shall be exempt from this requirement.

16. In consideration for the issuing of a license and the use of county streets or property, the applicant agrees to indemnify, save harmless and defend the county, its officers and employees, against any claim for loss, damage or expense sustained by any person on account of injury, death or property damage occurring by reason of or arising out of the special event.
17. If the special event is to use a public address system or sound amplification equipment such as used in the amplification of live or recorded music, the noise levels shall not exceed county¹ or state limits as stated in applicable ordinances, regulations or statutes.
18. All special events shall conclude prior to ten o'clock (10:00) P.M. on nights that elementary and secondary schools are in session and eleven o'clock (11:00) P.M. on all other nights in order to protect the security and peaceful environment of county citizens during the nighttime. Following the conclusion of the special event, all patrons shall have left the premises of the special event no later than one hour thereafter. Exceptions to the hours of operation limitations may be granted on a case by case basis where exceptional circumstances exist, such as campouts and other overnight activities.
19. Back to back assemblies on subsequent days at the same location, where over two thousand (2,000) people are in attendance at each assembly, or multiple special events in close proximity on the same day, may be unreasonably inconvenient and cost prohibitive to the public as a result of traffic congestion, exhaustion of county law enforcement resources, trash concerns, and the right of residents to a peaceful environment. As such, back to back special events shall be approved in special circumstances where the applicant can demonstrate to the county that such assemblies will not be injurious to the health, safety and general welfare of residents of the area. Thus, provision shall not be construed, nor is it the intent of the county, to be a prior restraint on speech, but a reasonable time, place and manner regulation. In the event that a back to back or multiple same day event is denied, the denials will be based on first come, first serve.
20. Where parking is designated in an unpaved area, the applicant shall water down the area in such a way as to mitigate dust.
21. Where a special event will partially occur in an incorporated municipality, the CDD shall make every reasonable effort to incorporate the requirements of the municipality into the special event approval.
22. Where a special event is reasonably expected to increase traffic or otherwise impact residents of an area, the applicant shall be required to post notification signage and/or door to door hangers a minimum of twenty four (24) hours in advance of the special event, and take out an advertisement in the local newspaper and/or local radio a minimum of one week prior to the special event.

23. The administrator may impose other conditions, in addition to those specified herein, as may be reasonable, to protect the public interest by ensuring traffic management, security of property, or the health and safety of the public. Such conditions may include, but are not limited to, restrictions on the times of assemblies due to other previously approved special events that could cause scheduling conflicts during the same period and thus create an overextension of the county's resources, traffic mitigation/management provisions, additional sanitary requirements and/or noise restrictions. Such conditions shall directly relate to mitigating the negative impacts of such assemblies and shall not be construed to regulate speech, nor to prevent lawful freedom of speech or lawful assembly. (Ord. 193-B, 11-16-2011)

3-4-5: APPLICATION FOR LICENSE:

A. Time Limits For Submission: In order to allow sufficient time to process the applications:

1. Major special events over five thousand (5,000) people: Applications shall be filed at least one hundred twenty (120) days in advance of such special event.
2. Major special events under five thousand (5,000) people: Applications shall be filed at least ninety (90) days in advance of such special event.
3. Minor special events: Applications shall be filed at least forty five (45) days in advance of such special event.
4. No special event application will be accepted more than three hundred sixty five (365) days prior to the event, or prior to a postevent debrief meeting for major events over five thousand (5,000) people to be held within two (2) weeks of the conclusion of the event.
5. Applications submitted fewer than one hundred twenty (120) or ninety (90) or forty five (45) days, as the case may be as outlined above, prior to the scheduled special event shall be charged double fees to defray the increased costs of expediting the application review.
6. Applications submitted fewer than thirty (30) days prior to the scheduled special event shall not be accepted, unless the following criteria are all met:
 - a. The special event applicant is a first time applicant, and
 - b. Staff determines that there is still adequate time to review the application, and
 - c. Double fees are paid to offset the increased cost of rushed processing.

B. Regularly Established Ongoing Special Event Series: For special events which occur as a regularly established ongoing series within the county (i.e., entertainment series which have multiple concerts or performances throughout the year), a comprehensive operational plan and schedule of performances shall be required, along with a completed application, ninety (90) days in advance of the initial yearly performance.

C. Statement Upon Oath Or Affirmation: The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of a corporation, by all partners in case of a partnership, or by all officers of an unincorporated association, society or group or, if there be no officers, by all members of such association, society or group. Applications shall be made available from the CDD.

D. Information Required: The application shall contain and disclose:

1. The name, age, residence and mailing address of all persons required to sign the application as set forth herein and, in the case of a corporation, a certified copy of the articles of incorporation, together with the name, age, residence and mailing address of each person holding ten percent (10%) or more of the stock of said corporation.
2. The address and legal description of all property upon which the assembly is to be held, together with the name, residence and mailing address of the record owners of all such property.
3. Proof of ownership of all property upon which the special event is to be held or a statement made upon oath or affirmation by the record owners of all such property that the applicant has permission to use such property for an assembly of ~~five~~three hundred (5300) or more persons, and/or approval of the appropriate government authority for a road or trail special event of one hundred (100) or more persons.
4. The nature or purpose of the special event.
5. The total number of days and/or hours during which the special event is to last.
6. The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the special event, in consideration of the nature of the special event, or the maximum number of persons allowed to sleep within the boundaries of the location of the special event by the zoning and health ordinances and regulations of the county if the special event is to continue overnight.
7. The maximum number of tickets to be sold, if any.
8. The plans of the applicant to limit the maximum number of people permitted to assemble.
9. The plans for fencing the location of the special event and the gates contained in such fence or otherwise restricting entrance to the special event.
10. The plans for holding, collecting, recycling, and disposing of solid waste material.
11. The plans for providing toilet and lavatory facilities, including the source, number, location and type, and the means of disposing of waste deposited.
12. The plans for traffic control, mitigation and management.
13. The plans to provide for medical support, the names and addresses and hours of availability of certified medical providers, and provisions for emergency ambulance service if required.

14. The plans to restrict alcoholic beverages, including beer, and glass or metal containers from being brought into the special event grounds.
 15. The plans, if any, to illuminate the location of the special event, including the source and amount of power and the location of lamps.
 16. The plans for parking vehicles, including size and location of lots, points of highway access and interior roads, including routes between highway access and interior roads and the routes between highway access and parking lots, and the number of parking personnel, their deployment, and their names, addresses, credentials and hours of availability, or names, and addresses and credentials of any established company providing such service.
 17. The plans for telephone service, including the sources, number and location of telephones.
 18. The plans for camping facilities, if any, including facilities available and their location.
 19. The plans for security, including the number of guards, their deployment, and their names, addresses, credentials and hours of availability; or names, addresses and credentials of a bona fide security company providing such security.
 20. The plans for fire protection, including the number, type and location of all protective devices, including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment.
 21. The plans for food concessions and concessionaires who will be allowed to operate on the grounds, including the names and addresses of all concessionaires and their license or permit numbers.
 22. A signed statement from the director of the county health department that the plans of the applicant meet all state and local health requirements.
 23. A copy of the insurance policy form to be used as required by subsection [3-4-4B15](#) of this chapter.
 24. A signed statement from the county sheriff that the special event will not substantially interrupt the flow of traffic or require the excessive diversion of police from other duties.
 25. A route map for special events occurring on roads or trails.
 26. The plans for satisfying any other condition of license approval imposed by the administrator.
- E. Deposit; License Fee: The application shall include the cash deposit required in subsection [3-4-4B14](#) of this chapter. Said deposit and license fee shall be paid in cash, certified check or money order. (Ord. 193-B, 11-16-2011)

COMMUNITY DEVELOPMENT

- The department received 7 new planning applications and 17 new building applications the past week as follows:

NEW PLANNING APPLICATIONS August 7 – August 13, 2014

Project Number	Description
14-211	Bill White Farm BOA Board of Adjustment SR224 & Bobsled Blvd PP-93 & PP-93-A
14-212	Quarry Village Salon 80 Sign Permit Sign Permit 3126 Quarry Rd Suite 4-K QJPb-A-3-1AM
14-213	Ranch Place Pavillion LIP Low Impact Permit 1942 & 1952 Browning St RPL-G
14-214	Park City Tech Center Hugo Coffee Sign Sign Permit 1794 Olympic Pkwy
14-215	Berry Ag Exempt Ag Exempt 1258 W. Bradbury Canyon Ln NS-604
14-216	Glenwild Entry Monument CUP Conditional Use Permit Lower Glenwild Drive Glenwild
14-217	Pine Mountain Broadbent Investment LOR Lot of Record CD-685-F

NEW BUILDING PERMITS
August 7 – August 13, 2014

Name	Address	Description
Brandon Hunt	51 wpcr (lot 54)	Single Family Dwelling
The Woods Of Parley's Lane	8830 Parleys Lane	Single Family Dwelling
Victory Ranch	171 West Lower River Road	Electrical
Larry Keith & Arlys J Johanson	1645 S Hoytsville Road	Power Pedestal
Steve & Suzanne Mainwaring	164 Mountain Top Road	Windows, Siding, Eve Extensions
Adam Edwards	8459 N Ranch Garden Road	Single Family Dwelling
Western Sheet Metal	1612 Ute Blvd	2 A.C. Units
Ranch Place HOA	Ranch Place Subdivision Phase 1	Recreation
Jeff Schwartz	4909 Last Stand Drive	Addition
TJK Park City LLC	124 White Pine Canyon Road	Single Family Dwelling
Kenneth Schaaf	111 Park View Terrace	Single Family Dwelling
Canyons	4000 Canyons Resort drive	Pump House For Snowmaking
WM Maxwell	53 White Pine Canyon Road	Site Walls
Tyler D Dustman	5777 N Sagebrook Drive	Deck Rebuild
Craig Reece	1925 Mahre Drive	Two Bathroom Remodels
Elaine Aliberti	8958 N Cove Dr.	Radiant Tubing
Kelly & Alyson Monson	90 Matterhorn Drive	Interior Remodel

MINUTES

SUMMIT COUNTY BOARD OF COUNTY COUNCIL WEDNESDAY, JULY 30, 2014 SHELDON RICHINS BUILDING PARK CITY, UTAH

PRESENT:

Kim Carson, *Council Vice Chair*
Roger Armstrong, *Council Member*
Claudia McMullin, *Council Member*
David Ure, *Council Member*

Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*
Dave Thomas, *Deputy Attorney*
Kent Jones, *Clerk*
Karen McLaws, *Secretary*

In the absence of Chair Chris Robinson, Vice Chair Kim Carson assumed the chair.

CLOSED SESSION

Council Member Ure made a motion to convene in closed session to discuss litigation. The motion was seconded by Council Member Armstrong and passed unanimously, 4 to 0.

The Summit County Council met in closed session for the purpose of discussing litigation from 1:15 p.m. to 2:10 p.m. Those in attendance were:

Kim Carson, *Council Vice Chair*
Roger Armstrong, *Council Member*
Claudia McMullin, *Council Member*
David Ure, *Council Member*

Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*
Dave Thomas, *Deputy Attorney*
Leslie Crawford, *County Engineer*
Jennifer Smith, *Engineer*
Derrick Radke, *Public Works Director*
Patrick Putt, *Community Development Director*
Jennifer Strader, *County Planner*
Lisa Yoder, *Sustainability Coordinator*
Andy Armstrong, *Mountain Regional Water*
Jeff Appel, *Legal Counsel*

Council Member McMullin made a motion to dismiss from closed session to discuss litigation and to convene in closed session to discuss personnel. The motion was seconded by Council Member Armstrong and passed unanimously, 4 to 0.

The Summit County Council met in closed session for the purpose of discussing personnel from 2:10 p.m. to 2:30 p.m. Those in attendance were:

Kim Carson, Council Vice Chair
Roger Armstrong, Council Member
Claudia McMullin, Council Member
David Ure, Council Member

Robert Jasper, Manager
Anita Lewis, Assistant Manager
Dave Thomas, Deputy Attorney
Patrick Putt, Community Development Director

Council Member Ure made a motion to dismiss from closed session to discuss personnel and to convene in closed session to discuss property acquisition. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

The Summit County Council met in closed session for the purpose of discussing property acquisition from 2:30 p.m. to 3:00 p.m. Those in attendance were:

Kim Carson, Council Vice Chair
Roger Armstrong, Council Member
Claudia McMullin, Council Member
David Ure, Council Member

Anita Lewis, Assistant Manager
Dave Thomas, Deputy Attorney
Patrick Putt, Community Development Director
Lisa Yoder, Sustainability Coordinator

Council Member Ure made a motion to dismiss from closed session to discuss property acquisition and to convene in closed session to discuss personnel. The motion was seconded by Council Member Armstrong and passed unanimously, 4 to 0.

The Summit County Council met in closed session for the purpose of discussing personnel from 3:00 p.m. to 3:40 p.m. Those in attendance were:

Kim Carson, Council Vice Chair
Roger Armstrong, Council Member
Claudia McMullin, Council Member
David Ure, Council Member

Brian Bellamy, Personnel Director

Council Member Armstrong made a motion to dismiss from closed session and to convene in work session. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

WORK SESSION

Vice Chair Carson called the work session to order at 3:45 p.m.

- **Presentation of the 2013 Comprehensive Annual Financial Report, Ulrich & Associates**

Chuck Ulrich with Ulrich & Associates presented the annual financial report and noted that the Auditor's Report provides the opinion that the County's financial statements are fairly stated in all material respects, which is an unqualified opinion and the best opinion that can be expected from an audit. He explained that the general fund balance is \$5,323,000. The County is required to maintain a fund balance of at least 5% and no more than 50% of actual revenue, and this is well within the range of acceptable fund balances. He referred to page 142 of the audit report and reviewed the history of the County's fund balances which shows a positive trend for the last five years. He explained that page 49 compares budget to actual and noted that the County's actual position was favorable in terms of what was spent compared to budget by \$379,586.

Mr. Ulrich discussed the proprietary funds and noted that the landfill fund includes a debt obligation for landfill closure costs which puts them in a position of having a deficit in that fund at this time. He discussed issues related to reporting the transit district as a proprietary fund, explaining that the operating loss is significant because the operating revenues are so low. However, there are non-operating revenues, including sales tax and grants that subsidize the transit district. In discussions with management, they are interested in changing the transit district from a proprietary fund to a special revenue fund. Doing that would give a better idea of how that fund is really doing. Currently the report shows how much is being subsidized by non-operating revenue and that what is charged to the businesses is only a small portion of what it costs to operate the transit system. If they want to look at the overall fund, what it costs to operate, the sources of revenue, etc., a special revenue fund would make more sense.

Council Member Armstrong asked if restrictions would be put on how the fund could be used if they convert it to a special revenue fund. Mr. Ulrich explained that a proprietary fund operates like a business, with the citizens as the owners, and if they want to do something else with the funds, they need approval from the citizens. They could do the same thing through the budget process with a special revenue fund. Finance Officer Matt Leavitt explained that this shows that they are losing money and might help present the argument to the businesses being charged a special assessment for why they are charged an assessment and why the Council might consider increasing or decreasing the assessments.

Council Member Ure asked what Park City is doing to support the transit district and if their financial reporting is the same as the County's. Council Member Carson stated that she believed they split the costs of the Salt Lake City route. Mr. Leavitt replied that he is not certain, but he believes Park City uses an enterprise fund for the transit district. Council Member McMullin stated that each entity pays its pro rata share of the costs, and she believed it was a 60-40 split. County Manager Bob Jasper offered to bring specific information back to the Council.

Mr. Ulrich explained that the intent of the landfill proprietary fund is to determine the cost to the customers for the service the County provides. If costs go up and become higher than revenues, they can see that they need to adjust the charge for those services to cover the costs, because they do not want to operate at a loss. The transit district, on the other hand, is more of a hybrid, and they could use either a proprietary fund or a special revenue fund. He believed Mr. Jasper was leaning toward having it be a special revenue fund.

Mr. Ulrich noted that there are a number of smaller funds in the County that are not large enough to be recorded in the front of the financial statements, and there are no real concerns with those funds. He encouraged the Council Members to review the 10-year comparative schedules showing where things have been for the County financially and where they stand currently. Council Member McMullin asked for the highlights of the 10-year comparison. Mr. Leavitt suggested that they look at the history of the fund balance levels and how they have changed over time. It shows how the general fund balance increased during the years of prosperity, how the recession impacted the general fund, and how the County has worked to rebuild that fund. The unrestricted ratio of the general fund balance also shows that trend, and it can help determine at what point they want to start using unrestricted funds for capital projects so the County can pay as it goes and not incur long-term debt and costs associated with interest and bonding. County Auditor Blake Frazier noted that, when the recession hit, the County was still paying a large payroll, and they had to keep building inspectors and planners on the job, even though revenues had declined. Mr. Ulrich summarized that things are headed in the right direction and have been for several years. In looking at tax revenue sources, they can see where

they were 10 years ago, where they are now, and some dips that have occurred during that time showing the impact of the recession on those revenue sources.

- **Discussion regarding nightly rentals; Pat Putt, Community Development Director**

Council Member McMullin explained that she has received complaints about nightly rentals in residential areas that impact the neighbors with 12 or 15 cars parked in the neighborhood on a nightly basis. She recalled the bed and breakfast application and the impact mitigation required of that applicant and questioned how they can have a similar impact in a residential neighborhood with no process other than a business license. The question is whether the impacts of the two types of uses are really that different.

Community Development Director Patrick Putt explained that nightly rentals are regulated through County Code and the business licensing process and are not regulated through the land management codes. If a person obtains a business license for a nightly rental, it could occur anywhere in Summit County. He stated that nightly rentals are defined as any premises where any portion is rented or otherwise made available to persons for transient lodging purposes for a period of less than 30 consecutive days, including condominium projects, single-family residences, timeshare projects, or condotels. That is different from other types of lodging land uses defined in the Eastern Summit County and Snyderville Basin Development Codes that include hotels and bed and breakfast facilities.

Council Member Armstrong referred to the language regarding transient lodging which states “rented or otherwise made available for persons for transient lodging” and asked how that would apply if he were to have friends come stay for a week to ski or if his son were to come visit for a period of time. He suggested that they better define that.

Council Member McMullin asked why nightly rentals are not part of the land management codes, when they can have similar impacts to a bed and breakfast or small hotel. Mr. Putt stated that he understood historically the County Commission and County Council did not regulate nightly rentals because this is considered to be a resort community, and this sort of ancillary use of a residence was consistent with the resort nature of the community. Council Member McMullin asked what is done in Park City. Mr. Putt replied that Park City requires a business license for nightly rentals, and because they have a greater number of individual zoning districts, nightly rentals are regulated through the individual zones. In the Snyderville Basin, they really only have one residential zone, and some neighborhoods in that zone that were created through various processes that pre-date the current residential zoning.

Council Member McMullin asked if there is a reason why they should not regulate nightly rentals through the land management codes in the future to address impacts on a residential neighborhood of nightly rentals in a large home. Mr. Putt agreed that is a tool they could use if the problem has risen to the level that the Council believes it should be addressed through an additional legislative step. Council Member McMullin stated that she believed it would make sense to do that, even if there are only a few problem situations. If they regulate a bed and breakfast with up to 8 bedrooms, and they have homes in residential neighborhoods with up to 8 bedrooms, it did not make sense that one only needs a business license, and the other has to go through the CUP process. If a large home is constantly used as a retreat or by different people, the impact is the same as a small hotel or bed and breakfast in a residential neighborhood, and she did not see an argument against regulating that. She believed the problems could be fixed if they have the right language in the Code to address them.

Council Member Armstrong questioned whether requiring a permit would solve the problem. People would just come to the Planning Department and get a permit to do what they are doing. Council Member McMullin explained that the County could impose conditions that would require them to mitigate the impacts.

County Clerk Kent Jones explained that a business license is required only if the owner is generating income. If someone has a friend or relative stay with them and they are not charged for it, a business license is not necessary. If a business brings people in for a retreat, and they do not charge for it, that does not require a business license. Council Member Armstrong suggested that they change the language to make it clear that a business license is required if they charge for transient lodging.

Vice Chair Carson was surprised that the language says “unreasonable” noise or occupancy levels, because she believed it is vague and does not set any kind of standard. She asked how they could go about enforcing the noise and occupancy levels. Mr. Jones explained that there has to be evidence that there is a problem. Unless there is a health or safety issue, the County cannot do anything if the owner has a license for a nightly rental. There would have to be some kind of evidence that they are breaking the law. He explained that the application for a nightly rental also contains a warning that the applicant must check with their homeowners association to see if there are any restrictions, because the County does not enforce HOA rules. Council Member McMullin explained that the issue is not the business license; it is whether this is the right process for what could be an impactful use in a residential neighborhood.

Mr. Putt explained that the County has not had an inordinate number of complaints over the last several years, although there have dealt with a couple of problematic properties on a case-by-case basis. He described the code enforcement process and explained that it does not happen very often for nightly rentals. If there are problems, they usually occur in the evening and are usually related to noise or parking. In those cases, the Sheriff’s Office is called in after hours to investigate, which happens on a complaint basis. If they were to amend the Code for nightly rentals to go through a review process, more than likely the enforcement mechanism would not change, because the Sheriff’s Office does not go out patrolling for nightly rental violations. If they were to issue a LIP or CUP for nightly rentals, they could revoke the permit if there are violations, but they already have the ability to revoke a business license based on some kind of evidence.

Council Member Carson suggested that they look at the criteria for receiving a business license and strengthen those rather than doing it through the Development Code. Mr. Putt reviewed the management standards in the business license ordinance and explained that, if parked vehicles create congestion, vehicles cannot circulate, or an emergency vehicle cannot get through, the Sheriff’s Office has the ability to enforce that. He believed they could clarify the language in those standards and tighten up or add standards and criteria and propose them to the Council.

Council Member McMullin asked what the issues were with the bed and breakfast. She recalled that they had to do with water, waste management, noise, events, and parking. Mr. Jones recalled that the bed and breakfast was not owner occupied, and another issue was food preparation.

County Planner Sean Lewis provided a map of the businesses in the Snyderville Basin and indicated four nightly rental businesses licensed in Jeremy Ranch.

Vice Chair Carson invited Bob Gross to address his concerns. Mr. Gross stated that he lives in Jeremy Ranch and commented that he was aware of at least three nightly rentals in Jeremy Ranch that are not licensed. He lives across the street from a nightly rental that was originally advertised as having the possibility of housing 21 people. He did not believe zoning allows for nightly rentals in the Hillside Stewardship (HS) Zone, and using the Development Code and Use Chart, he explained why he believed that is the case. He did not understand how they could issue a business license for a nightly rental in a zone where it is not allowed. He stated that at least four homes in his section of Jeremy Ranch are listed on VRBO (Vacation Rentals By Owner). One is listed as sleeping 10 people, the one across the street from him is listed as sleeping 17 people, and a third one is listed as sleeping 19 people. He stated that the one across the street from him has mitigated somewhat this summer, with only one weekend use so far. However, in the past year they have had cars parked on the street and overflowing garbage cans that the neighbors had to clean up, and he provided photographs of the cars and garbage cans. He did not believe the County's zoning allows a business use of this magnitude, and he appreciated having this discussion. He had a problem with the neighbors having to enforce the ordinance, because it makes them the bad guys.

Council Member Ure asked if the owners live in the house. Mr. Gross replied that sometimes they do, but another one he looked at on VRBO indicated that they bought the house as a rental house, and he believed they were renting it totally for profit.

Council Member Armstrong commented that they live in an area with large families, and if people were not renting out their house but they had six or seven children, and they returned with their families to visit, they could have a situation in a house unrelated to a nightly rental that would have the same kind of impacts. He noted that Park City is using new software to try to police this, but they are seeing VRBO becoming more active, and people can rent out their homes as a second source of income as a business. He believed it would be worthwhile to examine the nightly rental ordinance to determine whether people are properly licensed to engage in that type of business. Aside from the inconveniences to the neighbors, which he would like to diminish, there are legitimate health and safety issues, such as whether the properties are properly maintained, whether they are safe, and whether they are going into decline because someone is not living there. There is also the question of whether the County is capturing the tax revenue from a business that is operating. He believed that was a larger issue they should look at as a County administration. He stated that there are areas in the County other than Park City where these kinds of business models are probably attractive, and he believed they should examine that separate and apart from the convenience of the citizens. Just discussing whether they need to reform the nightly rental ordinance probably does not look far enough down the road to determine whether they are addressing these issues.

Mr. Thomas explained that State statute says counties cannot restrict single-family homes to more than four individuals who are not related by blood. Someone could rent out to four people and still retain the status of a single-family unit for purposes of zoning. He explained that it might be difficult to regulate any nightly rental, and they might want to add another category other than bed and breakfast and hotel that would address transient housing for less than 30 days but would have to be rented to more than four people in order to be regulated.

Council Member Armstrong referred to the management standards for a business license for a nightly rental and asked Mr. Gross if those would mitigate the irritants he experiences if they were enforced. He asked if the cars just park on the street or if they block driveways or impact the way people can move through his neighborhood. Mr. Gross replied that the streets are wide enough to get through, but it is the activity associated with the nightly rentals, such as noise levels and the activity of the automobiles coming and going. He believed 17 people in a home being run as a business is a whole different thing in a residential area. It is a bit of a safety issue because people walk and ride bicycles on the shoulders of the road, and when cars are parked there, it becomes an issue. He commented that a family having a party is temporary and not constant like nightly rentals are.

Vice Chair Carson stated that she believes the reason they regulate home businesses is to protect area homeowners against undue impacts. She was puzzled about why they do not have stricter regulations for nightly rentals that would restrict the number of cars or number of people on the premises. She believed it is a safety issue, because there are more cars than what is typically intended for a residential neighborhood. She requested that Staff look at options and have another work session with the Council.

Council Member Armstrong emphasized that this is a resort community, and there are second homeowners who rent out their houses when they are not here, which is part of the way they finance those homes. He believed they would get some push-back if they try to restrict nightly rentals substantially.

Council Member McMullin explained that the intent today was to discuss this topic and see if they want to address it through the Development Code, which she believed they should. She believed they should look at options and what other jurisdictions allow. She commented that another concern is that they do not know who is in the neighborhood with the nightly rentals. Council Member Ure agreed that criminals could come into the neighborhood and make it look like they are part of the nightly rentals.

Vice Chair Carson asked Staff to do a little more research and come back with some options.

CONVENE AS THE GOVERNING BOARD OF THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT

Council Member McMullin made a motion to convene as the Governing Board of the Snyderville Basin Special Recreation District. The motion was seconded by Council Member Ure and passed unanimously, 4 to 0.

The meeting of the Governing Board of the Snyderville Basin Special Recreation District was called to order at 5:10 p.m.

CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION 2014-21, A RESOLUTION PROVIDING FOR A SPECIAL BOND ELECTION TO BE HELD ON NOVEMBER 4, 2014, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT, SUMMIT COUNTY, UTAH (THE “DISTRICT”), A PROPOSITION REGARDING THE ISSUANCE OF NOT TO EXCEED \$25,000,000 GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF ACQUIRING PROPERTY FOR THE CONSTRUCTING OF RECREATIONAL FACILITIES, ACQUIRING RECREATIONAL OPEN SPACE PROPERTY, CONSTRUCTING TRAILS AND RELATED IMPROVEMENTS, AND PAYING RELATED COSTS AND EXPENSES; PROVIDING FOR THE PUBLICATION OF EXPENSES; PROVIDING FOR THE PUBLICATION OF NOTICE OF PUBLIC HEARING; APPROVING THE FORM OF AND DIRECTING THE PUBLICATION OF A NOTICE OF ELECTION AND THE BALLOT PROPOSITION; AND RELATED MATTERS

Recreation District Director Rena Jordan recalled that they discussed the details of the bond in the June 18 work session. She noted that the process they have gone through to establish the District’s recreation priorities is outlined in the staff report as well as a breakdown of the proposed \$25 million bond amount. She reported that she checked with Brian Baker to be sure they were not too close to their bonding limit, and he assured her that the District’s bondable limit is \$1.04 billion. Brian Baker with Zion’s Bank explained that this looks good to the rating agencies, because the Recreation District’s debt ratio is minuscule and compares very well with other districts across the country.

Board Member Ure asked if the bond payments are in the same proportion for second-home owners as they are for County property taxes. He asked what proportion of the bonds will be paid back by second-home owners. Mr. Baker replied that theoretically, based on the primary residency exemption, about two-thirds would be paid by secondary homeowners. Mr. Thomas noted that the resolution states that on the average \$652,000 home, the primary resident would pay \$125, and the secondary homeowner would pay \$227.

Board Member McMullin asked what the money for the final phase of the fieldhouse would be spent on. Ms. Jordan replied that they will have to provide additional parking, which would probably be underground parking, and the intention is to create a multi-use indoor space that is not just turf in the additional 20,000 square feet. She noted that they have about 35,000 square feet of density left but do not intend to build out all of the remaining density. Board Member McMullin asked what document shows how the \$25 million will be used. Ms. Jordan replied that Exhibit A in the staff report shows how it will be used. Board Member McMullin asked where the public could find a detailed wish list of projects the Recreation District would like to include in the \$25 million. Ms. Jordan recalled that was discussed in the work session, and the Council seemed to think they should not define too specifically how the money might be used. Board Member McMullin suggested a list that says including but not limited to. She acknowledged that circumstances can change, but there is a balance between what they plan to do and just a broad idea of what it might include. She asked where the public could find that list of what may be included in the \$25 million. Ms. Jordan explained that the voter information pamphlet will address that at the macro level and direct people to the District’s website for the full list of projects. Mr. Jones explained that a voter information pamphlet must be mailed to all residents prior to the election. Mr. Thomas noted that there are new requirements that arguments for and against the bond must be posted on the County’s website for 30 days prior to the election. In addition to the public hearing scheduled for 6:00 on August 20 at the Richins Building, a

public meeting is required on October 29, just before the vote, where arguments for and against the bond can be heard by the Council. He also explained that, at any point in the process, the Council could remove the bond from the ballot.

Board Member Armstrong made a motion to approve Resolution 2014-21 providing for a special bond election to be held on November 4, 2014, for the purpose of submitting to the qualified electors of the Snyderville Basin Special Recreation District, Summit County, Utah, a proposition regarding the issuance of not to exceed \$25,000,000 general obligation bonds to finance the costs of acquiring property for the constructing of recreational facilities, acquiring recreational open space property, constructing trails and related improvements, and paying related costs and expenses; providing for the publication of expenses; providing for the publication of notice of public hearing; approving the form and directing the publication of a notice of election and the ballot proposition; and related matters. The motion was seconded by Board Member Ure and passed unanimously, 4 to 0.

DISMISS AS THE GOVERNING BOARD OF THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT

Board Member McMullin made a motion to dismiss as the Governing Board of the Snyderville Basin Special Recreation District. The motion was seconded by Board Member Armstrong and passed unanimously, 4 to 0.

The meeting of the Governing Board of the Snyderville Basin Special Recreation District adjourned at 5:30 p.m.

REGULAR MEETING

Vice Chair Carson called the regular meeting to order at 5:30 pm.

- **Pledge of Allegiance**

MANAGER COMMENTS

Mr. Jasper commented that a real test of the County's viability is how well they do in emergencies and disasters, and he believed they are getting better at responding.

Public Relations Officer Julie Booth reported that the Council responded to the second Rockport fire much better than they did the first one. Everyone knew their roles and executed them accordingly. She reported that the fire broke out at about 2:45 p.m. on Friday, July 26, due to a structure fire at a yurt where construction was going on. Ground support was provided by the Summit County Fire Warden; North and South Summit Fire Districts; State Division of Forestry, Fire and State Lands; and Park City Fire District was called in for structure protection. Due to the size and intensity of the fire, the Sheriff's Office requested evacuations for all people living in Lake Rockport Estates, and an evacuation shelter was set up at the Wanship LDS Church. The incident commander called in air support, because the steep terrain made it difficult for the trucks to get to the fire. The Emergency Manager and Assistant County Manager staged at the evacuation site, and Ms. Booth reported that she stayed at the County building to answer media inquiries and prepared an emergency declaration at the Emergency Manager's request. It was signed by the Assistant Manager at 5:00 p.m. and given to the incident commander. That was then passed on to the State, and the State took control of the event. At that point, the State PIO

took over and two press briefings were held at 6:00 and 7:45 p.m. The incident commander put an evacuation order in place until midnight, but it was lifted at 10:00 p.m. and people were allowed to return to their homes. The fire burned a total of more than 120 acres, consumed the yurt structure, and burned up to five residential property lines. Last year they left a packet on every resident's door with information about how to create defensible space, and clearly the residents had done that, because the fire went up to the sides of the five homes. All five homes would have been lost if they had not created defensible space.

Mr. Jasper stated that the County has done a good job of keeping track of its costs and still has not recovered all the costs from last year's fire. He assured the Council that he would continue to pursue that to recover as many of the costs as possible. Ms. Booth explained that State Forestry is still negotiating with FEMA on the last fire.

Council Member Armstrong commended Assistant County Manager Anita Lewis for stepping into the County Manager's role during the fire, as Mr. Jasper was unavailable at the time.

Mr. Jasper recalled that the Council does a strategic plan update every two years, which includes a citizens' survey. The last time the survey was done, it was not well timed and came in after the strategic planning session. This year they want to do the survey sooner so it will be available after the next election cycle so they can use it to update the strategic plan. In addition, the survey shows a trend of how the County is doing. Ms. Lewis reported that Dr. Kranich will attend the work session next week to discuss the survey and has requested that they keep any changes to the survey minor. He will plan to send the first notification right after Labor Day and have the surveys returned before Thanksgiving. That would allow him to have a preliminary report to the Council by the first or second week of December before the final budget hearing.

Council Member Armstrong commented that it feels like they just did a survey, and the last one was done in 2013. He asked what it costs to do the survey. Ms. Lewis replied that it costs \$40,000. Council Member Armstrong asked if they really need to repeat this on an annual basis. Mr. Jasper replied that they do it every two years, and the survey was done late last time. Ms. Lewis explained that the survey was completed toward the end of the summer last year, which missed the strategic planning process. Council Member Armstrong did not think things have changed dramatically in the past year and have not changed enough to justify spending \$40,000 on another survey. Council Member McMullin believed they could rely on the last survey to do their strategic planning for the coming year. Mr. Jasper suggested that they look at the survey as showing a trend. They also have elections every two years, and people change and run for office based on certain issues. The concept is to time the survey with the election cycle, and he believed they should proceed with the survey. Council Member Ure believed another survey at this time would be a bigger detriment to him because of spending \$40,000 on a survey only 18 months after the last one. He thought people would wonder why they are being asked to complete another survey when they just completed one. Vice Chair Carson noted that by next year they will have a new County Manager, and postponing the survey would give the new Manager an opportunity to give their input. She suggested that they might want to hold some community open houses this year to get feedback from the citizens.

COUNCIL COMMENTS

Vice Chair Carson asked which of the Council Members would like to judge the art for the County Fair. Council Members Carson and McMullin agreed to judge the art before the senior lunch.

APPROVAL OF COUNCIL MINUTES

JUNE 25, 2014

JULY 8, 2014

Vice Chair Carson noted that she had made some minor edits to the June 25 minutes.

Council Member McMullin made a motion to approve the minutes of the June 25, 2014, County Council meeting as corrected. The motion was seconded by Council Member Ure and passed unanimously, 4 to 0.

Council Member Ure made a motion to approve the minutes of the July 8, 2014, County Council meeting as written. Vice Chair Carson vacated the chair and seconded the motion. The motion passed unanimously, 2 to 0. Council Members Armstrong and McMullin abstained from the vote, as they did not attend the July 8 meeting.

PUBLIC INPUT

Vice Chair Carson opened the public input.

There was no public input.

Vice Chair Carson closed the public input.

PUBLIC HEARING AND POSSIBLE ACTION REGARDING AMENDMENTS TO THE EXISTING ENCLAVE AT SUN CANYON CONSENT DECREE; 4890 ENCLAVE WAY, PARK CITY, UT; WADE BUDGE, REPRESENTING SYNERGY DEVELOPMENT, APPLICANT; SEAN LEWIS, COUNTY PLANNER

County Planner Sean Lewis presented the staff report and recalled that the applicants requested a change to the consent decree in April. The Council directed Staff to take the amendment request through the development agreement amendment process through the Planning Commission. Two public hearings were held with the Snyderville Basin Planning Commission and issues raised at the Planning Commission were the height calculation and how the density changes would be made. Staff showed the Planning Commission how height is measured in this development, which is different than the County's standard 32-foot height, and demonstrated how the height requirements had been applied correctly according to the consent decree. He noted that the Planning Commission requested an amendment to the consent decree stating that the height should not exceed 40 feet as measured from finished grade and reported that the positive recommendation from the Planning Commission was by unanimous vote. Staff recommended that the County Council approve the amendments to the consent decree. He verified that the massing and overall square footage would not increase with this amendment.

Vice Chair Carson opened the public hearing.

Mr. Lewis reported that Staff received an e-mail from the Sun Peak Homeowners Association stating that they are in favor of this amendment.

Wade Budge, representing the developer, provided a copy of the letter from the Sun Peak HOA. He explained that the developer held a meeting with the neighborhood and explained what they are requesting and provided details about what they propose to change. The neighbors felt it would be good for the development that they no longer plan to develop 4-plexes, because it will break up the rooflines and the massing. He explained that the Planning Commission was very thorough, and they had to show they would not negatively impact the neighborhood in a way that is different from what is already approved. They hired a surveyor to measure the existing structures to show that they comply with the consent agreement. He stated that they also received letters from three separate neighbors approving of this concept. The net effect is that fewer people will be coming to the development by two units, and they are improving the project in a way the market wants.

Roger Sawyor with the Sun Peak Homeowners Association stated that, on balance, they think this is a good way to move forward. He stated that they would like to see the survey information for the new buildings along Bear Hollow Drive prior to construction of the buildings.

Mr. Lewis explained that this is not one of the developments with a design review committee that reviews plans before they come to the Planning Department. However, applications to the Planning Department are public record, and anyone can come in and review them. He explained that they require a certificate of survey and certificate of elevation after the foundation has been built. Mr. Budge explained that it is to the developer's advantage to comply with the consent decree, because the requirements are very explicit. They have complied in the past and intend to comply in the future.

Diane Brumder commented that it is clear there has been a lot of communication between the people in her community and the builders. She asked how a master plan is defined. She understood there was a master plan in her neighborhood that declared if a hotel or condominium was not built, four estate homes were to be built and asked why that did not happen. Mr. Budge explained that all predates the lawsuit in 2007 and the current developer. Ms. Brumder stated that she did her due diligence as an owner and read the master plan and saw that it would add value to her property and quality of life, but it disappeared. Vice Chair Carson suggested that Ms. Brumder provide her contact information to Planning Staff, and perhaps they could find an answer for her. She noted that the purpose of the public hearing is to hear concerns about this particular approval. Ms. Brumder asked if there is pedestrian access to this development and if people can walk through the development on their way up the hill. Mr. Budge explained that trails have been constructed as part of the consent decree, and they can be utilized by people in the Sun Peak community. He emphasized that they are not changing anything with regard to access or trails, and this application does not relate to trails at all. The developer has an agreement with Sun Peak regarding use of trails, and he suggested that Ms. Brumder speak to her HOA. Ms. Brumder asked if these homes would pay HOA fees to Sun Peak. Mr. Budge explained that this development is not part of Sun Peak.

Vice Chair Carson closed the public hearing.

Council Member McMullin made a motion to approve the amendment to the existing Enclave at Sun Canyon Consent Decree with the following findings of fact and conclusions of law shown in the staff report:

Findings of Fact:

- 1. Summit County entered into the Enclave at Sun Canyon Consent Decree on October 1, 2007.**
- 2. The Consent Decree is set to expire on September 30, 2015.**
- 3. The application to amend was initiated by the developer, who was party to the original lawsuit.**
- 4. The applicant requested the amendment via letter to the Summit County Council dated March 6, 2014.**
- 5. On June 4, 2014, the Summit County Council voted to extend the terms of the Consent Decree until September 30, 2015.**
- 6. The applicant proposes to reduce density from 35 to 33 units.**
- 7. The applicant proposes to amend Paragraph 2 of Exhibit B to clarify height calculations as a result of the amended boundary line amendments.**
- 8. The applicant is proposing to amend Paragraph 10 of Exhibit B of the Consent Decree as the required contribution to the Sun Peak Homeowners Association has been made.**
- 9. The Snyderville Basin Planning Commission held a public hearing regarding this item on June 24, 2014. The hearing was continued and closed on July 8, 2014.**
- 10. The Snyderville Basin Planning Commission requested some additional minor amendments to the proposal as shown on the attached Exhibit A-2.**
- 11. Following the public hearing, the Snyderville Basin Planning Commission voted unanimously to forward a positive recommendation of the proposed changes to the Summit County Council.**

Conclusions of Law:

- 1. The development is in general compliance with the criteria of approval for Development Agreements as found in Section 10-3-19 of the Snyderville Basin Development Code.**

The motion was seconded by Council Member Armstrong and passed unanimously, 4 to 0.

The County Council meeting adjourned at 6:20 p.m.

Acting Chair, Kim Carson

County Clerk, Kent Jones



MOUNTAIN REGIONAL WATER
SPECIAL SERVICE DISTRICT

August 13, 2014

Corrie Forsling
Summit County Treasurer
Summit County Courthouse
P.O. Box 128
Coalville, UT 84017

Re: *Certification of Past Due Fees and Charges for Water Service*

Dear Ms. Forsling:

Attached are Notices of Certification and Lien.

Pursuant to and in conformance with the provisions of Section 17B -1-902, U.C.A., 2008 (the "Statute"), Mountain Regional Water Special Service District (the "District"), hereby certifies the past due fees and charges set forth in the attached Notices of Certification and Lien to you, as the Treasurer of Summit County, for collection. As set forth in the Statute, upon this certification, these past due fees and charges become a lien on the delinquent customer's property to which water service from the District has been provided, on a parity with and collectible at the same time and in the same manner as general property taxes that are a lien on the property.

The District hereby requests that you take appropriate action to collect the amounts due pursuant to your authority as set forth in the Statute.

Respectfully,

Mountain Regional Water Special Service District



Its:

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
1014.2	SU-A-14	KUBIK LEE B	SUBD: SUMMIT PARK PLAT A SUBD & AMENDED BLOCK: 0 LOT: 14 PLAT: A000S 9 T 1S R 3E LOT 14 PLAT A SUMMIT PARK SUBDIVISION CONT 0.24 AC 315-749 794-233 1300-257	280 ASPEN DR	\$221.06	\$20.00	\$241.06
1021.1	SU-A-21	ELLIS ANNETTE	ALL LOT 21 PLAT A SUMMIT PARKCONT 0.27AC WWD-13 M32-424 M145-244 661-289 746-617 747-74	350 ASPEN DR	\$243.24	\$20.00	\$263.24
1028.2	SU-A-28	RICHARDS JAMIE L	LOT 28 PLAT A SUMMIT PARK SUBDIVISION CONT 0.28 ACRES WWD-456 896-54	420 ASPEN DR	\$148.00	\$20.00	\$168.00
2010.1	SU-B-10	WINKLE WILLIAM	LOT 10 SUMMIT PARK SUBDIVISION PLAT B CONT 0.38 AC M2-216 1306-1190 1366-1242	315 WOODLAND DRIVE	\$474.53	\$20.00	\$494.53
3022.1	SU-C-22	STEINHILBER JOANN	LOT 22 PLAT C SUMMIT PARK SUBDIVISION CONT 0.40 AC WWD-526 JQC-91 M81-350	175 PARKVIEW DR	\$474.45	\$20.00	\$494.45
3025.4	SU-C-25	MOENCH MIKAEL	LOT 25 SUMMIT PARK SUBDIVISION PLAT C CONT 0.29 AC SEC 9 T1SR3E SLBM 1023-521 1679-914 1795-933 2012-1758 2064-1272	165 PARKVIEW DRIVE	\$267.65	\$20.00	\$287.65
8020.1	SU-H-20	BOUFFARD STEVEN E	SUBD: SUMMIT PARK PLAT H & AMENDMENT BLOCK: 0 LOT: 20 PLAT: H000S 9 T 1S R 3E ALL OF LOT 20 SUMMIT PARK SUBDIVISIONPLAT H AMENDED CONT 0.396 ACRES	105 CRESTVIEW TERR	\$435.66	\$20.00	\$455.66
8037.1	SU-H-37	MIKACEVICH JOE	SUBD: SUMMIT PARK PLAT H & AMENDMENT BLOCK: 0 LOT: 37 PLAT: H000S 9 T 1S R 3E ALL OF LOT 37 SUMMIT PARK SUBDIVISIONPLAT H AMENDED CONT 0.213 ACRES	380 CRESTVIEW DR	\$474.53	\$20.00	\$494.53
9105.1	SU-I-105	NELSON DAVID	SUBD: SUMMIT PARK PLAT I SUBD & AMENDED BLOCK: 0 LOT: 105 PLAT: I000S 16 T 1S R 3E LOT 105 SUMMIT PARK SUBDIVISION PLAT ICONT 0.28 ACRES M25-317 539-314 546-239	525 UPPER EVERGREEN DRIVE	\$355.07	\$20.00	\$375.07
10087.2	SU-J-87	BAGGALEY BRYAN/EQUITY TRUST	LOT 87 PLAT J SUMMIT PARK SUBDIVISION CONT 0.34 AC M60-663 M102-512 M233-147 875-813 957-76-84 1417-493 1485-1562 2198-1432 EQUITY TRUST COMPANY CUSTODIAN FBO BRYAN BAGGALEY IRA 2198-1432;	195 ST MORITZ STRASSE	\$383.96	\$20.00	\$403.96

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
11068.1	SU-K-68	NAPIWOCKI DAVID & MCCARTHY JENNIFER	LOT 68 SUMMIT PARK SUBDIVISION PLAT K CONT 0.22 AC (ALSO THAT PORTION OF PARK VIEW DR ADJOINING LOT 68 WH WAS VACATED BY ORD #66 FOUND IN 1879-1675; THEIR INT AS DEFINED PURSUANT TO THE PROVISIONS OF UTAH CODE ANN, SEC 72-5-105 (2))	105 ASPEN DR	\$641.94	\$20.00	\$661.94
12005.1	SU-L-5	NELSON DAVID	SUBD: SUMMIT PARK PLAT L SUBD BLOCK: 0 LOT: 5 PLAT: L000S 9 T 1S R 3E LOT 5 PLAT L SUMMIT PARK SUBDIVISIONCONT 0.397 ACRES M133-397 M136-717	90 INNSBRUCK STRASSE	\$474.53	\$20.00	\$494.53
12016.1	SU-L-16	JONES CORDELL H	SUBD: SUMMIT PARK PLAT L SUBD BLOCK: 0 LOT: 16 PLAT: L000S 9 T 1S R 3E LOT 16 PLAT L SUMMIT PARK SUBDIVISION CONT 0.408 AC 297-163 299-764 1445-1854	115 INNSBRUCK STRASSE	\$474.53	\$20.00	\$494.53
13022.2	SU-M-22	HULLET MICHAEL	LOT 22 PLAT M SUMMIT PARK SUBDIVISION CONT 0.28 AC M15-2 M137-699 M188-140 M189-1 688-330 840-730 1019-568 1136-444 1774-963 1775-1971 1941-1906 1978-47	25 MATTERHORN DR	\$352.00	\$20.00	\$372.00
13029.1	SU-M-29	O BRIEN JOANN & ROBERT	LOT 29 PLAT M SUMMIT PARK SUBDIVISIONCONT 0.30 AC M147-668 M30-677 M197-120 1216-553-562 1262-144-151	105 MATTERHORN DR	\$339.55	\$20.00	\$359.55
13044.1	SU-M-44	BLAKE JADE D	SUBD: SUMMIT PARK PLAT M SUBD & AMENDMENT BLOCK: 0 LOT: 44 PLAT: M000S 16 T 1S R 3E LOT 44 PLAT M SUMMIT PARK SUB CONT 0.59AC M128-315 M191-12,14 M263-458-9	100 MATTERHORN DR	\$335.06	\$20.00	\$355.06
43052.1	SU-M-2-52	LIGHTHOUSE USA LLC	SUBD: SUMMIT PARK PLAT M SUBD & AMENDMENT LOT: 52 PLAT: M BUILDING: 0.00LOT 52 PLAT M SUMMIT PARK SUBDIVISION CONT 0.42 AC M65-451 M66-103 M17-60 M40-271-3 670-652 907-662 1169-72 1673-1845 1721-1384 1802-590 1834-640 1847-722	240 MATTERHORN DRIVE	\$470.17	\$20.00	\$490.17
43054.2	SU-M-2-54	VAZQUEZ CECILIO	LOT 54 PLAT M2 SUMMIT PARK SUBDIVISION CONT 0.403 AC M108-549 M224-687 391-622 946-611 1407-1350 1824-608 2136-1445 2216-1658	260 MATTERHORN DRIVE	\$224.01	\$20.00	\$244.01
43136.1	SU-M-2-136	WANGERIN STEVE	SUBD: SUMMIT PARK PLAT M2 SUBD & AMENDED BLOCK: 0 LOT: 136	15 MATTERHORN TERRACE	\$474.53	\$20.00	\$494.53

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
43137.2	SU-M-2-137	FAGERSTEIN SALVADOR	LOT 137 PLAT M2 SUMMIT PARK SUBDIVISIONCONT 0.726 AC M153-842 344-405 358-427 888-813 (REF:888-812) 1731-856 (2067-1025) 2067-1031 2070-564	5 MATTERHORN TERRACE	\$472.95	\$20.00	\$492.95
43138.2	SU-M-2-138	HATCH JERSON	LOT 138 PLAT M2 SUMMIT PARK SUBDIVISIONCONT 0.804 AC M153-842 354-232-684 358-427 888-813 (REF:888-812) 1731-856 (2067-1025) 2067-1031 2074-1448	415 MATTERHORN DRIVE	\$391.37	\$20.00	\$411.37
435078.1	TL-1-78	LASSIG ERIC	LOT 78 TIMBERLINE SUBDIVISION #1 CONT 0.50 AC M32-617 1281-95-96 1286-889 1290-108 1290-110 1316-60 1410-1280 1724-114 1811-1276-1285 1948-1960 1949-56 STEPHANIE L LASSIG & ERIC R LASSIG AS TRUSTEES OF THE STEPHANIE L LASSIG FAMILY LIVING TRUST 1949-56	7871 N DOUGLAS DR	\$459.92	\$20.00	\$479.92
500007.1	SLS-7	JORQUERA PEGGY	LOT 7 SILVER SPRINGS 1A SUBDIVISION IN SEC 30 T1SR4E CONT 0.33 AC M147-531 M175-138 435-672 533-657 573-102-103628-806 798-140 1420-312 1424-416 1475-530	4881 NE MEADOWS DR	\$178.70	\$20.00	\$198.70
500266.1	QM-6-19	FOTHERINGHAM JACK HARVEY	UNIT 19 QUAIL MEADOW TOWNHOUSES PHASE 6 TOGETHER WITH 5.1439% INT IN & TO COMMON AREA AS FILED IN THE OFFICE OF THE SUMMIT CO RECORDER. CONT 1770 SQ FEET	4661 N QUAIL MEADOW # 19	\$449.23	\$20.00	\$469.23
501303.1	WDCS-D-3	BOWDLE TERRI	LOT 3 WILLOW DRAW COTTAGES AT SUNPEAK PLAT D: ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE SEC 30 T1SR4E SLBM CONT 6,409 SQ FT OR 0.15 AC 912-307 937-508 1291-1458 1682-1957 2060-1411	1920 ROFFE RD	\$635.14	\$20.00	\$655.14
501615.1	WDCS-F-15	DION DENNIS	LOT 15 WILLOW DRAW COTTAGES AT SUN PEAK PLAT F SUBDIVISION; ACCORDING TO THE SUMMIT COUNTY RECORDER	3996 VOELKER CT	\$399.50	\$20.00	\$419.50

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
505052.3	CWPC-II-52-A	W.M. MAXWELL, LLC	I LOT 52 THE COLONY AT WHITE PINE CANYON AMENDED PHASE II FINAL SUBDIVISION PLAT OF LOTS 52, 53, 54 & 55; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 20.95 AC TOGETHER WITH THEIR PROPORTIONATE INT IN THE COMMON AREA (NOTE: SEE PHASE 1 COLONY AT WHITE PINE CANYON AMENDED FINAL SUBDIVISION FOR LOCATION OF COMMON AREA; NO COMMON AREA APPEARS ON PHASE II) 1287-1224 1647-471 (1647-472) 1893-292 2174-1324	53 WHITE PINE CANYON RD	\$569.37	\$20.00	\$589.37
505165.2	CWPC-4A-165	SEUTHE ERIC	LOT 165 THE COLONY AT WHITE PINE CANYON PHASE 4A FINAL SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 5.73 AC 1772-1665 1776-1797 1781-425 2155-14 16 2228-1744	165 WHITE PINE CANYON ROAD	\$277.69	\$20.00	\$297.69
613034.1	SMT-A-34	SALOWEY RICHARD	LOT #34 IN SILVER SUMMIT COMMUNITY PHASE A, AS FILED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER CONT .2113 ACRES 488-537 524-501 (TAX SALE) 842-1 (REF: 875-528, 659 881-280)	5841 N KINGSFORD AVE	\$365.21	\$20.00	\$385.21
613080.2	SMT-A-80	LANGE MICHAEL A	LOT #49 IN SILVER SUMMIT COMMUNITY PHASE A AS FILED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER CONT 0.1693 ACRES 297-20 532-441 612-187 1111-289	5667 N KINGSFORD AVE	\$273.07	\$20.00	\$293.07
613084.1	SMT-A-84	AUBEL JOLENE S TRUSTEE	SUBD: SILVER SUMMIT COMMUNITY PHASE A SUBD LOT: 84S 21 T 1S R 4E LOT #84 SILVER SUMMIT COMMUNITY PHASE A AS FILED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER CONT 0.2078 AC 291-573358-836-37 434-335 452-323 672-569 1247-747 1824-798 JOLENE S AUBEL TRUSTEE OF THE JOLENE SAUBEL LIVING TRUST 1824-798;	5617 N KINGSFORD AVE	\$1,030.32	\$20.00	\$1,050.32

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
660005.1	RCCS-5	MORGAN E JAMES	LOT 5 RANCH CLUB CABINS SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 14,079 SQ. FT. OR 0.32 AC TOGETHER WITH THEIR PROPORTIONATE INT IN THE COMMON AREA 1516-1360 (1573-772)	3400 TATANKA TRAIL	\$1,002.70	\$20.00	\$1,022.70
661070.1	DC-70	SOUTHWESTERN LAND & INVESTMENT	LOT 70 DEER CROSSING SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 76,872 SQ. FT. OR 1.76 AC 1465-1394 1711-526	8466 N PROMONTORY RANCH RD	\$638.36	\$20.00	\$658.36
661084.2	DC-84	TOMLINSON JOSEPH	SUBD: DEER CROSSING SUBDIVISION & AMENDED LOT: 84 LOT 84 DEER CROSSING SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE	8293 N RANCH GARDEN RD	\$1,249.86	\$20.00	\$1,269.86
662049.3	WV-49	LIGHTNING EQUITY GROUP	OT 49 WEST VIEW SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 21,331 SQ FT OR 0.49 AC 1431-1641 1573-1114 1590-577 1635-1090 1685-924 1701-907 1854-44-416 1868-500 1958-328 2073-913-924-958	2742 E BITTERBRUSH DR	\$434.33	\$20.00	\$454.33
663021.1	WHLS-21	ZICK THOMAS & NATHALIE	SUBD: WEST HILLS SUBDIVISION LOT: 21 LOT 21 WEST HILLS SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 65,551 SQ FT OR 1.50 AC 1632-1765	7615 N RANCH CLUB TRIAL	\$474.53	\$20.00	\$494.53
664003.2	WCAN-I-3-AM	MONEY GROUP LLC	SUBD: WAPITI CANYON PHASE I SUB AMENDED LOT: 3 LOT 3 AMENDED WAPITI CANYON PHASE I SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT	9003 N PROMONTORY RANCH RD	\$227.68	\$20.00	\$247.68
666029.1	PSKY-29	FICETO TODD	LOT 29 PAINTED SKY SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 46,611 SQ FT OR 1.07 AC 1710-977 2012-1453	2835 BLUE SAGE TRAIL	\$569.03	\$20.00	\$589.03
668020.1	SGNH-20	LUMSDEN THOMAS C	SUBD: SIGNAL HILL SUBDIVISION LOT: 20 LOT 20 SIGNAL HILL SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE	3457 WEST VIEW TRAIL	\$474.53	\$20.00	\$494.53

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
672055.3	TCS-55	COBBLE MICHAEL	LOT 55 TRAPPERS CABINS SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 10.994 SQ FT OR 0.25 AC TOGETHER WITH AN UND EQUAL % INT IN THE COMMON AREA 1811-1831 1889-254 1990-417 2057-1424 (SEE RECISSION OF TRUSTEES DEED 2059-1192)	3618 BLUE SAGE TRAIL	\$279.20	\$20.00	\$299.20
673012.1	BB-12	GABIOLA JIM A T/C	LOT 12 BISON BLUFFS SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 38.627 SQ FT OR 0.89 AC TOGETHER WITH AN EQUAL % INT IN THE COMMON AREA 1755-1383-1384	2485 SADDLEHORN DRIVE	\$222.70	\$20.00	\$242.70
673051.1	BB-51	LABERTEW MICHAEL	LOT 51 BISON BLUFFS SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 42.147 SQ FT OR 0.97 AC TOGETHER WITH AN EQUAL % INT IN THE COMMON AREA 1749-1258	2295 SADDLEHORN DRIVE	\$474.45	\$20.00	\$494.45
673058.4	BB-58	BLACKSTONE DEVELOPMENT	LOT 58 BISON BLUFFS SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 34.307 SQ FT OR 0.79 AC TOGETHER WITH AN EQUAL % INT IN THE COMMON AREA 1751-1537 2023-1895 2074-869 2136-1565	2123 SADDLEHORN DRIVE	\$508.96	\$20.00	\$528.96
674063.3	AC-63	WESTBRIDGE, LLC	SUBD: ASPEN CAMP SUBDIVISION LOT: 63 LOT 63 ASPEN CAMP SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 52.083 SQ FT OR 1.19 AC 1761-1316 1798-474 2057-1479 2071-634	7695 N FIRE RING GLADE	\$473.30	\$20.00	\$493.30
677031.3	NGC-31	WILLIAMS TREVOR & ANDERSON SARAH	LOT 31 NORTHGATE CANYON SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 54,549 SQ FT OR 1.25 AC 1888-1962 2163-335	1275 CANYON GATE ROAD	\$469.60	\$20.00	\$489.60

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
679020.3	SUM-20	HORAN BROOKE TRUSTEE	LOT 20 THE SUMMIT SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 59,909 SQ FT OR 1.38 AC 1877-348	9430 UNION PACIFIC TRAIL	\$474.71	\$20.00	\$494.71
700001.1	SPC-AD-A-1	GORDY BYERS	LOT 1 SPRING CREEK ADDITION "A" SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 9186 SQ FT OR 0.21 AC TOGETHER WITH COMMON AREA INTEREST 1568-1797 1590-569 1619-1653 1749-1674-1686	6556 N MOURNIG DOVE WAY	\$385.85	\$20.00	\$405.85
700027.2	SPC-27	LUKAS HERB	SUBD: SPRING CREEK PLAT A & AMENDMENTS LOT: 27BUILDING: 0.00LOT 27 SPRING CREEK SUBDIVISION PLAT A IN SECS 18 & 19 T1SR4E CONT 0.654 AC M170-461 M187-513 M197-787-789 M221-651 1346-1407 1830-596	6827 BUFFLEHEAD DRIVE	\$325.49	\$20.00	\$345.49
700064.1	SPC-A-64	FLINDERS TOM	LOT 64 SPRING CREEK SUBDIVISION PLAT A IN SECS 18 & 19 T1SR4E CONT 0.527 AC TOGETHER WITH COMMON AREA INTEREST 685-266 717-737 1034-475	1318 W PHEASANT WAY	\$572.31	\$20.00	\$592.31
700210.2	BHWKS-1-10-2	ASHE STUART & CHERI	LOT 10 BLACK HAWK STATION SUBDIVISION PHASE 1 2ND AMENDED; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 4143 SQ FT OR 0.10 AC 1217-352	1043 LINCOLN LN	\$2,159.18	\$20.00	\$2,179.18
700360.1	BHWKS-2-160	STRALEY JULIA L	SUBD: BLACKHAWK STATION SUBDIVISION PHASE 2 LOT: 160LOT 160 BLACKHAWK STATION SUBDIVISION PHASE 2; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 5611 SQ FT OR 0.13 AC 1365-1109 1912-386 1915-516	1124 STATION LOOP RD	\$184.54	\$20.00	\$204.54
711121.3	GWLD-II-121-A	CASHIOLA JAMES TRUSTEE	SUBD: GLENWILD PHASE II & AMENDED LOT: 121LOT 121 GLENWILD PHASE II SUBDIVISION AMENDED; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE	7474 FOXGLOVE CT	\$178.06	\$20.00	\$198.06

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
711167.1	GWLD-III-167	RINEHART ROBERT	SUBD: GLENWILD PHASE III SUBDIVISION LOT: 167/LOT 167 GLENWILD PHASE III SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE	8135 GLENWILD DR	\$1,213.90	\$20.00	\$1,233.90
715000.1	NPTCR-R-1	NEWPARK TERRACE CONDOMINIUMS	PARCEL R-1 NEWPARK TOWNCENTER RETAIL PLAT SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 105,775 SQ FT OR 2.43 AC 1886-39 1889-1927 2180-1629	1182 CENTER DRIVE	\$10,075.92	\$20.00	\$10,095.92
800032.1	RRH-32	BOTHNER KURT	SUBD: RIDGE AT RED HAWK THE LOT: 32/LOT 32 THE RIDGE AT RED HAWK SUBDIVISION;	9101 N RED HAWK TRAIL	\$474.40	\$20.00	\$494.40
810058.2	PRESRV-3-58	GW VENTURES, LLC	LOT 58 THE PRESERVE PHASE 3 SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 10.20 AC 1882-1347- 1352-1363 2012-1886	9196 QUAIL RIDGE LANE	\$474.53	\$20.00	\$494.53
810065.1	PRESRV-3-65	FORTRESS CREDIT OPPORTUNITIES I LP	LOT 65 THE PRESERVE PHASE 3 SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 10.26 AC 1882-1325- 1331-1342-1363 2082-721	2233 PRESERVE DRIVE	\$5,467.90	\$20.00	\$5,487.90
820006.1	SG-D-6	WEIDENFELD DONALD & JULIE	LOT 6 OF STAGECOACH ESTATES PLAT "D" SUBDIVISION THE SAME AS IS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER CONT 10.10 AC 470-26-69 751-383 756-523 819-124 994-349 1013-81 1222-314 1716- 918 1760-79 1766-339 1968-48 DONALD B WEIDENFELD AN UND 1/2 INT; MICHAEL NECAISE AN UND 1/2 INT 1968-48	STAGECOACH LOT 6	\$2,372.92	\$20.00	\$2,392.92
820009.2	SG-D-9	SKRYPEK KYRA	LOT 9 OF STAGECOACH ESTATES PLAT "D" SUBDIVISION THE SAME AS IS RECORDED IN THE OFFICE OF SUMMIT COUNTY RECORDER CONT 10.00 AC 470-27-70 519-131 737-600	STAGECOACH LOT 9	\$995.30	\$20.00	\$1,015.30

Mountain Regional Water Special Service District 2014 Property Tax Lien List

Customer Number	Parcel ID	Name	Legal Description	Service Address	Balance	Fee	Total
820026.1	SG-C-26	SCHMITT HAROLD & CAROL	LOT 26 OF STAGECOACH ESTATES PLAT "C" SUBDIVISION THE SAME AS IS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER CONT 10.11 AC 1690-104 1742-560 1750-353 1937-1094	STAGECOACH LOT 26	\$731.24	\$20.00	\$751.24
820061.1	SG-C-61	LAF INTERNATIONAL	Legal LOT 61 OF STAGECOACH ESTATES PLAT "C" SUBDIVISION, THE SAME AS IS RECORDED IN	STAGECOACH LOT 61	\$2,506.31	\$20.00	\$2,526.31
850002.1	SGR-1-2	DAVIS SANFORD JAY	SUBD: SILVER GATE RANCHES PHASE 1 SUBDIVISION LOT: 2 LOT 2 SILVER GATE RANCHES PHASE 1 SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 35,775 SQ FT OR 0.82 AC TOGETHER WITH A PROPORTIONATE INT IN THE COMM	6722 MINERAL LOOP	\$261.79	\$20.00	\$281.79
850012.1	SGR-1-12	DAVIS SANFORD JAY	SUBD: SILVER GATE RANCHES PHASE 1 SUBDIVISION LOT: 12 LOT 12 SILVER GATE RANCHES PHASE 1 SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT	2502 MERRIMAX CIRCLE	\$261.79	\$20.00	\$281.79
850014.1	SGR-1-14	BOTHNER KURT	SUBD: SILVER GATE RANCHES PHASE 1 SUBDIVISION LOT: 14 LOT 14 SILVER GATE RANCHES PHASE 1 SUBDIVISION	2515 MERRIMAX CIRCLE	\$474.55	\$20.00	\$494.55
7200473.1	TCT-B	BARNES MICHAEL S	SUBD: TROUT CREEK TOWNHOUSES LOT: A000 LOT A TROUT CREEK TOWNHOUSES A PLANNED UNIT DEVELOPMENT;	STAND BY FEES	\$296.21	\$20.00	\$316.21
8200292.1	SG-C-29-B	GARNER WILLIAM PIERCE	SUBD: STAGECOACH ESTATES PLAT C SUBD LOT: 29B PLAT: C BUILDING: 0.00 LOT 29B OF STAGECOACH ESTATES PLAT "C" SUBDIVISION THE SAME AS IS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER CONT 6.87 AC TOGETHER WITH A PORTION OF LOT 120 DESC AS BEG AT	STAGECOACH LOT 29-B	\$2,529.33	\$20.00	\$2,549.33
TOTALS					\$52,682.40	\$1,320.00	\$54,002.40



STAFF REPORT

To: Summit County Council
From: Jennifer Strader, County Planner *JS*
Date of Meeting: August 20, 2014
Type of Item: Special Exception - Public Hearing, Possible Action
Process: Legislative Review

RECOMMENDATION: Staff has reviewed the application for compliance with all standards in the Snyderville Basin Development Code (Code) and found that it meets the minimum required for approval. Staff recommends that the Summit County Council (SCC) review the proposed special exception, conduct a public hearing, and approve the application pursuant to the findings of fact and conclusions of law found in this staff report.

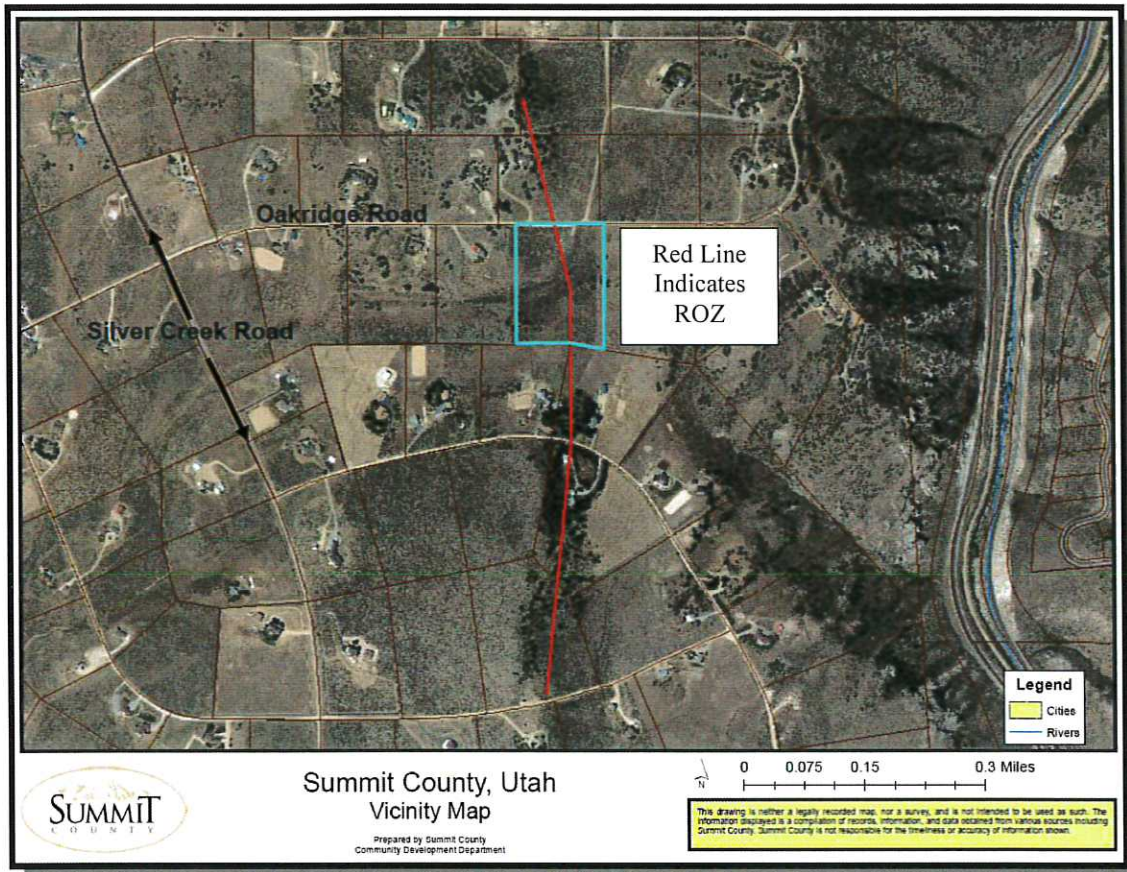
Project Description

Project Name: Silver Creek Estates Lot 43 Special Exception
Applicant(s): Erin Gouveia
Property Owner(s): Erin Gouveia and Sebastian Kreitschitz
Location: 1386 East Oakridge Road
Zone District: Rural Residential (RR) and Ridgeline Overlay Zone (ROZ)
Parcel Number and Size: Parcel SL-A-43, 10.65 acres
Type of Process: Legislative
Final Land Use Authority: SCC

Proposal

The applicant is requesting approval of an exception to the Ridgeline Overlay Zone (ROZ) requirement that limits the area of disturbance on lots greater than five (5) acres to 20,000 square feet (**Exhibit A**). The proposed area of disturbance would be 34,700 square feet (**Exhibit B**).

Vicinity Map



Background

Lot 43 of Silver Creek Estates, Plat A is subject to the requirements of Sections 10-2-13 and 10-4-3 of the Code which regulate development located in the ROZ. The ROZ was established in 2004 for the purpose of protecting significant ridgelines from the impacts of development.

The Code states, "Structures located on ridgelines as viewed from Interstate 80, SR-224, SR-248, and U.S.-40 shall be prohibited. Development shall be prohibited within one hundred (100) vertical feet of any ridgeline that is identified by the ridgeline overlay zone district, ***except for existing lots of records, previously entitled developments***, and resort lifts and runs as provided for in this section". Lot 43 is an existing lot of record in a previously entitled development.

The Code goes on to state that if any portion of a lot in an existing subdivision falls within the ROZ, any development on that parcel shall be subject to the Low Impact Permit (LIP) process. As part of the LIP process, every effort will be made to place all development on the most suitable

portion of the lot, taking into consideration the special development standards outlined in the Code for the ROZ. The development standards are specific to site planning and structure height, architectural standards, grading limitations, and landscape requirements. The applicant is proposing to build a residence, barn, and indoor riding arena.

The applicant submitted a Low Impact Permit on May 20, 2014. Staff informed them of the specific grading requirement which limits site disturbance on lots greater than five (5) acres to 20,000 square feet. A limit of disturbance area is to be established on the site plan to ensure compliance with this site grading standard.

The applicant is requesting an exception to this standard because although Lot 43 contains a designated ridgeline, the lot sits in a small ravine and is fairly flat. It is also located on the far north end of Silver Creek Estates Subdivision and is barely visible from I-80 (**Exhibits C-E**). There is a ridge immediately to the north of Lot 43 which provides a backdrop for any structures and a ridge to the east (**Exhibits F-H**).

Analysis and Findings

Standard 1: The special exception is not detrimental to the public health, safety, and welfare. **COMPLIES**

Analysis: The applicant is proposing to build a residence, barn, and indoor riding arena on an existing platted lot which would be subject to the setbacks, height limitations, and building permit requirements. Allowing them to disturb more than 20,000 square feet would not be detrimental to the public health, safety, and welfare.

Standard 2: The intent of the Development Code and General Plan will be met. **COMPLIES**

Analysis: The purpose of the ROZ is to protect significant ridgelines from the impacts of development. Lot 43 does not contain a ridgeline and is barely visible from I-80. The purpose of the 20,000 square foot requirement is to limit disturbance on ridgelines that are visible.

Standard 3: The applicant does not reasonably qualify for any other equitable processes provided through the provisions of this Title. **COMPLIES**

Analysis: The ROZ is an overlay zone that is identified on the zoning map. The applicant could apply for an amendment to the zone map to remove the ROZ from their particular lot, but that process could take numerous months and the applicant wishes to move forward expeditiously. With the exception of the limit of disturbance area, the applicant would meet all other standards outlined in the ROZ.

Standard 4: There are equitable claims or unique circumstances warranting the special exception. **COMPLIES**

Analysis: The unique circumstance warranting the special exception is that the ROZ runs through the middle of Lot 43, but a ridgeline doesn't exist. There are ridgelines on adjacent parcels and it appears that when the ROZ was drawn on the map, it was not done accurately.

Recommendation

It is Staff's finding that the project meets the applicable standards in the Code. Staff recommends that the SCC conduct a public hearing and review the proposal for compliance with the Code. Based upon the review outlined in this report, and unless members of the public bring to light new issues or concerns that may affect these findings, Staff also recommends that the SCC vote to **approve** the Special Exception based on the following Findings of Fact and Conclusions of Law:

Findings of Fact:

1. The ROZ was established in the 2004 Code.
2. Section 10-2-13(E) of the Code states that if any portion of a lot in an existing subdivision falls within the ROZ, any development on that parcel shall be subject to the Low Impact Permit Process and the Special Development Standards outlined in Section 10-4-3 of the Code.
3. Lot 43, Silver Creek Estates Subdivision, Plat A is subject to the ROZ.
4. There is not a ridgeline located on Lot 43.
5. On May 20, 2014, the applicant submitted a Low Impact Permit for development in the ROZ.
6. Section 10-4-3 states that the limit of disturbance area for lots greater than five (5) acres shall not exceed 20,000 square feet. Lot 43 contains 10.65 acres.
7. The applicant is proposing to build a residence, barn, and indoor riding arena. The proposed area of disturbance would be 34,700 square feet.
8. With the exception of the 20,000 square foot limit of disturbance requirement, the applicant will comply with all applicable standards of the ROZ.

Conclusions of Law:

1. The applicant is proposing to build a residence, barn, and indoor riding arena on an existing platted lot which would be subject to the setbacks, height limitations, and building permit requirements. Allowing them to disturb more than 20,000 square feet would not be detrimental to the public health, safety, and welfare.
2. The purpose of the ROZ is to protect significant ridgelines from the impacts of development. Lot 43 does not contain a ridgeline and is barely visible from I-80. The

purpose of the 20,000 square foot requirement is to limit disturbance on ridgelines that are visible.

3. The ROZ runs through the middle of Lot 43, but a ridgeline doesn't exist. There are ridgelines on adjacent parcels and it appears that when the ROZ was drawn on the map, it was not done accurately.

Public Notice, Meetings and Comments

This item was publicly noticed as a public hearing with possible action by the SCC. Notice of the public hearing was published in *The Park Record*. Courtesy postcards were mailed to all property owners within 1,000 feet of the subject Parcel. At the time of this report, Staff has not received any public comment.

Attachments

- Exhibit A: Applicant's Special Exception Request
- Exhibit B: Proposed Site Plan
- Exhibit C: Picture 1 of Lot from I-80
- Exhibit D: Picture 2 of Lot from I-80
- Exhibit E: Picture of Lot from Hwy 224
- Exhibit F: Staff's Analysis of ROZ
- Exhibit G: Picture 1 of Adjacent Lot
- Exhibit H: Picture 2 of Adjacent Lot

APPLICANT'S ANALYSIS

SPECIAL EXCEPTION

- The reason for this application for a Special Exception is to grant Lot 43 of Silver Creek Estates; Plat 'A', an exception to the restriction of a maximum disturbance of 20,000 square feet that is imposed on critical areas that are contained in the Ridgeline Overlay Zone due to an apparent error in the Interactive Zoning Map used to determine the inclusion of parcels and lots into the Ridgeline Overlay Zone.
- The Interactive Zoning Map on the Summit County Website shows a ridgeline running north to south through Lot 43. As per a topographical survey that was completed on October 28, 2013 by Alta Engineering Inc, there is no ridgeline or crest running north to south on Lot 43. (Please see Zoning Map images and Topographical Survey that is included)
- Lot 43 in fact sits in a gentle ravine and has somewhat of a flat downward slope. The majority of Lot 43 sits behind the surrounding topography.
- A small portion of Lot 43 is barely visible from Interstate 80 and Highway 224 and is not visible from Interstate 40 and Highway 248.



PHOTOGRAPHS

- Photographs were taken on Interstate 80 and Highway 224 and are labeled accordingly. You cannot see Lot 43 from Interstate 40 and Highway 248.
- Photographs were taken with a 50mm lens. This lens is the closest to how the human eye sees without distortion.
- Lot 43 is barely visible for approximately a 3/10 of a mile span along Interstate 80. The images were taken 2/10 of a mile apart.

Key:

- Information written in BLUE: denotes time and location of photograph taken
- Information written in RED: denotes the barely visible portion of Lot 43
- Information written in YELLOW: denotes the neighboring two-story home on Lot 42 to help reference the size of a two-story structure on Lot 43.

MAPS

- County Interactive Zoning Maps printed from the Summit County website identify where the supposed ridgeline runs north to south through Lot 43. (Please refer to the Topographical Survey that is included to see that no ridgeline is present on Lot 43)
- Lot 43 is identified on this map. Lot 42 and its two-story home used to reference a future two-story structure on Lot 43 is also identified.

OUR INTENT

Fall 2014

- Build a primary residence. It will be a 3 bedroom, 2 bathroom home that is 3086 square feet and 24 feet tall. (SEE DRAWINGS)

Spring 2015

- Build a 4 stall gable horse barn. It will be 36 feet X 48 feet and 16'6" tall (SEE DRAWINGS)
- Build an indoor horse arena. It will be 70 feet X 120 feet maximum, have a gable roof, and be 24'9" tall. (SEE DRAWINGS)

All structures will blend into surrounding landscape by using acceptable colors, roofing materials, etc., and the inclusion of vegetative screening/landscaping.

Thank you for taking the time to review our special exception request. Our intent is to be conscientious to our surroundings in Silver Creek and the overlying Summit County area. We hope to build our dream home that we've spent years saving for.

DATE:	AUG 9, 2014
PROJECT NO.:	05-
FILE:	LOT-43
REVISIONS:	
DATE	

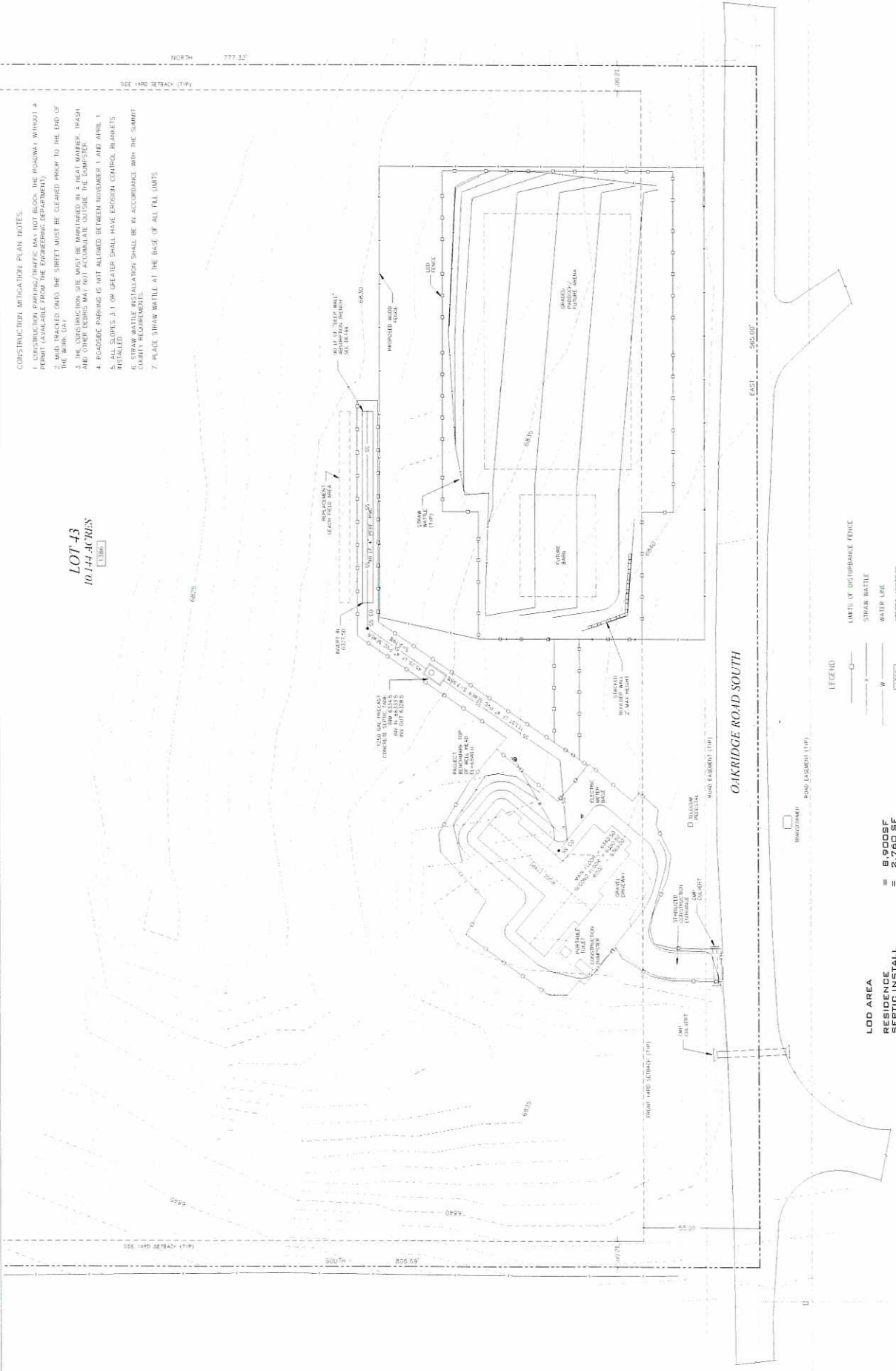


GOUVEIA/KREITSCHITZ RESIDENCE
PROPOSED SITE & EROSION CONTROL PLAN
LOT 43 SILVER CREEK ESTATES
FOR: ERIN GOUVEIA & SEBASTIAN KREITSCHITZ

SHEET NO.: **C1**

- CONSTRUCTION MITIGATION PLAN NOTES:
1. CONSTRUCTION PARKING/STORAGE CAN NOT BE ON THE ROADWAY WITHIN A PERMIT (AVAILABLE FROM THE ENGINEERING DEPARTMENT) THE WORK DAY.
 2. MUD TRACKED ONTO THE STREET MUST BE CLEARED PRIOR TO THE END OF THE WORK DAY.
 3. THE CONSTRUCTION SITE MUST BE MAINTAINED IN A NEAT MANNER. PASH AND OTHER DEBRIS MAY NOT ACCUMULATE OUTSIDE THE COMPOSTER.
 4. ROADSIDE PARKING IS NOT ALLOWED BETWEEN NOVEMBER 1 AND APRIL 1.
 5. ALL SLOPES 3:1 OR GREATER SHALL HAVE EROSION CONTROL BLANKETS INSTALLED.
 6. STRAW WATER INSTALLATION SHALL BE IN ACCORDANCE WITH THE SUMMIT COUNTY REQUIREMENTS.
 7. PLACE STRAW WATER AT THE BASE OF ALL FILL LIMITS.

LOT-43
10,144 SQ. FT.
1.306



- LEGEND
- O — LIMITS OF DISTURBANCE FENCE
 - W — STRAW WATER
 - WATER LINE
 - STREET ADDRESS

LOD AREA	= 8,900 SF
RESIDENCE INSTALL	= 2,760 SF
SEPTIC TANK	= 23,040 SF
FUTURE ARENA & BARN	= 34,700 SF (0.797 ACRE)
TOTAL	

SCALE 1" = 20'

SITE PLAN

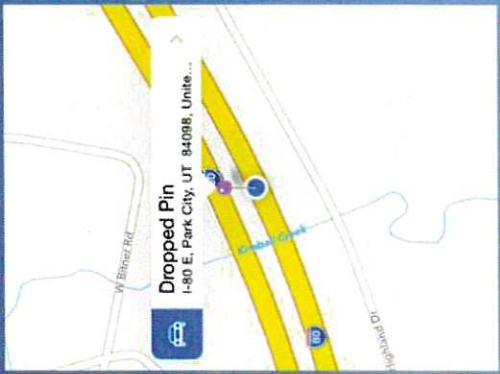


- This image was taken July 8, 2014 at 11:21am with a 50mm lens from the I-80 between the streets of View Drive and Parkridge Drive running south (see drop pin map image).

- As you can see the northwest corner of Unit A Lot 43 is barely visible (red arrow).

- Yellow arrow identifies a Two Story Home on Lot 42 used to reference the size of proposed residence and out-buildings on Lot 43. (yellow arrow)

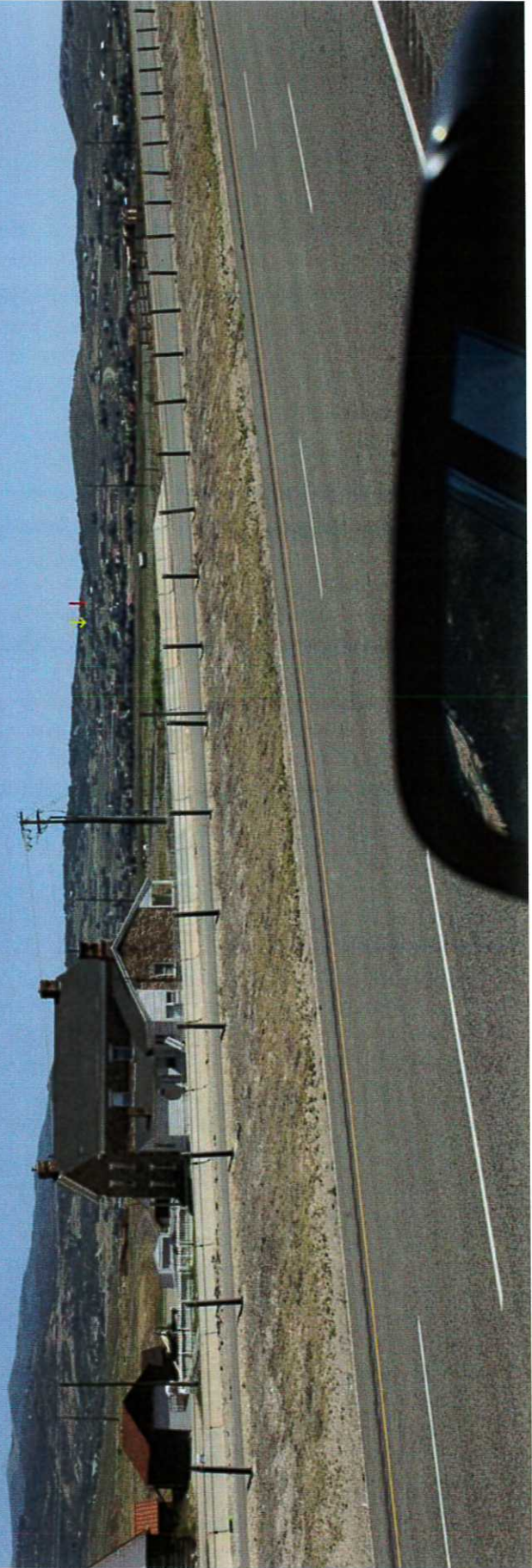


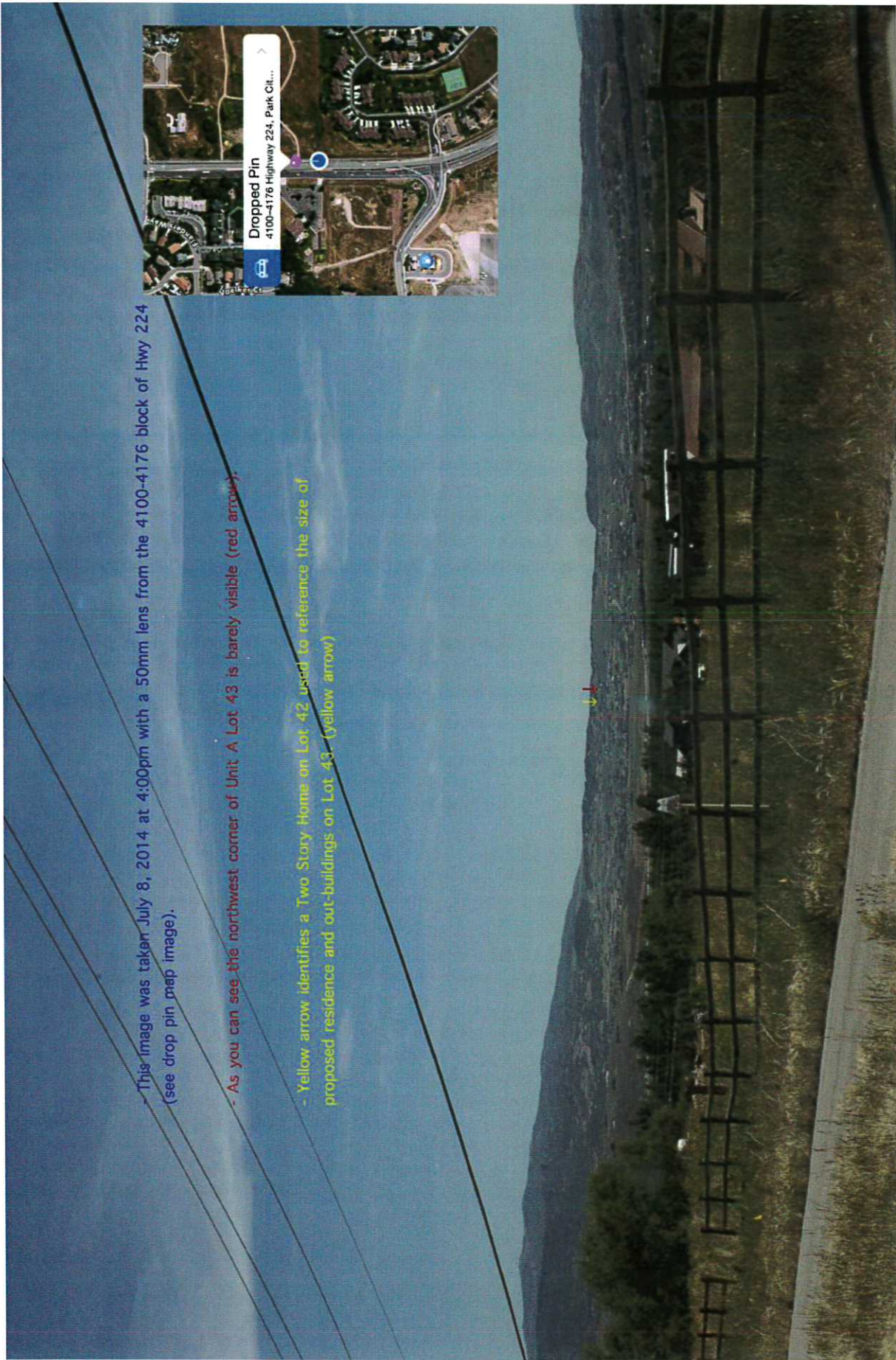


- This image was taken July 8, 2014 at 11:17am with a 50mm lens from the I-80 just east of Kimball Creek (see drop pin map image).

- As you can see the northwest corner of Unit A Lot 43 is barely visible (red arrow).

- Yellow arrow identifies a Two Story Home on Lot 42 used to reference the size of proposed residence and out-buildings on Lot 43. (yellow arrow)

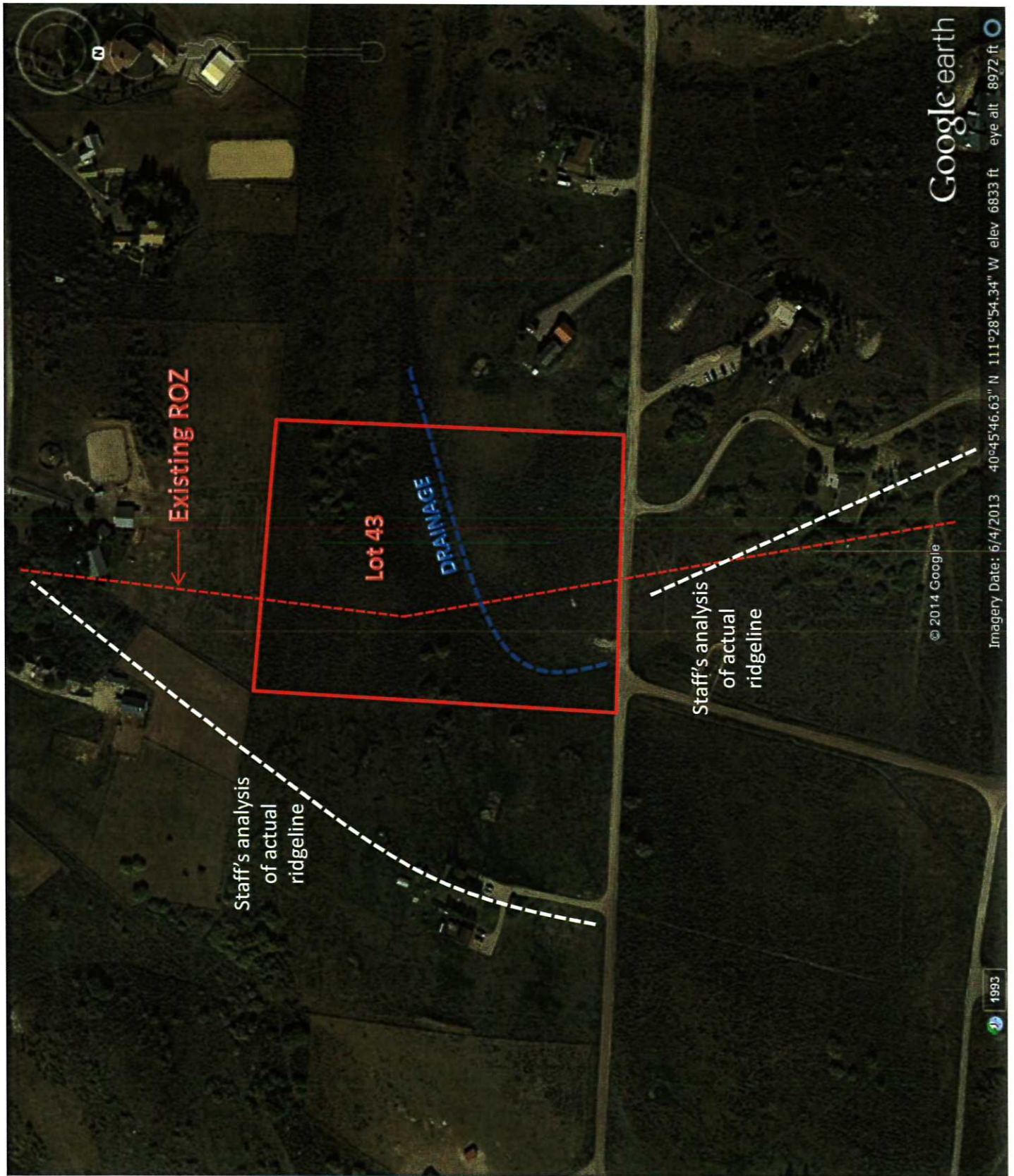




- This image was taken July 8, 2014 at 4:00pm with a 50mm lens from the 4100-4176 block of Hwy 224 (see drop pin map image).

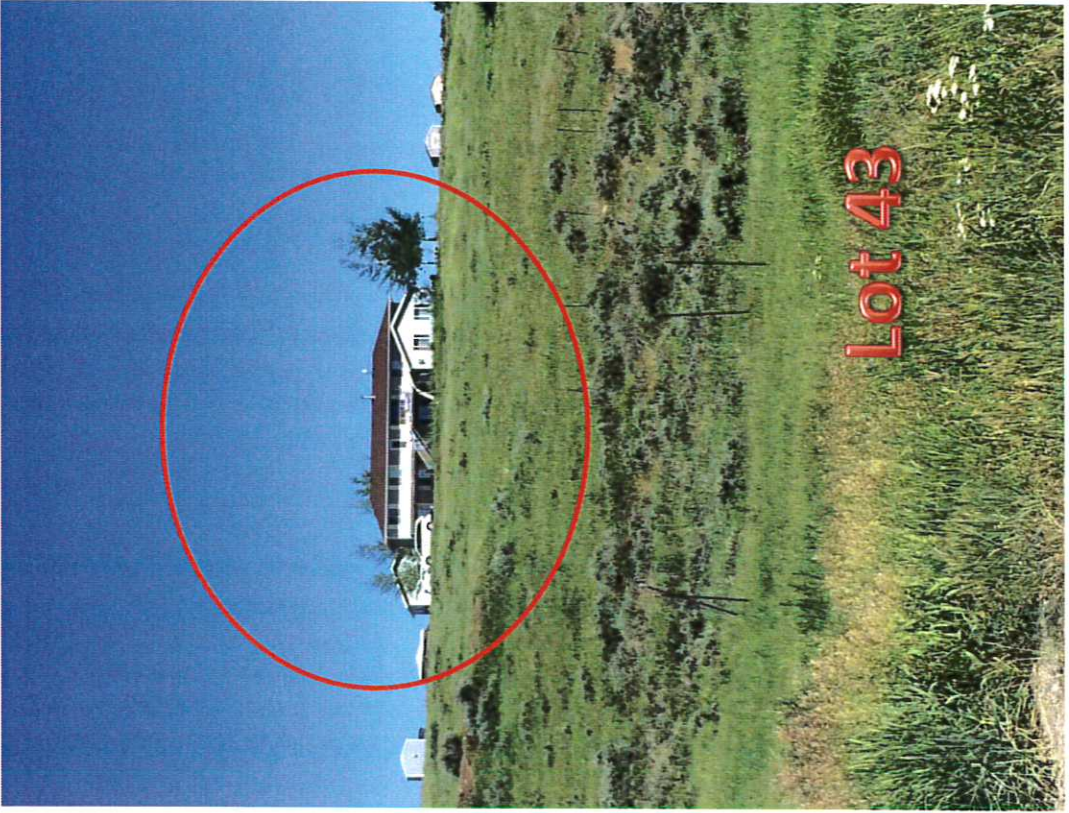
- As you can see the northwest corner of Unit A Lot 43 is barely visible (red arrow).

- Yellow arrow identifies a Two Story Home on Lot 42 used to reference the size of proposed residence and out-buildings on Lot 43. (Yellow arrow)





This picture indicates that the structure on the adjacent parcel sits higher than Lot 43





MOUNTAIN REGIONAL WATER
SPECIAL SERVICE DISTRICT

MEMORANDUM

To: Summit County Council
From: Mountain Regional Administrative Control Board
Date: August 20, 2014
Subject: Rate & Fee Hearing Recommendation

Action Recommended

The administrative control board recommends that the Summit County Council adopt the proposed rate and fee increases following the public hearing.

Information Packet

This attached packet of information provided to you for this public hearing is an abridged version of what was presented to you in the work session. This packet focuses on what Mountain Regional plans to present to the public at the hearing. It does not include anything that was not in the work session packet.

There are a few things that were not discussed in the work session that you need to be aware of:

- 1) The recommended rate changes include adjusting the pumping surcharges in order to better correlate them with actual power costs and pump wear & tear. In addition, some areas that were excluded from the pumping charge in the last rate change are included now. The impact of the pumping rate changes is included as part of the 3.75% average yearly increase, and is not an add-on to the 3.75%.
- 2) A new \$1,700 Summit Park lateral fee has been added for future customers who connect to the water system in those areas where the waterlines have been recently replaced. Unlike the rest of Summit Park and most of the District, the newly installed waterlines have stubs installed to where the meter connects to the water system.

This means those connecting to these new waterlines will not need to dig up the road to connect to the water system. Including these stubs in the recently replaced waterlines in Summit park cost about \$1,700 per connection.

**RESOLUTION PURSUANT TO UCA §17B-1-643 INCREASING
FEES FOR WATER SERVICE, MOUNTAIN REGIONAL WATER SPECIAL SERVICE
DISTRICT, SUMMIT COUNTY, UTAH**

WHEREAS, the costs associated with water service delivery has increased within the Snyderville Basin, resulting in the need for Mountain Regional Water Special Service District (“MRW”) to increase rates proportionally in order to maintain cash flows and generate sufficient revenue to meet its obligations; and,

WHEREAS, the Administrative Control Board has forwarded to the Summit County Council, sitting as the Governing Board of MRW, a recommendation for increasing fees for water service to maintain cash flows and generate needed revenues; and,

WHEREAS, pursuant to UCA §17B-1-643, a public hearing was held on August 20, 2014 by the Governing Board of MRW at which any interested person could speak for or against the proposal to increase existing water service fees; and,

WHEREAS, proper notice of the public hearing was provided pursuant to UCA §17B-1-643(2); and,

WHEREAS, it is in the best interests of the rate payers of MRW to consider increasing fees for water service;

NOW, THEREFORE, be it resolved by the County Council, Summit County, Utah, sitting as the Governing Board of MRW, that the increase in water service fees is approved, as specified on Exhibit A hereto. Said water rates shall be effective on customer bills sent out by MRW on or about September 1, 2014. Said fees will be effective upon adoption of this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2014.

SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

ATTEST:

By: _____
Christopher F. Robinson, Chair

Kent Jones
County Clerk

APPROVED AS TO FORM:

David L. Thomas
Chief Civil Deputy

EXHIBIT “A”

Water Rates	Effective on MRW Bills		Effective on MRW Bills		
	Sent out September 1, 2014		Sent out September 1, 2015		
Residential - 1.0 ERCs					
Monthly Base Rate	\$	56.00	\$	60.00	<i>Per Connection</i>
Usage (in gallons)					
Zero to 5,000		2.75		2.75	<i>Per 1,000 Gallons</i>
5,001 to 30,000		4.50		4.50	<i>Per 1,000 Gallons</i>
30,001 to 40,000		8.00		8.00	<i>Per 1,000 Gallons</i>
40,001 to 60,000		12.00		12.00	<i>Per 1,000 Gallons</i>
60,001 to 80,000		15.00		15.00	<i>Per 1,000 Gallons</i>
80,001 to 100,000		18.00		18.00	<i>Per 1,000 Gallons</i>
Above 100,000		21.00		21.00	<i>Per 1,000 Gallons</i>
Residential - 1.4 ERCs					
Monthly Base Rate		78.40		84.00	<i>Per Connection</i>
Usage (in gallons)					
Zero to 7,000		2.75		2.75	<i>Per 1,000 Gallons</i>
7,001 to 42,000		4.50		4.50	<i>Per 1,000 Gallons</i>
42,001 to 56,000		8.00		8.00	<i>Per 1,000 Gallons</i>
56,001 to 84,000		12.00		12.00	<i>Per 1,000 Gallons</i>
84,001 to 112,000		15.00		15.00	<i>Per 1,000 Gallons</i>
112,001 to 140,000		18.00		18.00	<i>Per 1,000 Gallons</i>
Above 140,000		21.00		21.00	<i>Per 1,000 Gallons</i>
Residential - 1.8 ERCs					
Monthly Base Rate		100.80		108.00	<i>Per Connection</i>
Usage (in gallons)					
Zero to 9,000		2.75		2.75	<i>Per 1,000 Gallons</i>
9,001 to 54,000		4.50		4.50	<i>Per 1,000 Gallons</i>
54,001 to 72,000		8.00		8.00	<i>Per 1,000 Gallons</i>
72,001 to 108,000		12.00		12.00	<i>Per 1,000 Gallons</i>
108,001 to 144,000		15.00		15.00	<i>Per 1,000 Gallons</i>
144,001 to 180,000		18.00		18.00	<i>Per 1,000 Gallons</i>
Above 180,000		21.00		21.00	<i>Per 1,000 Gallons</i>
Non-residential - Per ERC					
Monthly Base Rate		73.00		77.00	<i>Per Connection</i>
Usage (in gallons)					
Zero to 5,000		2.75		2.75	<i>Per 1,000 Gallons</i>
5,001 to 30,000		4.50		4.50	<i>Per 1,000 Gallons</i>
30,001 to 40,000		8.00		8.00	<i>Per 1,000 Gallons</i>
40,001 to 60,000		12.00		12.00	<i>Per 1,000 Gallons</i>
60,001 to 80,000		12.00		12.00	<i>Per 1,000 Gallons</i>
80,001 to 100,000		12.00		12.00	<i>Per 1,000 Gallons</i>
Above 100,000		12.00		12.00	<i>Per 1,000 Gallons</i>
Culinary Irrigation - Per ERC					
Monthly Base Rate		56.00		60.00	<i>Per Connection</i>
Usage (in gallons)					
Zero to 5,000		2.75		2.75	<i>Per 1,000 Gallons</i>
5,001 to 30,000		4.50		4.50	<i>Per 1,000 Gallons</i>
30,001 to 40,000		8.00		8.00	<i>Per 1,000 Gallons</i>
40,001 to 60,000		12.00		12.00	<i>Per 1,000 Gallons</i>
60,001 to 80,000		15.00		15.00	<i>Per 1,000 Gallons</i>
80,001 to 100,000		18.00		18.00	<i>Per 1,000 Gallons</i>
Above 100,000		21.00		21.00	<i>Per 1,000 Gallons</i>
Common Wall Irrigation					
Rate Multiplier		# of Units		# of Units	
Monthly Base Rate	\$	-	\$	-	<i>Per Unit</i>
Usage (in gallons)					
Zero to 3,000		1.18		1.23	<i>Per 1,000 Gallons</i>
3,001 to 11,000		4.16		4.31	<i>Per 1,000 Gallons</i>
11,001 to 27,000		4.75		4.92	<i>Per 1,000 Gallons</i>
27,001 to 47,000		5.34		5.54	<i>Per 1,000 Gallons</i>
47,001 to 87,000		5.93		6.15	<i>Per 1,000 Gallons</i>
87,001 to 147,000		9.50		9.85	<i>Per 1,000 Gallons</i>
147,001 to 227,000		14.26		14.77	<i>Per 1,000 Gallons</i>
Above 227,000		19.01		19.69	<i>Per 1,000 Gallons</i>

Water Rates (continued)

	Effective on MRW Bills Sent out September 1, 2014	Effective on MRW Bills Sent out September 1, 2015	
Interruptible Sources (Construction/Snowmaking/Wholesale)			
Monthly Base Rate	115.00	120.00	<i>Per Connection</i>
Usage	12.50	13.00	<i>Per 1,000 Gallons</i>
Pumping Surcharge			
Colony	3.17	3.17	<i>Per 1,000 Gallons</i>
Discovery	0.78	0.78	<i>Per 1,000 Gallons</i>
Glenwild	0.63	0.63	<i>Per 1,000 Gallons</i>
Preserve	0.63	0.63	<i>Per 1,000 Gallons</i>
Redhawk	3.07	3.07	<i>Per 1,000 Gallons</i>
Stagecoach	3.07	3.07	<i>Per 1,000 Gallons</i>
Summit Park	0.78	0.78	<i>Per 1,000 Gallons</i>
Sun Peak	1.18	1.18	<i>Per 1,000 Gallons</i>
Timberline	0.78	0.78	<i>Per 1,000 Gallons</i>
Weilenmann	0.78	0.78	<i>Per 1,000 Gallons</i>

Applies to all water rates. Newly annexed areas will be assigned to the most appropriate pumping surcharge based upon the location of that development.

Olympic Park			
Monthly Base Rate	115.00	120.00	
Usage (includes Sun Peak Pumping Surcharge)	4.99	5.13	<i>Per 1,000 Gallons</i>

Untreated Secondary Water

Per Contract

Stagecoach

Monthly Infrastructure Assessment	143.00	143.00	<i>Per Lot</i>
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Standby Fees

Monthly Charge	37.25	38.50	<i>Per Lot or Prepaid Connection</i>
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Operating Fees

Effective
Upon Adoption

Buried Meter Service Fee	<i>Peak Monthly Gallons for Previous Year at Current Rates Per Month</i>	<i>Per Connection</i>
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Connection Fee - Meter/MXU

Security Deposit (Refundable)	\$ 1,500	<i>Per Connection</i>
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Up to 3/4" Meter	1,800
1.0" Meter	2,000
1.5" Meter	2,400
2.0" Meter	2,700

*\$2,700 plus Incremental
Meter Cost*

Summit Park Lateral Fee	1,700	<i>Per Connection</i>
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Delinquent Accounts

Delinquent Lien Fee	50	<i>Per Occurrence</i>
Shutoff Notice	30	<i>Per Occurrence</i>
Late Charge	1.50%	<i>Monthly Charge</i>
Water Shutoff	100	<i>Per Occurrence</i>

Disconnection of Service

Removal of Meter	250	<i>Per Occurrence</i>
Resumption of Disconnected Service	<i>8 time Monthly Base</i>	<i>Per Occurrence</i>

Operating Fees (continued)

	Effective Upon Adoption	Effective on MRW Bills Sent out September 1, 2015	
Fire Hydrant Rental			
3" Meter - Deposit (Refundable)	1,500		<i>Per Connection</i>
3" Meter Wear Fee (Non-Refundable)	350		
3" Monthly Base Rate	115	120	
3" Usage Rate	12.50	13	<i>Per 1,000 Gallons</i>
1" Meter - Deposit (Refundable)	500		<i>Per Connection</i>
1" Meter Wear Fee (Non-Refundable)	125		
1" Monthly Base Rate	57.50	60	
1" Usage Rate	12.50	13	<i>Per 1,000 Gallons</i>
On-Site Visit (formerly inspection fee)	100		<i>Per Occurrence</i>
Private Fire Hydrant Meter Flushing & Inspection Fee			<i>Per Lot with Private Hydrant</i>
Monthly Ongoing Fee	10		
Resumption of Service Fee	100		<i>Per Occurrence</i>
Title Transfer Fee	100		<i>Per Occurrence</i>
Alternate Water Service Provider	\$ 4,700		<i>Per ERC Under Contractual Commitment with MRW Who Switches to Another Provider</i>
Conservation Violations			
1st Violation	<i>Warning</i>		<i>Per Violation</i>
2nd Violation	50		
3rd Violation	100		
4th Violation	500		
Leaking Water	<i>Credit for estimated water leaked between one meter read, less cost of water production</i>		<i>Per Occurrence</i>
Release of Restrictive Covenant	<i>Assess all back fees and charges, plus 1.5% annual interest</i>		<i>Per Lot</i>
Theft of Service	1,000		<i>Per Occurrence</i>



**MOUNTAIN REGIONAL WATER
SPECIAL SERVICE DISTRICT**

2014 Recommended
Rate and Fee
Adjustments and
Restructuring

August 20, 2014

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1.0 EXECUTIVE SUMMARY

Mountain Regional’s last water rate increase was effective August 2012. Before that, it had not raised rates for several years.

However, significant increases in its three largest budget items going forward, combined with an anticipated decline impact fee collections, will have an *average \$305,036 cumulative projected financial impact on Mountain Regional over each of the next five years*. The three budget items include :

- 1) Scheduled debt service payments on existing bonds;
- 2) Weber Basin take-or-pay water purchases; and
- 3) Power costs.

It is possible, despite the improving building economy, annual impact fee collections could decline. Three factors contribute to this:

- 1) Lower impact fees per ERC;
- 2) Potential sharing with Summit Water per a settlement agreement; and the
- 3) Existence of prepaid connections that developers are currently trying to market.

Mountain Regional’s Administrative Control Board has reviewed its financial situation and recommends the following *average* increases.

- 1) 2014 August 1 3.75 %
- 2) 2015 August 1 3.75 %

If the proposed rates are adopted, the average yearly increase between 2012 and 2015 would be 2.50%. Making the rate increases effective August 1 of each year means the rate increases would first be reflected on customers bills sent out on September 1 of those years.

The Control Board also recommends an average fee (except impact fees) increase of 20.0%, effective the day after adoption of the rate/fee resolution. Fees have not been raised since 2003. Almost all fees are one-time payments that do not affect existing customers who pay their bills on time, with the exception of the private fire hydrant fee.

2.0 Rate Recommendations

2.1 Need to Provide Safe Reliable Water

Mountain Regional’s Control Board feels strongly that it should keep up on maintenance and repairs in order to provide a safe reliable water supply. The Lost Canyon project operated by Mountain Regional is the largest single source of water in western Summit County. Mountain Regional has contractual

obligations to provide Park City with up to 2,900 acre feet of water annually through the Lost Canyon project. Mountain Regional also provides water to High Valley Mutual Water Company, and emergency water to several other water companies.

2.2 Summary of Proposed Rates

A summary comparison of the current versus proposed water rate increases is shown below. The rates shown below include the 3.75% increases for both 2014 and 2015. A complete list of the proposed water rate increases for each of the two years can be found in Appendix One.

Mountain Regional Water Summary Comparison of Current and Proposed Water Rates

<u>Monthly Base</u>	<u>Current</u>		<u>Proposed</u>	
	Amount	Gallons	Amount	Gallons
Residential				
Plan A	56.00	3,000	60.00	-
Plan B	62.75	5,000	60.00	-
Plan C	73.25	8,000	60.00	-
Non Residential				
Plan B	97.25	5,000	77.00	-
<i>Mountain Regional does not use meter size to determine base and usage rates since many homes and buildings require upsized meters for fire flow.</i>				
<u>Consumption Rates</u>	<u>Current Plan B</u>		<u>Proposed</u>	
Residential				
0 to 5,000		-		2.75
5,000 to 30,000	4.01 to 5.15			4.50
30,000 to 40,000	5.72			8.00
40,000 to 60,000	9.16			12.00
60,000 to 80,000	18.32			15.00
80,000 to 100,000	22.90			18.00
> 100,000	22.90			21.00
Non-Residential				
0 to 5,000		-		2.75
5,000 to 30,000	4.01 to \$5.15			4.50
30,000 to 40,000	5.72			8.00
40,000 to 60,000	9.16			12.00
60,000 to 80,000	13.74			12.00
80,000 to 100,000	18.32			12.00
> 100,000	18.32			12.00
<i>Mountain Regional does not apply the highest punitive rates to non-residential customers since they have a higher base rate; and because these customers generally do not use a lot of outdoor water.</i>				

The consumption rates shown on the previous page would be effective August 2014, and would not increase again in August 2015.

However, it is recommended that the base rates change in both 2014 and 2015, as shown below, in order to allocate the rate increases evenly at 3.75% per year.

All Customers Per ERC		
	Aug-14	Aug-15
	Base Rate	Base Rate
Residential	56.00	60.00
Non-Residential	73.00	77.00
Standby Accounts	37.25	38.50

It is recommended that the rate structure be modified so that no gallons are included in the base rate. This is the trend of the industry, and a strategy that Park City has implemented. Currently, customers get between 3,000 gallons and 8,000 gallons included in the monthly base rates.

In addition, the existing pumping surcharge should be adjusted to correlate with current power costs, and be expanded to more areas that have higher pumping costs. These adjustments fall within the 3.75% recommended rate increases.

All other water rates not shown on the previous page would increase 7.5% – or 3.75% each year under the recommended changes. A complete list of the proposed water rates are shown in Appendix One.

As shown on the previous page, the initial 5,000 gallons of water is only \$2.75 per 1,000 gallons – which is normal indoor monthly usage. Between 5,000 and 30,000 gallons is \$4.50 per 1,000 gallons, which provides enough water for modest outdoor watering.

After 30,000 gallons, the rates become increasingly punitive to promote conservation and pass on the higher costs associated with high water use. Mountain Regional’s system was designed to provide 0.60 acre feet of water to each resident annually.

Since many customers use much larger quantities, additional storage and boosting capacity is needed, and booster pumps and well pumps wear out much faster. In addition, high water usage could cause more water to be pumped during the day when power rates are highest.

The punitive rates at the higher usage levels have been decreased in order create a smaller variance in water sales collections between cool, wet years and hot, dry years.

This proposal also simplifies the rate structure, in that Rate Plan A and Rate Plan C are eliminated, and the other rates are more consistent with each other. This structure still allows residential users to select from 1.0 ERCs, 1.4 ERCs, and 1.8 ERCs.

It should be noted that the rates for the Promontory golf courses, and the wholesaling of water to High Valley and Park City are determined according to specific methodologies outlined the related agreements. As the costs related to these customers change year to year, the rates automatically

adjust. The additional revenue generated from increasing these rates due to increasing costs was taken into account when determining the necessary increases for the other rates and fees.

2.2 Impact on Customer’s Monthly Bills

The recommended 2014 and 2015 **average** water rate increases of 3.75% each year would have the following effect on Mountain Regional’s residential customers monthly water bills.

	Median Customer’s Monthly Bill				
	Current Rates	Aug-14 Increase	Aug-15 Increase	Aug-15 Rate	2 Year Total
Condo/Townhomes	\$ 62.75	\$ 1.23	\$ 4.00	\$ 67.98	5.23
Normal Residential	75.50	5.26	4.00	84.77	9.26
Large Residential	121.20	1.65	4.00	126.85	5.65
Stagecoach (Pumping Surcharge)	46.20	10.29	4.00	60.49	14.29
Standby Accounts	35.75	1.50	1.25	38.50	2.75
Non-residential	n/a	n/a	n/a	n/a	n/a

Since non-residential customers water usage varies dramatically among different customer types, median comparisons are not meaningful. However, the **average** increase is 7.5%.

3.0 Discussion of Cost Increases

Over the next five years, Mountain Regional’s major budget items will likely increase each year at a much faster rate than can be covered by normal customer growth. On the other hand, the annual increase in water sales due to new customer growth typically ranges from \$29,200 to \$109,700 annually - far short of the projected **\$305,036** total of the annual financial impacts of the cost increases and anticipated decline in impact fees, as discussed in **Section 1.0** above.

3.1 Annual Payments on Existing Debt

Annual payments on debt currently account for about 40% of Mountain Regional’s operating expenditures. About two-thirds of the need for higher rates is to make the annual payments for existing debt. In fact, debt payments (including the required 25% additional coverage) funded from water sales and fees are scheduled to increase from \$2.61 million in 2014 to \$3.66 million in 2019 - or over a \$1.0 million increase in five years.

In its first few years of existence, Mountain Regional issued nearly \$60 million in long-term debt to address serious water shortage and quality problems in the Snyderville Basin. This was needed to

consolidate and integrate several water companies that had failed both operationally and financially. The nearly \$60 million was used to:

- 1) Construct the Lost Canyon Project (the largest source of water for western Summit County);
- 2) Construct a treatment plant;
- 3) Acquire water rights;
- 4) Develop additional wells;
- 5) Interconnect all water systems it rescued; and
- 6) Develop and continue to provide fire flow.

The bonds are being paid off over a period of 15 to 30 years. The annual bond payments were set up in 2003 to increase each year based upon 3.0% annual growth in the customer base. New growth kept pace with these increases until the Great Recession began in 2008. Building within Mountain Regional has only recently rebounded, but not to the level experienced prior to 2008.

Mountain Regional took several steps the past five years to restructure its debt to reduce future rate and fee increases. The increases discussed reflect these steps.

A Series 2009B bond refinancing replaced \$9.045 million in debt that had interest rates ranging from 4.0% to 7.0% with interest rates that range from 2.0% to 3.5%. This translated into \$2.1 million in net present value savings over a 10 year period.

A Series 2012 refinancing replaced \$27.27 million in debt that had interest rates ranging from 4.5% to 5.0% with a new average 3.55% interest rate. This translated into \$3.41 million in net present value savings over a 20 year period. The annual net savings are about \$250,000 annually between 2013 and 2017, and roughly \$740,000 in 2018.

Bond contracts do not allow for future refinancing at lower rates until 2021.

3.2 Weber Basin Lease Fees

Mountain Regional currently pays over \$1.2 million annually to purchase water from Weber Basin. Most of Mountain Regional's water is provided to it by Weber Basin in the form of annual leases. These lease fees generally increase 3.0% to 4.0% annually.

Mountain Regional audited the Weber Basin lease fees it is assessed, and identified some fees it was paying twice. This resulted in a refund, and reduced annual lease charges by about \$50,000.

3.3 Power Costs

Mountain Regional spends about \$700,000 annually for power to pump and treat water. Rocky Mountain Power has told us to expect 6.0% to 8.0% annual increases in wholesale power rates.

Mountain Regional has taken several steps to reduce its power costs. These savings are taken into account in the projected rate increases.

For example, Mountain Regional constructed a power substation that allows it to purchase power at wholesale rates. The estimated annual savings is \$200,000 to \$250,000 per year; compared to annual debt service costs of \$77,944.

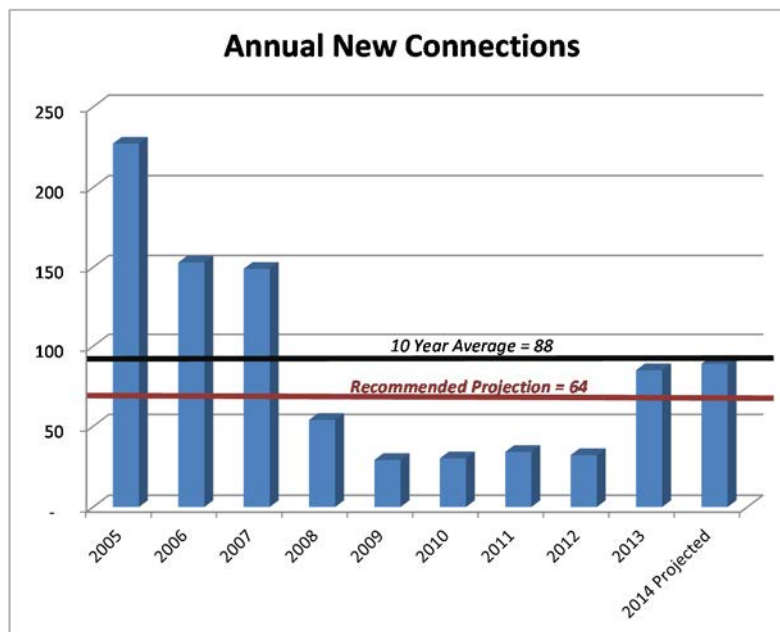
Mountain Regional avoids pumping water during the day when power rates are much higher, except as needed to maintain fire flow. Mountain Regional also received EPA grants and low interest loans to implement power cost savings measures that exceed the annual debt service payments.

4.0 Discussion of Revenue Forecasting

Barring a super building boom over the next five years, the annual revenue growth from new customers is not nearly sufficient to meet increasing costs.

Growth of Existing Revenue Sources

Revenue growth for water sales, operating fees, and impact fees is closely correlated to new customer growth. This growth is very cyclical, making long-term revenue forecasts difficult. The weather makes short-term revenue projections difficult as well.



Over the past 10 years, an average of 88 new customers start using water each year, as shown above. This average benefited from the record building boom from 2005 to mid-2008; but suffered from one worst building economies since the Great Depression between 2008 and 2012.

For the rate study, 64 projected new customers using water annually was assumed, along with another 21 new standby lots (excludes lots with prepaid connections). This leads to an annual increase of 85 new customer accounts which would generate a projected \$58,500 in new water sales each year.

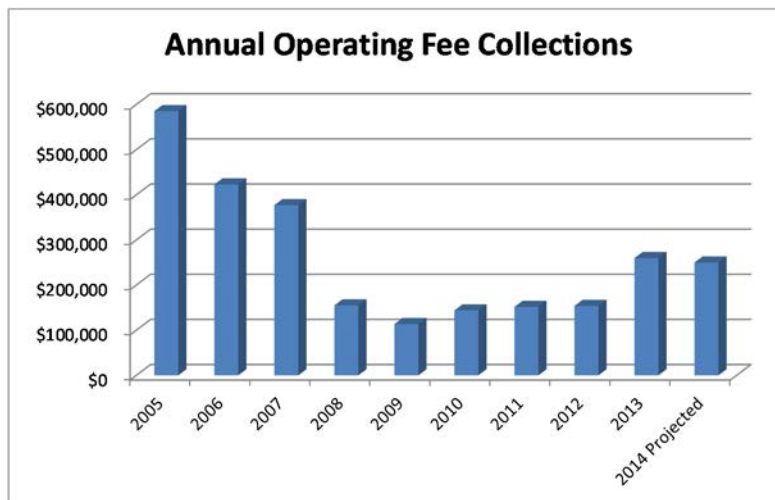
Potential New Wholesale Water Sales

The regionalization agreement recently entered into by Mountain Regional, Park City, and Weber Basin Water Conservancy District provides an opportunity for Mountain Regional to sell its excess water to the other parties. This will have a significant positive impact on mid-term revenue collections – but the likely impact for 2014 and 2015 is minimal.

5.0 Fee Recommendations

It is proposed most Mountain Regional fees (except impact fees) be increased effective August 21, 2014, as shown in **Appendix Two**. The weighted average of the proposed increases is about 20%. It is anticipated this will provide an additional \$25,000 to \$40,000 additional revenue each year based upon actual collections the past six years.

As shown below, operating fee collections match closely to the building cycle, which makes projecting the additional revenue from the proposed increases more subjective. In fact, collections have ranged from a high of \$585,300 in 2005 to a low of \$113,700 in 2009.



Fees have not increased since 2003; while inflation has exceeded 30%. Most fees are one-time charges paid when a new building is constructed, or when a property changes ownership. Existing customers who pay on time are generally not affected by fee increases. Other fees are related to late payments, theft of service, or conservation violations.

Only one fee is ongoing – the private fire hydrant fee which pays for the inspection and flushing of private fire hydrants to help prevent the development of bacteria in the system. It is recommended this fee be increased from \$8.35 to \$10.00 per month. This fee is not assessed on public fire hydrants, only those on large lots that are owned by the lot owner, particularly in the Colony.

APPENDIX ONE – PROPOSED RATES & OPERATING FEES

Exhibit One
Mountain Regional Water Special Service District
Rates & Fees

<u>Water Rates</u>	Effective on MRW Bills		Effective on MRW Bills		
	Sent out September 1, 2014		Sent out September 1, 2015		
Residential - 1.0 ERCs					
Monthly Base Rate	\$	56.00	\$	60.00	Per Connection
Usage (in gallons)					
Zero to 5,000		2.75		2.75	Per 1,000 Gallons
5,001 to 30,000		4.50		4.50	Per 1,000 Gallons
30,001 to 40,000		8.00		8.00	Per 1,000 Gallons
40,001 to 60,000		12.00		12.00	Per 1,000 Gallons
60,001 to 80,000		15.00		15.00	Per 1,000 Gallons
80,001 to 100,000		18.00		18.00	Per 1,000 Gallons
Above 100,000		21.00		21.00	Per 1,000 Gallons
Residential - 1.4 ERCs					
Monthly Base Rate		78.40		84.00	Per Connection
Usage (in gallons)					
Zero to 7,000		2.75		2.75	Per 1,000 Gallons
7,001 to 42,000		4.50		4.50	Per 1,000 Gallons
42,001 to 56,000		8.00		8.00	Per 1,000 Gallons
56,001 to 84,000		12.00		12.00	Per 1,000 Gallons
84,001 to 112,000		15.00		15.00	Per 1,000 Gallons
112,001 to 140,000		18.00		18.00	Per 1,000 Gallons
Above 140,000		21.00		21.00	Per 1,000 Gallons
Residential - 1.8 ERCs					
Monthly Base Rate		100.80		108.00	Per Connection
Usage (in gallons)					
Zero to 9,000		2.75		2.75	Per 1,000 Gallons
9,001 to 54,000		4.50		4.50	Per 1,000 Gallons
54,001 to 72,000		8.00		8.00	Per 1,000 Gallons
72,001 to 108,000		12.00		12.00	Per 1,000 Gallons
108,001 to 144,000		15.00		15.00	Per 1,000 Gallons
144,001 to 180,000		18.00		18.00	Per 1,000 Gallons
Above 180,000		21.00		21.00	Per 1,000 Gallons
Non-residential - Per ERC					
Monthly Base Rate		73.00		77.00	Per Connection
Usage (in gallons)					
Zero to 5,000		2.75		2.75	Per 1,000 Gallons
5,001 to 30,000		4.50		4.50	Per 1,000 Gallons
30,001 to 40,000		8.00		8.00	Per 1,000 Gallons
40,001 to 60,000		12.00		12.00	Per 1,000 Gallons
60,001 to 80,000		12.00		12.00	Per 1,000 Gallons
80,001 to 100,000		12.00		12.00	Per 1,000 Gallons
Above 100,000		12.00		12.00	Per 1,000 Gallons
Culinary Irrigation - Per ERC					
Monthly Base Rate		56.00		60.00	Per Connection
Usage (in gallons)					
Zero to 5,000		2.75		2.75	Per 1,000 Gallons
5,001 to 30,000		4.50		4.50	Per 1,000 Gallons
30,001 to 40,000		8.00		8.00	Per 1,000 Gallons
40,001 to 60,000		12.00		12.00	Per 1,000 Gallons
60,001 to 80,000		15.00		15.00	Per 1,000 Gallons
80,001 to 100,000		18.00		18.00	Per 1,000 Gallons
Above 100,000		21.00		21.00	Per 1,000 Gallons
Common Wall Irrigation					
Rate Multiplier		# of Units		# of Units	
Monthly Base Rate	\$	-	\$	-	Per Unit
Usage (in gallons)					
Zero to 3,000		1.18		1.23	Per 1,000 Gallons
3,001 to 11,000		4.16		4.31	Per 1,000 Gallons
11,001 to 27,000		4.75		4.92	Per 1,000 Gallons
27,001 to 47,000		5.34		5.54	Per 1,000 Gallons
47,001 to 87,000		5.93		6.15	Per 1,000 Gallons
87,001 to 147,000		9.50		9.85	Per 1,000 Gallons
147,001 to 227,000		14.26		14.77	Per 1,000 Gallons
Above 227,000		19.01		19.69	Per 1,000 Gallons

Water Rates (continued)

Effective on MRW Bills Effective on MRW Bills
Sent out September 1, 2014 Sent out September 1, 2015

Interruptible Sources (Construction/Snowmaking/Wholesale)

Monthly Base Rate	115.00	120.00	Per Connection
Usage	12.50	13.00	Per 1,000 Gallons

Pumping Surcharge

Colony	3.17	3.17	Per 1,000 Gallons
Discovery	0.78	0.78	Per 1,000 Gallons
Glenwild	0.63	0.63	Per 1,000 Gallons
Preserve	0.63	0.63	Per 1,000 Gallons
Redhawk	3.07	3.07	Per 1,000 Gallons
Stagecoach	3.07	3.07	Per 1,000 Gallons
Summit Park	0.78	0.78	Per 1,000 Gallons
Sun Peak	1.18	1.18	Per 1,000 Gallons
Timberline	0.78	0.78	Per 1,000 Gallons
Weilenmann	0.78	0.78	Per 1,000 Gallons

Applies to all water rates. Newly annexed areas will be assigned to the most appropriate pumping surcharge based upon the location of that development.

Olympic Park

Monthly Base Rate	115.00	120.00	
Usage (includes Sun Peak Pumping Surcharge)	4.99	5.13	Per 1,000 Gallons

Untreated Secondary Water

Per Contract

Stagecoach

Monthly Infrastructure Assessment	143.00	143.00	Per Lot
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Standby Fees

Monthly Charge	37.25	38.50	Per Lot or Prepaid Connection
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Operating Fees

Effective
Upon Adoption

Buried Meter Service Fee

*Peak Monthly Gallons for
Previous Year at Current
Rates Per Month*

Per Connection

Connection Fee - Meter/MXU

Per Connection

Security Deposit (Refundable)	\$	1,500	
Up to 3/4" Meter		1,800	
1.0" Meter		2,000	
1.5" Meter		2,400	
2.0" Meter		2,700	
3.0" Meter		<i>\$2,700 plus Incremental Meter Cost</i>	
4.0" Meter			
6.0" Meter			
8.0" Meter			

Summit Park Lateral Fee	1,700	Per Connection
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Delinquent Accounts

Delinquent Lien Fee	50	Per Occurrence
Shutoff Notice	30	Per Occurrence
Late Charge	1.50%	Monthly Charge
Water Shutoff	100	Per Occurrence

Disconnection of Service

Removal of Meter	250	Per Occurrence
Resumption of Disconnected Service	8 time Monthly Base	Per Occurrence

Operating Fees (continued)

	Effective Upon Adoption	Effective on MRW Bills Sent out September 1, 2015	
Fire Hydrant Rental			
3" Meter - Deposit (Refundable)	1,500		Per Connection
3" Meter Wear Fee (Non-Refundable)	350		
3" Monthly Base Rate	115	120	
3" Usage Rate	12.50	13	<i>Per 1,000 Gallons</i>
1" Meter - Deposit (Refundable)	500		Per Connection
1" Meter Wear Fee (Non-Refundable)	125		
1" Monthly Base Rate	57.50	60	
1" Usage Rate	12.50	13	<i>Per 1,000 Gallons</i>
On-Site Visit (formerly inspection fee)	100		Per Occurrence
Private Fire Hydrant Meter Flushing & Inspection Fee			Per Lot with Private Hydrant
Monthly Ongoing Fee	10		
Resumption of Service Fee	100		Per Occurrence
Title Transfer Fee	100		Per Occurrence
Alternate Water Service Provider	\$ 4,700		Per ERC Under Contractual Commitment with MRW Who Switches to Another Provider
Conservation Violations			
1st Violation	<i>Warning</i>		Per Violation
2nd Violation	50		
3rd Violation	100		
4th Violation	500		
Leaking Water	<i>Credit for estimated water leaked between one meter read, less cost of water production</i>		Per Occurrence
Release of Restrictive Covenant	<i>Assess all back fees and charges, plus 1.5% annual interest</i>		Per Lot
Theft of Service	1,000		Per Occurrence

APPENDIX TWO – COMPARISON OF PROPOSED v EXISTING FEES

	Proposed Fee	Existing Fee	\$ Change	% Change	
Operating Fees					
Buried Meter Service Fee	<i>Peak Monthly Gallons for Previous Year at Current Rates Per Month</i>	<i>Peak Monthly Gallons for Previous Year at Current Rates Per Month</i>	\$ -	0.0%	Per Connection
Connection Fee - Meter/MXU					Per Connection
Security Deposit (Refundable)	1,500	1,500	-	0.0%	
Up to 3/4" Meter	1,800	1,500	300	20.0%	
1.0" Meter	2,000	1,700	300	17.6%	
1.5" Meter	2,400	2,100	300	14.3%	
2.0" Meter	2,700	2,400	300	12.5%	
3.0" Meter	\$2,700 plus Incremental Meter Cost	\$2,400 plus Incremental Meter Cost	300	n/a	
4.0" Meter					
6.0" Meter					
8.0" Meter					
Summit Park Lateral Fee	1,700	-	New	n/a	Per Connection
Delinquent Accounts					
Delinquent Lien Fee	50	20	30	150.0%	Per Occurrence
Shutoff Notice	30	25	5	20.0%	Per Occurrence
Late Charge	1.5%	1.5%	-	0.0%	Monthly Charge
Water Shutoff	100	75	25	33.3%	Per Occurrence
Disconnection of Service					
Removal of Meter	250	175	75	42.9%	Per Occurrence
Resumption of Disconnected Service	<i>8 time Monthly Base</i>	<i>8 time Monthly Base</i>	-	0.0%	Per Occurrence
Fire Hydrant Rental					
3" Meter - Deposit (Refundable)	1,500	1,500	-	0.0%	Per Connection
3" Meter Wear Fee (Non-Refundable)	350	300	50	16.7%	
3" Monthly Base Rate	115.00	114.50	0.50	0.4%	
3" Usage Rate	12.50	11.45	1.05	9.2%	Per 1,000 Gallons
1" Meter - Deposit (Refundable)	500	500	-	0.0%	Per Connection
1" Meter Wear Fee (Non-Refundable)	125	100	25	25.0%	
1" Monthly Base Rate	57.50	57.25	0.25	0.4%	
1" Usage Rate	12.50	11.45	1.05	9.2%	Per 1,000 Gallons
On-Site Visit (formerly inspection fee)	100	75	25	33.3%	Per Occurrence
Private Fire Hydrant Meter Flushing & Inspection Fee					
Monthly Ongoing Fee	10.00	8.35	1.65	19.8%	Per Lot with Private Hydrant
Resumption of Service Fee	100	75	25	33.3%	Per Occurrence
Title Transfer Fee	100	75	25	33.3%	Per Occurrence
Alternate Water Service Provider	4,700	4,700	-	0.0%	Per ERC Under Contractual Commitment with MRW Who Switches to Another Provider
Conservation Violations					
1st Violation	<i>Warning</i>	<i>Warning</i>			Per Violation
2nd Violation	50	50	-	0.0%	
3rd Violation	100	100	-	0.0%	
4th Violation	500	500	-	0.0%	
Leaking Water	<i>Credit for estimated water leaked between one meter read, less cost of water production</i>	<i>Credit for estimated water leaked between one meter read, less cost of water production</i>	-	0.0%	Per Occurrence
Release of Restrictive Covenant	<i>Assess all back fees and charges, plus 1.5% annual interest</i>	<i>Assess all back fees and charges, plus 1.5% annual interest</i>	-	0.0%	Per Lot
Theft of Service	1,000	500	-	0.0%	Per Occurrence