

**Park City Fire Service District Administrative Control Board
Interview Schedule**

Wednesday, February 11, 2015
Coalville Courthouse, Conference Room #2
1 vacancy; 3 interviews

2:30 PM Bill Silva

2:45 PM Michael Howard (reapplying)

3:00 PM Gary Cohen

Vacancy is a result of Michael Howard's term expiring.

County Council
Tom Fisher, County Manager
Kimball Junction Transit Center
January 29, 2015
Page 3 of 3

The completion of the Transit Center will allow for a more efficient routing of the busses from the neighborhoods and express routes to the Canyons and Park City. It will also allow for the implementation of a Kimball Junction Circulator. People would be able to park at one of the commercial centers in the area and ride the circulator to their next destination and return to their vehicle when their shopping or other errands are completed, not having to navigate through the traffic themselves. This would reduce the individual trips in and around the Junction, reducing congestion.

The Kimball Transit Center can be one of the "immediate" pieces of the transportation solution puzzle the County is currently putting together. I look forward to this discussion.

For your information, myself, Leslie Crawford-County Engineer, Patrick Putt-Community Development Director, Peter Barns-Zoning Administrator and several other Planners have formed an internal Transportation Planning Group to develop a 0 to 5 year, short range transportation plan. We are boiling down the Snyderville Basin Transportation Master Plan and doing our own "out-of-the-box" brain storming to meet the expectations of the Council to implement immediate and short term solutions to mitigate the traffic congestion in the Snyderville Basin. We plan to request another Work Session with the Council in a few weeks to present some of our own ideas and thoughts (some of which we have stolen from ideas expressed by members of the Council and others from the community) once we have discussed them with our County Manager.

If you have any questions prior to the Work Session, please contact me.

Enclosure (KJTC Staff Report to SBPC, KJTC Site Plans)

cc: Leslie Crawford, County Engineer (via email)
Pat Putt, Community Development Director (via email)
file (C:\Users\DRadke\Documents\MyDocs\Public Works\transit\kimball transit center\cc-transit center.doc)



Highlighted text is new/modified since 5/8/12 report

To: Snyderville Basin Planning Commission (SBPC)
Report Date: Wednesday, June 6, 2012
Meeting Date: Tuesday, June 12, 2012
From: Adryan Slaght, County Planner
RE: Summit County Transit Center, Conditional Use Permit
Type of Item: Regular Session – Public Hearing/Possible Action
Land Use Authority: SBPC

EXECUTIVE SUMMARY: Summit County is preparing to develop a regional transit hub in the Kimball Junction Area. The hub will be developed on Lot 6 of the Park City Tech Center (PCTC). This site was donated to the County for a transit hub as a part of PCTC Development Agreement. On May 8, 2012, staff presented two concept plans for the site that had been developed with a team of consultants (CRSA/Lochner). Based on the feedback at that meeting, one option was selected to be presented to the Commission and public for review and possible action. Staff is requesting that the Snyderville Basin Planning Commission (SBPC) take public input on the proposed transit hub, review all available information, and approve the Conditional Use Permit.

A. **Project Description**

- **Type of Action:** Administrative
- **Project Name:** Summit County Transit Center CUP
- **Applicant(s):** Summit County
- **Property Owner(s):** Summit County
- **Location:** 1899 W Ute Blvd (between Sheldon Richins Building (1885 W Ute Blvd) and Ute Blvd/Landmark Drive Intersection)
- **Zone District & Setbacks:** Community Commercial Zone, 30/55, 12, 12; 20 ft setback from Landmark Dr (per Summit Research Park Design Guidelines)
- **Adjacent Land Uses:** Richins Building, PCTC Lot 5
- **Existing Uses:** undeveloped land
- **Parcel Number and Size:** PCTC-6-x, 2.93 acres; PP-81-G-x, 3.21 acres

B. **Community Review**

While a public hearing is not required under the terms of the Summit Research Park Development Agreement, the item has been noticed as a public hearing, and notice has been mailed to property owners within 1,000 ft of the property. As of the date of this report, no comment has been received from the public. The County Engineering Department has provided input regarding traffic, access, and site treatments (*Exhibit C*).

C. **Background**

The Summit Research Park Development Agreement was recommended by the SBPC in the fall of 008, and approved by the Summit County Board of Commissioners (now the

Summit County Council (SCC)) in December, 2008. The approval was for a research park on approximately 89 acres, consisting of upwards of 1,000,000 square feet of office/research uses. Additional uses include required affordable housing, a church site, County public parcel, transit transfer station, trail connections, roadway improvements, and design guidelines. Under the Development Agreement, the following public uses of the site are allowed:

1. Public mass transit facilities providing public transportation to the property and other locations;
2. An office building or buildings and incremental facilities to be used solely by the grantee (Summit County), its departments, and agencies and any special districts or public authorities having jurisdiction with Summit County; or by the State of Utah or its subdivision and agencies to provide services within Summit County.

The need for a regional transit hub in the Kimball Junction Area was first identified in the 2007 Summit County/Park City Short Range Transit Plan (*Exhibit D*). The Kimball Transit Hub is to be a regional transit facility with the capacity for bus, van, and shuttle transportation services for the next 20 years of transit growth. The current transit system carries ~2 million passengers/year with ~1/3 of that ridership starting and ending within the Snyderville Basin. The adopted 2011 Short Range Transportation Plan estimates that if all short term recommended transit services were added, the County portion of the system could expand from 600,000 to over 1,000,000 riders within the next 5-7 years.

As a part of the development of this project, consultants were asked to provide two complete alternative site plans and alternative building configurations. Some of the initial deliverables included the following:

- Ability to park up to 8 buses and 3 vans at the transit hub
- Need for ~565 lineal feet of curb space
- Adequate width for parking of transit coaches (5 axle bus)
- Allow for the possibility of two-way on-site circulation
- Single-story transit building (LEED Silver eligible) with ~50 seats, 2 restrooms, open interior waiting areas, WIFI, and transit information displays.

Consultants were also asked to consider the following:

- Minimizing wind for passengers waiting on exterior platforms
- Provide a building whose orientation matches the current services building (Richins)
- Explore the potential for passive solar
- Provide options for the connection of the transit center site to the Richins Building
- Provide the ability to park up to 50 bicycles
- Provide water-conserving landscaping
- Dedicate a minimum of 25% of the site as functional open space
- Must be compatible with existing and planned pedestrian and bicycle route connections.
- Must accommodate a future public service building

Two alternative site plans were developed for review by the SBPC (*Exhibit B*). Both of these site plans included the addition of parking to the Richins Building Site, as well as the development of an access point to the Park City Tech Center parcel to the south of the Richins Property. The site plans for both included the same building plan, though with slightly differing orientations. The building plan was meant to be complimentary to the

existing Richins Building in materials, color, and design, but differed slightly (e.g. clerestory windows on both sides of the roof ridge to provide additional daylight within the building). Bus shelters on the site were anticipated to have glass shielding, and provide bicycle parking. Both designs included a plaza between the Richins Building and Transit Building. The plaza for Option 2 (Slant Drive) was slightly larger and more formal than that of Option 1 (Fish Hook Drive), though both of these sites should be able to provide adequate space for a small farmers market or other similar activities. In discussing these sites, staff asked the consultants to consider the incorporation of solar or geothermal energy sources as well as pervious pavement and other more sustainable development practices. The roof of the Transit Center building is oriented towards the sun should the County choose to install solar panels. Some of the principal elements of the two options are described below:

Option 1 (Fish Hook Drive):

- 2,400 sq ft transit building
- Total Landscaped Area: 50,897.4 sq ft
- Landscaped area (PCTC-6): 44,474.9 sq ft
- Landscaped area (Richins): 6,422.5 sq ft
- Paved Area: 72,324.1 sq ft
- Open Space: 55,390.5 sq ft
- New parking spaces: 50

Option 2 (Slant Drive):

- 2,400 sq ft transit building
- Total Landscaped Area: 58,041.8 sq ft
- Landscaped area (PCTC-6): 53,414.2 sq ft
- Landscaped area (Richins): 4,627.6 sq ft
- Paved Area: 35,979.1 sq ft
- Open Space: 91,735.5 sq ft
- New parking spaces: 25
- Larger, more formal plaza area

D. Identification and Analysis of Issues

Based on comment received during the May 8, 2012 work session, Option 2 (Slant Drive) was deemed to be the preferable concept for future consideration. Some of the comment received from the commission during the work session include the following (see also *Exhibit J*):

- Whether there should be more parking, or whether the proposed 25 new spaces would be adequate
- The extent of sustainability elements that could be incorporated into the site and building design (e.g. solar orientation, photovoltaic energy, snowmelt capture, geothermal energy, biking/pedestrian connectivity)
- Demonstration/education opportunities
- The need to consider the addition of ski/snowboard racks
- Whether there were opportunities to consider additional opportunities for the entire site at this stage (e.g. possibilities for providing a larger underground parking area)
- Provide a graphic showing connectivity with area trails/sidewalks
- Whether the potential noise of the buses might affect the operation of the Library
- Consider developing a landscaping plan that will screen and accent the site more
- Consider changing the storage room gable roof to a hip-roof design
- Consider changing the gable roof over the main structure to a hip-roof design to reduce the scale of the building
- The need to have a better understanding of the relation of this project to the buildout of the Tech Center

In response to these questions, additional material has been provided in Exhibits E-I, and Exhibit K.

E. **Consistency with the General Plan**

The proposed expansion is located on a parcel within the Kimball Junction Neighborhood Planning Area. The proposed development of the Transit Center does not appear to be in conflict with the Goals and Objectives of the Kimball Junction Planning Area. This includes the following:

There shall be an economically and socially viable area at Kimball Junction that reflects the mountain character of its surroundings, promotes a sense of place and community identity supporting the residents of the Snyderville Basin, separate from but complimentary to Park City.

Development in Kimball Junction neighborhood planning area should compliment the Park City resort experience and provide another means of attracting tourist and destination shoppers to the area.

F. **Findings/ Code Criteria and Discussion**

Process

Under the Code (section 10-3-5), issuance of a CUP requires a public hearing to be held before the SBPC, and an approval to be issued by the SBPC as the Land Use Authority. It should be noted that the Development Agreement does not require a public hearing.

Criteria

In order to be approved for a CUP, the applicant must demonstrate that they meet the criteria listed below:

1. **The use is in accordance with the General Plan;**
Staff believes that the use of the site for a transit hub is in accordance with the General Plan.
2. **The use conforms to all applicable provisions of this Title, including, but not limited to, any applicable provisions of this Section and Chapter 4 of this Title, the General Plan, and State and Federal regulations;**
The use will conform to all applicable Development Code provisions, the General Plan, and State/Federal Regulations.
3. **The use is not detrimental to public health, safety and welfare;**
Staff does not believe that the use will be detrimental to the public health, safety, or welfare.
4. **The use is appropriately located with respect to public facilities; and**
Staff believes that the use is appropriately located.
5. **The use is compatible with the existing neighborhood character and with the character and purpose provision of the applicable zoning district, and will not adversely affect surrounding land uses.**

Staff believes that the use is compatible with the neighborhood character, the character and purpose of the zoning district, and will not adversely affect surrounding land uses.

G. Recommendation(s)/Alternatives

Staff recommends that the SBPC conduct a public hearing on the item. Staff further recommends that the SBPC consider the information provided, and vote to approve the Conditional Use Permit with the following findings and conditions:

Findings:

1. The use is in accordance with the General Plan;
2. The use conforms to all applicable provisions of this Title, including, but not limited to, any applicable provisions of this Section and Chapter 4 of this Title, the General Plan, and State and Federal regulations;
3. The use is not detrimental to public health, safety and welfare;
4. The use is appropriately located with respect to public facilities; and
5. The use is compatible with the existing neighborhood character and with the character and purpose provision of the applicable zoning district, and will not adversely affect surrounding land uses.

Conditions:

1. The use shall comply with all provisions of Section 10-3-5 (CUP) of the Snyderville Basin Development Code, as well as all other applicable portions.
2. Any amendment to this application that would increase square footage, density, and/or intensity shall require additional Conditional Use Permit Review.

If the SBPC has additional questions or would like to see additional site plan or building modifications, staff recommends that the SBPC continue the item to a later date.

Attachment(s)

Exhibit A – Zoning/Vicinity Maps

Exhibit B – Kimball Junction Transit Center Site Plan Alternatives

Exhibit C – County Engineer Comments dated 5/2/12

Exhibit D – Park City/Summit County Short Range Transportation Plan excerpt

Exhibit E – Lochner memo regarding transportation impacts & mitigation, dated 5/2/12

Exhibit F – Memo from Kevin Callahan regarding noise, dated 5/9/12

Exhibit G – Lochner memo regarding parking analysis, dated 5/16/12

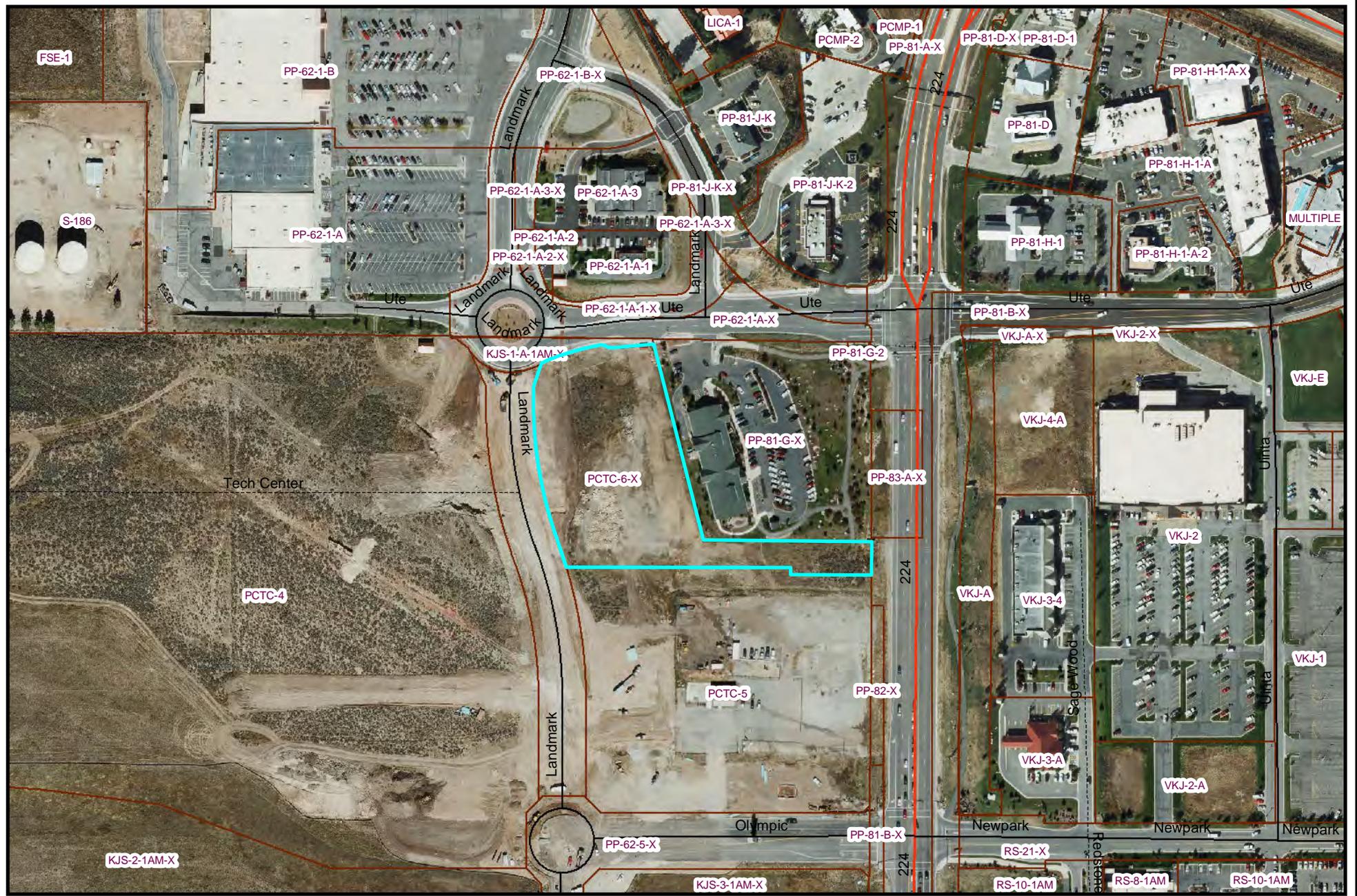
Exhibit H – Comments from Kevin Callahan regarding Lochner Parking Analysis

Exhibit I – Park City Tech Center Buildout Concept Plans

Exhibit J – Draft Minutes of the May 8, 2012 Snyderville Basin Planning Commission meeting

Exhibit K – Revised Kimball Junction Transit Center Site Plans

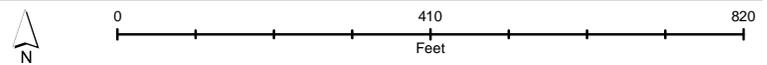
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Summit County, Utah Vicinity Map

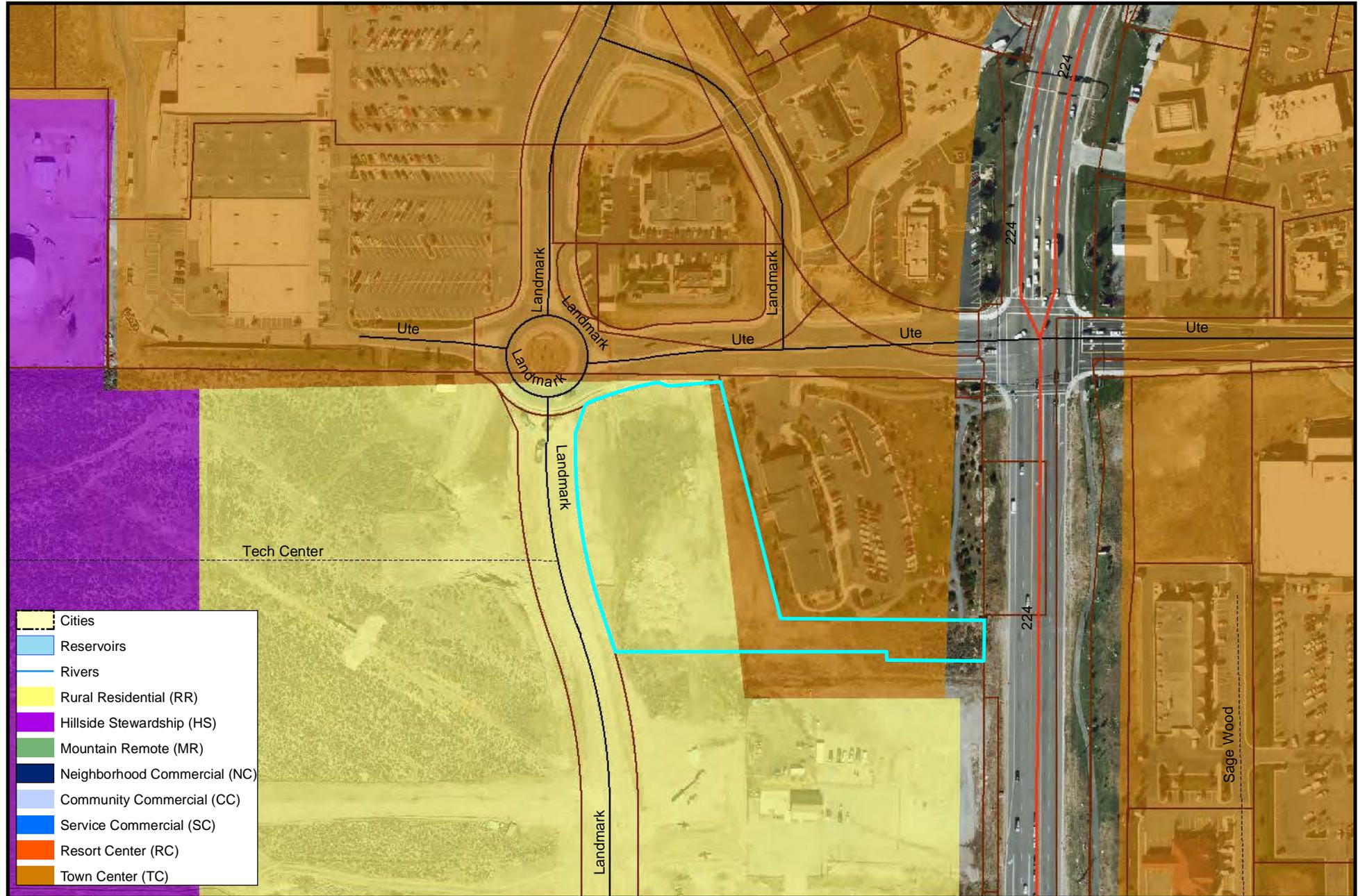
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Community Development Department

- Cities
- Reservoirs
- Rivers



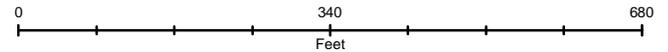
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Exhibit A.1



Summit County, Utah Vicinity Map

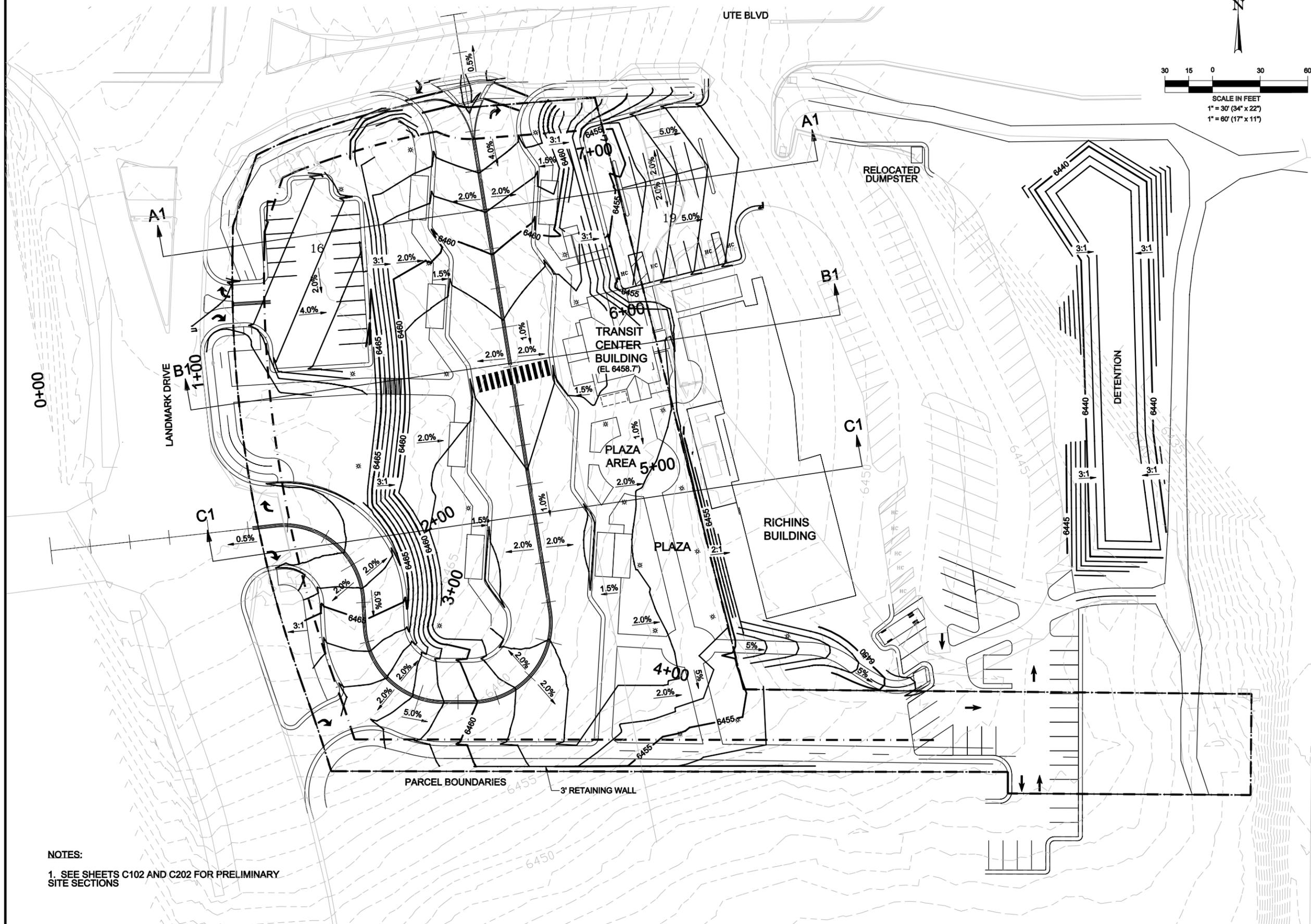
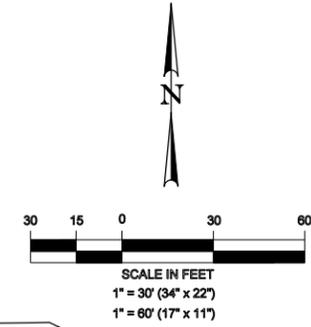
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Exhibit A.2

PRELIMINARY SITE GRADING



NOTES:
1. SEE SHEETS C102 AND C202 FOR PRELIMINARY SITE SECTIONS



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KIMBALL JUNCTION TRANSIT CENTER

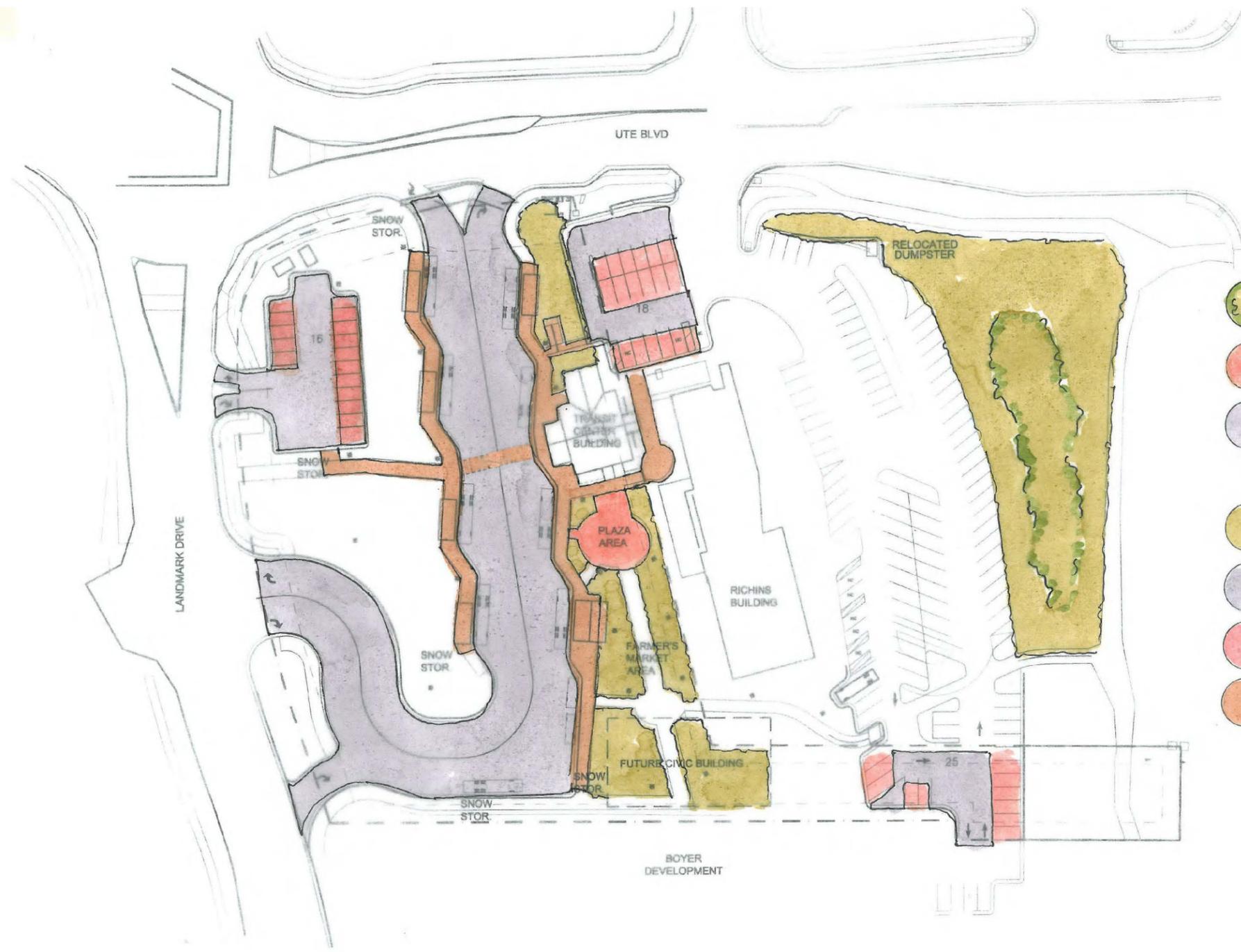
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COMMISSION SUBMITTAL
01-MAY-2012

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PRELIMINARY GRADING PLAN

C101
Exhibit B.5



OFF-SITE LEGEND

- DETENTION
- PERVIOUS PAVING
- ASPHALT PAVING

ON-SITE LEGEND

- RETENTION
- ASPHALT PAVING
- PERVIOUS PAVING
- CONCRETE PAVING OVER SNOW-MELT SYSTEM



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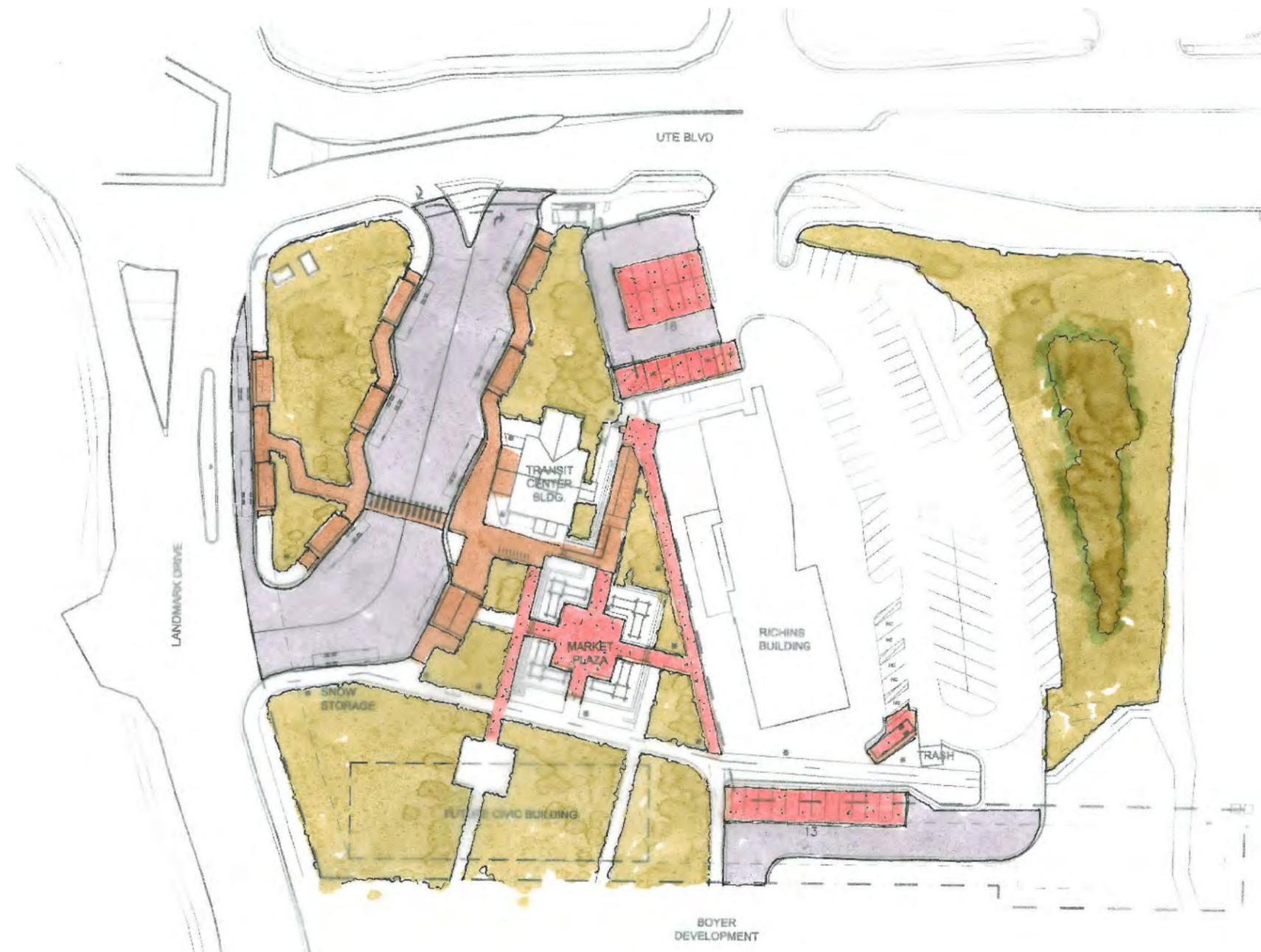
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SURFACES DIAGRAM

AD101
Exhibit B.8



OFF-SITE LEGEND

-  DETENTION
-  PERVIOUS PAVING
-  ASPHALT PAVING

ON-SITE LEGEND

-  RETENTION
-  ASPHALT PAVING
-  PERVIOUS PAVING
-  CONCRETE PAVING OVER SNOW-MELT SYSTEM



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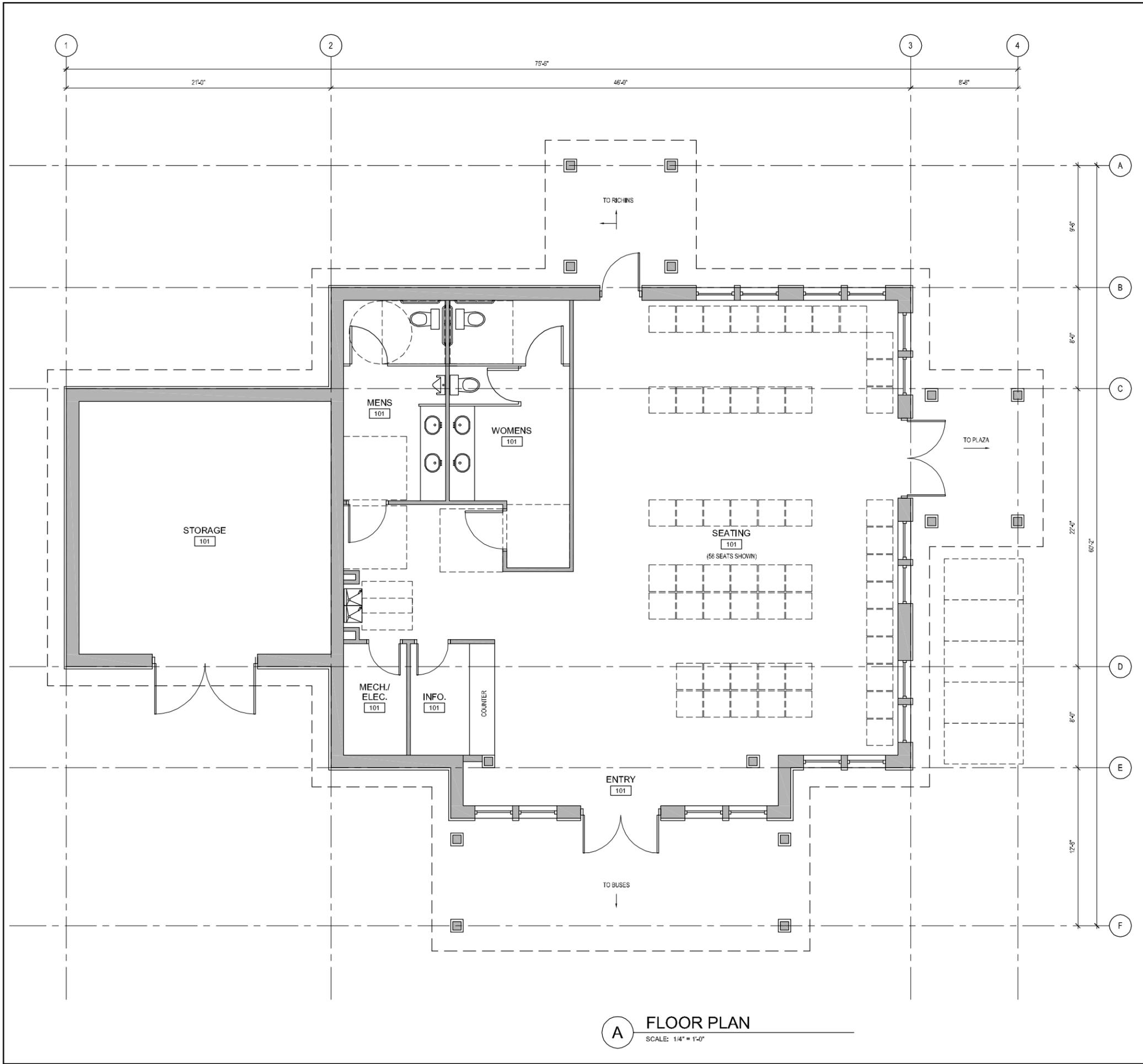
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SURFACES DIAGRAM

AD201
Exhibit B.14



A FLOOR PLAN
SCALE: 1/4" = 1'-0"

NOTES



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LEGEND

- SEATING - BY OWNER
- DRINKING FOUNTAIN
- ROOF OVERHANG
- PLACEHOLDER FOR FUTURE BIKE LOCKER BY OWNER

**KIMBALL JUNCTION
TRANSIT CENTER**

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FLOOR PLAN

AE101
Exhibit B.15

Adryan Slaght

From: Derrick Radke
Sent: Wednesday, May 02, 2012 9:06 AM
To: Adryan Slaght
Cc: Kelly Gillman; Bryce Ward; Allen Roberts; Matern, John (jmatern@hwlochner.com);
Connie Holt; Kevin Callahan
Subject: RE: KJ - Planning Commission Submittal 2012-05-01

Adryan,

Below are my preliminary comments on the two alternative Site Plans for the referenced project:

General

1. The Transit Center was contemplated and included in the original Traffic Analysis for the Research Park. No additional Impacts from bus traffic are anticipated over and above those already contemplated.
2. There is some minimal concern as to how the close proximity of the access drives will affect the operation of the Landmark/Ute Round-About, however given that the number of bus trips into and out of the site during peak periods (PM peak of 4 to 6) is relatively low (10-15), the impact should be relatively minor. This is also mitigated by requiring right-in and right-out on the Ute Blvd. An opinion from the design engineer would be helpful.
3. Final details and calculations need to be provided for the Storm Water Pollution Prevention Plan for the chosen final option/plan.
4. I would recommend extensive use of porous pavements or pavers to minimize runoff from the site and promote infiltration of storm water.
5. I would recommend the use of heated sidewalks on high traffic areas to improve safety and minimize the future cost of labor. Since this is probably not really considered "green", we should consider the use of geothermal and/or solar to improve the efficiency of the heated sidewalks. These same systems can probably be designed to heat and cool the transit building and if a geothermal system is implemented, it could retrofit the Richins Building as some point.

"Fish-Hook Drive"

1. The bus access drives meet the minimum allowed separation distance from an intersection in the Snyderville Basin Development Code (SBDC) of 75 feet.
2. The access drive to the parking lot needs to be moved a little further south as we discussed in our project meetings so that it is closer to the sidewalk shown through the plaza. The median on Landmark Drive will need to be extended to prevent left turns out of the parking area.

"Slant Drive"

1. The bus access drives meet the minimum allowed separation distance from an intersection in the Snyderville Basin Development Code (SBDC) of 75 feet.
2. Recommend not building the bus pull-out on Landmark Drive until the volume of busses requires their installation. The use of these stalls should be carefully considered. These should either be buses that stop infrequently, or buses that have good acceleration that can merge into traffic coming through the circle with minimal delay.

Additional comments may be forthcoming once a final alternative is chosen and details provided. Please let me know if there are any questions.

Derrick

Before transit services can be provided, a myriad of capital items are required. These capital items required for public transit service consist of vehicles, vehicle maintenance facilities, passenger amenities such as shelters and benches, and transit facilities. Indeed, many capital elements will be required to maintain and potentially expand Park City/Summit County transit services over the coming years, as discussed below.

Facility Alternatives

Kimball Junction Transit Center

A transit passenger facility in the Kimball Junction area is an increasingly important next step in the evolution of the regional transit program, for the following reasons:

- As discussed in the previous chapter, route expansions in the County program would increase the opportunities for transfers between buses in the Kimball Junction area.
- Development in the Kimball area is increasing the importance of this area as a transit trip generator. County summaries of development plans indicate that the area which currently has a total of close to 1,200,000 square feet of commercial development will expand by an additional 900,000 square feet, or a 75 percent increase.
- A key element in successfully generating ridership for public transit services – particularly for systems serving visitors and other “discretionary” riders – is providing safe and attractive facilities at which to wait for or transfer between buses.
- A transit center is an identified element in overall transportation plans for the Kimball area, such as the *Western Snyderville Transportation Plan*.
- For these reasons, a transit facility is warranted in the Kimball Junction area. At near-term service levels, this facility could be relatively modest, serving as a major bus stop for the area with up to two vehicles on-site at any one time and several bus shelters provided. Over the long term, however, this facility could also serve the following functions:
 - The major transfer point for the County fixed-route program.
 - The major transfer point for a local circulator route serving the Kimball Junction area at a higher frequency, when warranted by the level of development.
 - Intercept parking (discussed as a separate capital alternative below) and shuttle bus loading for day skiers and Old Town employees, as well as for potentially special events (such as at the Utah Olympic Park).
 - Passenger facilities and bus/van transfer location for private Salt Lake City International Airport passenger service, which can also provide sorting space for direct delivery of arriving visitor’s luggage.

- The intercity bus station for the Park City/Kimball region.
- Nearby parking for tour buses.

Potential Site Program

In evaluating the program for a transit center, it is important to look beyond the short range perspective of the operating alternatives presented above to consider the transit needs of 20 years or longer. Due to the geography of the area, the maximum number of public transit buses that would use the center at one time is as follows:

Route serving the Pinebrook area	1 bus
Route serving Jeremy Ranch	1 bus
Route serving the I-80 East/Silver Summit area	1 bus
Local route serving the SR 224 corridor	1 bus
Express route serving the SR 224 corridor	1 bus
Kimball Area circulator	<u>1 bus</u>
Total	6 buses

Service expansion beyond these routes will probably be in the form of additional frequency, rather than additional routes, which would not impact the number of buses at the transit center at any one time.

In addition to the local transit routes, there are a range of potential other transit services that could need to be accommodated at the Center, as follows:

Paratransit service	1 van
UOP or special event shuttle	1 bus
Intercity bus	1 bus
Private airport shuttle bus	1 bus
Lodging vans	2 vans
SLC commuter	1 bus
Kamas or Coleville Commuter	<u>1 bus</u>
Total	5 buses + 3 vans

In total, up to 11 buses plus 3 vans could be on-site at the center at a peak time. In reality, it would probably be possible for some of these services to share a bay. For instance, SLC and Kamas or Coleville commuter buses along with intercity bus and airport shuttle buses could probably share two bus bays with little operational problems. Similarly, the three vans could share two bays with little conflict. Overall, therefore, the Center should provide space for a minimum of 9 buses plus 2 vans at peak times.

A rough estimate of space required to accommodate this transit program can be generated by considering the linear curb space required to accommodate this number of vehicles. Efficient site plans for a transit center provide a bay for each vehicle at peak, optimally with sufficient length that vehicles can enter and exit each bay independent of the presence of vehicles in the adjacent bays. These bays are roughly 55 feet in length for full-size transit buses, and 35 feet for vans. Multiplying by the number of vehicles in the center program, roughly 565 feet of linear curb space would be required to accommodate the program.

In addition to the transit bays, the program for the Kimball Junction Transit Center should provide amenities to make use of the facility efficient and pleasant amenities that are appropriate for the center, given the expected level of utilization, consist of the following:

- *Transit Building.* A structure is warranted, providing the following:
 - A climate-controlled indoor waiting area with seating for approximately 50 passengers
 - Two restrooms
 - A transit information booth
 - A small driver breakroom
 - Space for interactive kiosks or other information devices
- *Lighting.* The facility must be well lit, to ensure the safety and convenience of the passengers. The lighting requirements for a specific facility will depend on the layout of the facility.
- *Bicycle racks and/or bicycle lockers.* Bicycle parking and storage should be located near the bus shelter/passenger loading area.
- *Landscaping.* Landscaping will make the facility more attractive to both current and potential users. Landscaping should be placed where it will not interfere with the safety and personal security of the passengers. Generally, landscaping should be focused on the entrances to the facility and the perimeter of the site. When placing landscaping in the passenger waiting area it is important that the landscaping not interfere with the ability of the waiting passengers to see around them. Outdoor passenger seating is also important, allowing the opportunity for passengers to wait outside in good weather.
- It would be appropriate for transit services in the region to provide an enclosed facility with climate controlled indoor waiting space and restrooms in order to maintain a very high level of service. The provision of restrooms for use by the transit drivers is also an important operational consideration, particularly if a circulator route is provided that does not serve other locations with an available restroom.

When designing a transit center, several operational factors should be evaluated, including the following:

- *Provision of Adequate Land Area.* In addition to providing space for passenger loading and bus bays, a transit center must also accommodate vehicle circulation, interior space, any setbacks required by local regulation, and landscaping.
- *Vehicle Access.* Given the relatively high number of transit vehicle movements through a passenger facility over the course of the day, safe and efficient transit access to and from adjacent arterial streets is a crucial consideration. Delays to transit vehicles (such as left turn movements onto busy streets or within busy parking lots) can cause substantial delay to the entire transit system. Vehicle travel paths must also be carefully designed to minimize conflict with pedestrians.
- *Environmental Impact.* Transit passenger facilities must also be designed to avoid or minimize any potential negative impact of their construction or operation. Any significant

impacts associated with a facility will require mitigation, which can often become a large proportion of the total project cost. These potential impacts can include the following.

- Noise (particularly with respect to nearby residential land uses)
- Air quality
- Wetlands
- Historic properties/parklands
- Displacement of existing land uses
- Water quality
- Flooding
- Endangered species
- Aesthetics
- Safety/security
- Traffic
- Parking
- Ecologically sensitive areas
- Land use/local plans

For proper systemwide bus circulation, buses should be able to enter the transit center from all major street directions. The location should, if possible, facilitate left hand turns from one-way streets and right-hand turns from two-way streets for safer movement. In this case, controlled access to and from SR 224 is a necessity. Circulation into the site should separate automobile and bus traffic to ease access for both. When feasible, access points should be a minimum of 150 feet from the centerline of the nearest intersection to avoid traffic conflicts. Two access points located on different streets should be provided to the facility whenever possible. Vehicle and pedestrian access should be designed to minimize conflict between buses and pedestrians. In this particular case, a key operational issue is providing access at locations where queues along Uinta Avenue generated by the SR 224 signal do not block access to and from the site.

In addition to the passenger loading bays, it is often beneficial to provide at least one parking location for an out-of-service transit bus. This can allow one vehicle to be traded out for another without affecting traffic flow around the center. Parking for transit staff, and for drivers stopping for transit information, should also be considered.

Potential Sites

Based upon a review of the Kimball Junction area as well as input from the study steering committee, four potential sites were identified for evaluation. It should be noted that there are other possible sites in the vicinity; the review of these four sites, however, is indicative of other nearby sites. As shown in Figure 23 these sites are as follows.

1. The existing transit transfer site along the east side of Highland Drive north of Uinta Boulevard. At present, this consists of a single long bay on the east (northbound) side of Highland Drive, with a bus shelter. As part of the Newpark development, however, there may be the potential for this site to extend to the east.
2. The parcel along the north side of Uinta Boulevard just west of Uinta Way and south of the Smith's parking lot.
3. The parcel along the north side of Uinta Boulevard just east of Sage Wood Drive and south of the Smith's parking lot (just west of Site 2).
4. The site of the existing Visitors Center west of SR 224 and north of Olympic Parkway.

The recommended program discussed above was applied to each of these four sites to identify how the program could be accommodated on each.

MEMORANDUM

Date: May 2, 2012

To: Kevin Callahan, Summit County

cc: Derrick Radke, Summit County
Adryan Slaght, Summit County

From: John Matern, Lochner

Re: **Traffic Impacts and Mitigation**
Kimball Junction Transit Hub

Attachments:

- Option 1 – Fish Hook Drive, Bus Circulation and Access Figure
- Option 2 – Slant Drive, Bus Circulation and Access Figure

Traffic Analysis

A traffic study was performed as part of the Research Park development. The study included the impacts associated with the transit center. Please refer to the Research Park traffic study for specific overall development traffic impacts, anticipated volumes and level of service. The volume of traffic to and from the site is low for a parcel of this size. It is anticipated that 20 to 30 buses will use the site in the peak hour, which is a small component of the overall Research Park development impacts.

Some traffic concerns have been identified based on the proposed transit hub improvements. The impacts from the improvements vary based on the alternative:

- **Option 1 – Fish Hook Drive (see attached figure)**
 - Frequently spaced driveway access points on Landmark Drive
 - Spacing between the parking lot in the northwest corner of the site and the roundabout
- **Option 2 – Slant Drive (see attached figure)**
 - The proximity of the bus bypass lane on Landmark Drive to the roundabout

Driveway access spacing is critical to help maintain traffic circulation and prevent congestion. By managing the driveway access spacing and spacing between intersections and driveways, reduction in traffic flow can be minimized. Summit County has a 75-foot minimum spacing requirement between access points; however, the greater the spacing between the driveways and intersections the better for traffic flow.

Traffic Mitigation

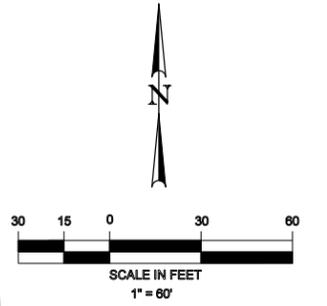
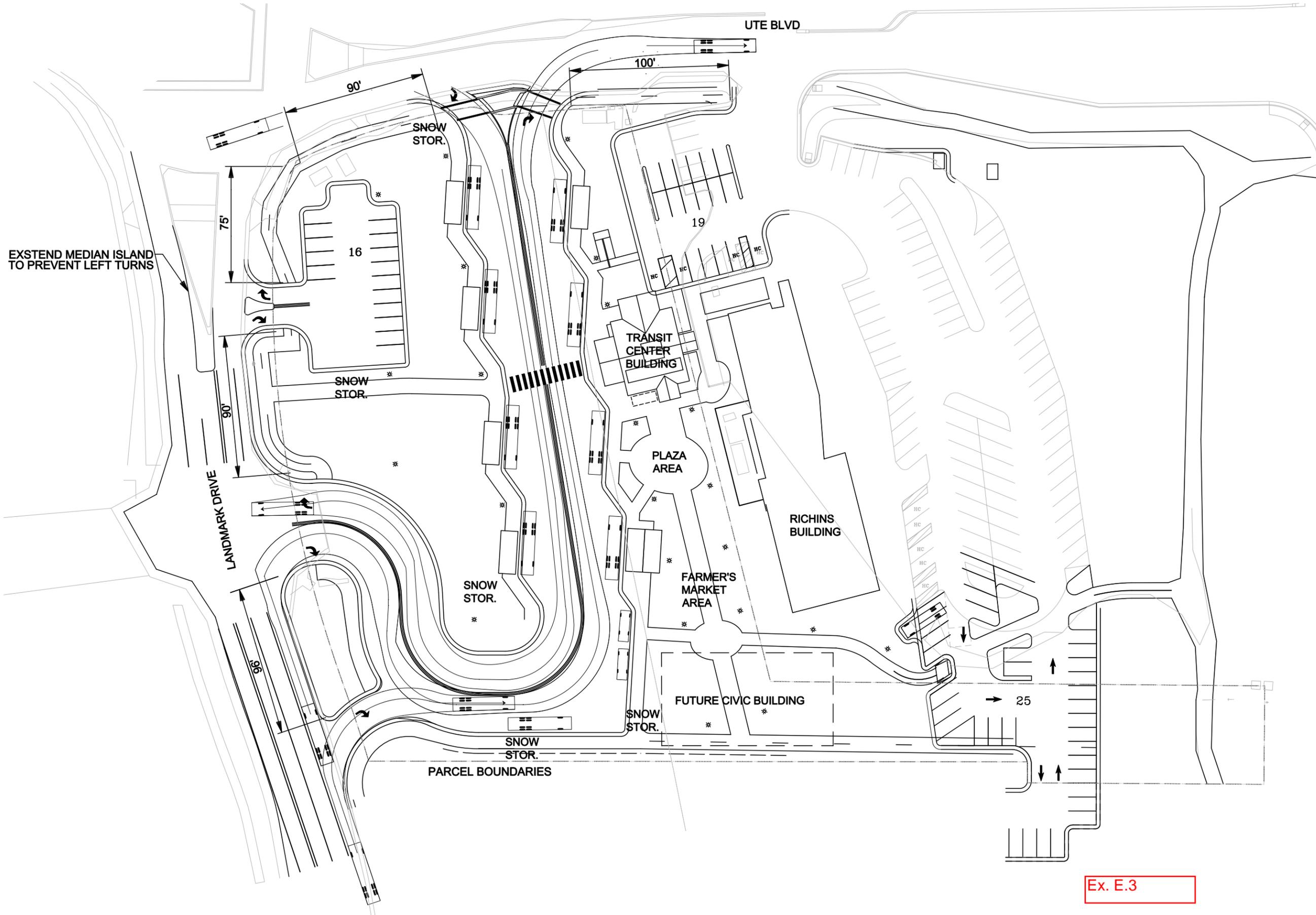
Based on the projected traffic volumes and bus traffic volumes (20 to 30 in the peak hour), the impacts listed above are solely problems in the p.m. peak hours of 4 to 6 p.m. and can be relatively minor, if mitigated properly. The proposed mitigation for the alternatives is as follows.

- **Option 1 – Fish Hook Drive (see attached figure)**
 - Frequently spaced driveway access points on Landmark Drive
 - This is problematic for both vehicle and pedestrian traffic. Typically for a site of this size only one driveway access would be allowed on Landmark Drive; however, the need to separate bus traffic and vehicle parking has necessitated more access points. To mitigate this issue the access points have been designed as right-in, right-out accesses. This design significantly reduces the impacts of closely spaced accesses for vehicle traffic.

- Spacing between the parking lot in the northwest corner of the site and the roundabout
 - This is less than ideal spacing, particularly considering its proximity to a roundabout that relies on continuous traffic flow to circulate traffic appropriately. To mitigate the roundabout flow issue one of two following options can be done:
 1. Design the parking lot as right-in, right-out and extend the existing median island to prevent any left-turning traffic from trying to turn into or out of the parking lot. This will prevent traffic from backing into the roundabout.
 2. Remove the parking lot and the access.
- **Option 2 – Slant Drive (see attached figure)**
 - The bus bypass lane located on Landmark Drive presents a problem as buses try to get back up to speed and merge back into traffic at the roundabout. This is a particular concern in the p.m. peak hour when volumes are highest.
 - To mitigate this issue a transit plan could be established to:
 1. Have routes with less frequent bus service use this lane. For example, if two routes use this area with one-hour frequency that would limit the impact to four buses in the p.m. peak hours of 4 to 6 p.m.
 2. Have smaller, faster starting buses use this lane.
 - The combination of these two options will reduce the peak hour impact.

It is the opinion of the design team that since the volume of buses and traffic flowing into and out of the site is relatively low, the traffic impacts will be minimal compared to the overall Research Park development. The above mitigation recommendations should be implemented to minimize impacts during the peak hour.

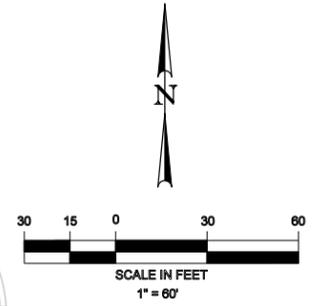
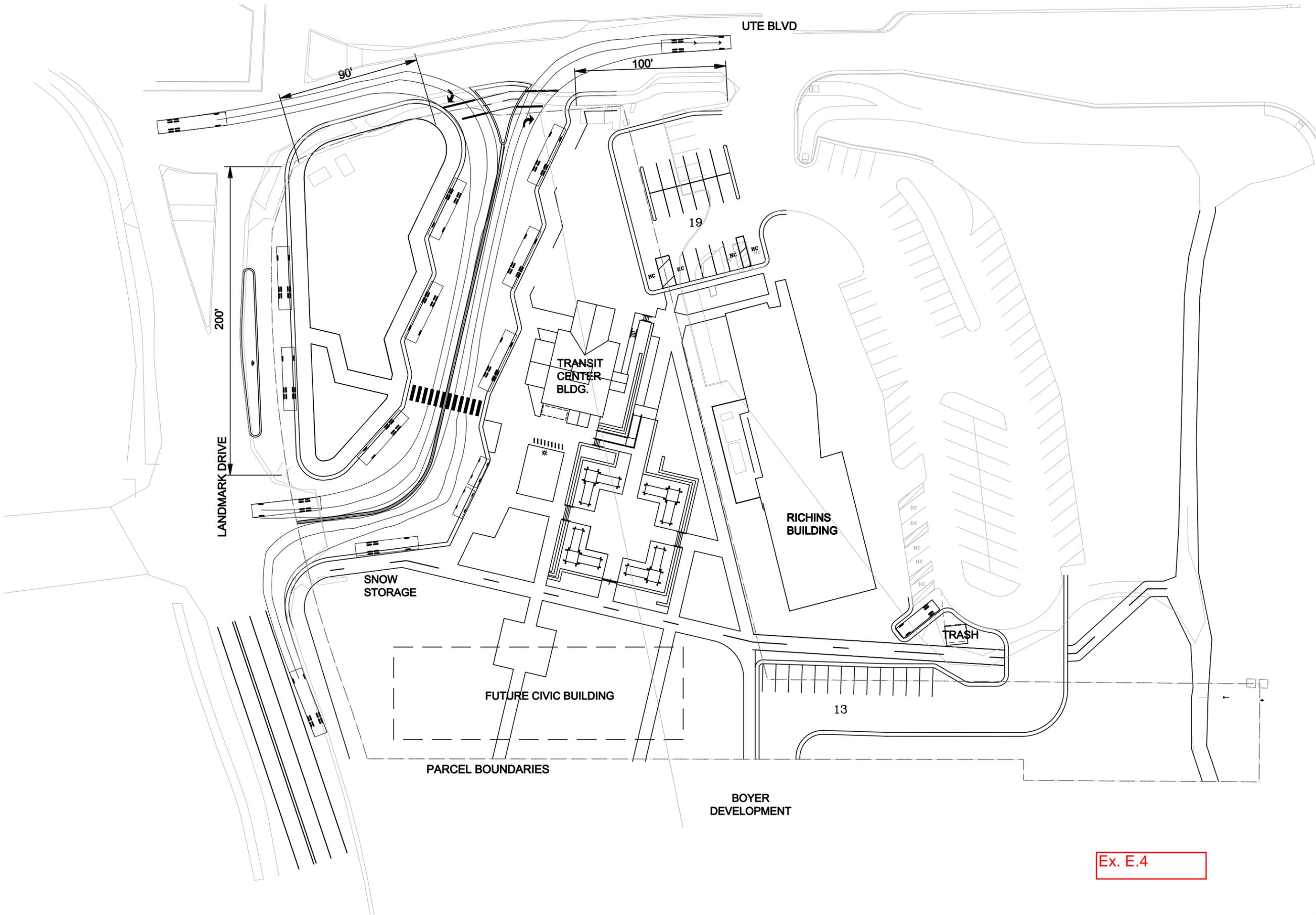
OPTION 1 - FISH HOOK DRIVE BUS CIRCULATION AND ACCESS FIGURE



SR-224

Ex. E.3

OPTION 2 - SLANT DRIVE BUS CIRCULATION AND ACCESS FIGURE



SR-224

Ex. E.4

From: [Kevin Callahan](#)
To: [Adryan Slaght](#)
Cc: kelly@crsa-us.com
Subject: Noise Info on Transit Center
Date: Wednesday, May 09, 2012 10:05:49 AM
Attachments: [J.docx](#)

Adryan

Attached is the noise section from the Transit Center's final and approved Categorical Exemption for the project. Option 2 even improves the noise mitigation potential for this project based on the following changes:

The new design places the closest bus to the Library portion of the building at over 200'.

The free standing transit building will serve as a major noise buffer for the three northern most buses on the site.

The transit building will also provide noise buffering for the auditorium.

Enclosed transit shelters adjacent to each bus stop will further reduce noise transmission

No additional openings on the west side of the Richins Building are planned as a part of project. This will further mitigate noise transmission.

If you want to keep these as notes or incorporate it into your next staff report, I thought you would find this helpful

Thanks again for a great job last night.

Kevin

Ex. F.1

J. Noise

Does the project have the potential to increase noise?

NO, there are no receptors within the applicable screening distance for this type of project. ([Noise and Vibration Manual Chapter 4](#)).

YES, there are receptors within the screening distance. A [General Noise Assessment](#) following the procedures in [Chapter 5 of the Noise and Vibration Manual](#) is attached. Describe whether or not it indicates there will be impacts, proposed mitigation measures, and remaining impacts after mitigation (if any).

The proposed project is a facility for rubber tire vehicles moving at slow speeds. Noise and vibration levels that are typically found in bus transit centers will be generated at the site. The area around the project is zoned for town center commercial buildings. Approximately 1,100 feet to the north is Interstate 80. Approximately 450 feet to the east of the proposed project area is SR-224, the major highway connecting Park City to Interstate 80. Once buses are operating out of the facility, they will use existing major roadways and highways for primary travel to the start of the bus routes.

The proposed transit center is immediately adjacent to the Richins Building, which houses public auditoriums, public agency offices, and the Kimball Junction Branch of the Summit County Library system. The library is located within a shared public building with facilities that are not considered sensitive noise receptors. Other facilities within the Richins Building should be considered intervening buildings, given that the library occupies one-eighth of the space within the Richins Building. Furthermore, other buildings in the immediate area are currently under construction.

The proposed transit center will be located 190 feet west of the location of the library within the Richins Building. According to Table 4-1, Screening Distances for Noise Assessments in FTA's Noise and Vibration Manual, this proposed project exceeds the screening distance from a noise sensitive receptor with intervening buildings (see Appendix E). The distance from the planned location to the nearest residence is approximately 1,100 feet. A General Noise Assessment is not warranted for this project.

MEMORANDUM

Date: May 16, 2012

To: Kevin Callahan, Summit County

cc: Derrick Radke, Summit County
Adryan Slaght, Summit County
Kelly Gillman, CRSA

From: John Matern, Lochner

Re: **Parking Analysis**
Kimball Junction Transit Hub

Attachments: None

Parking Analysis

Summit County code specifies a maximum of 3.5 parking stalls per 1,000 square feet of commercial/office space. Because a transit hub does not fall into this category, other criteria will be used to establish the number of stalls needed.

Parking stall requirements can vary greatly for transit facilities. Several factors can affect the number of stalls needed at a transit facility, but understanding the use of the transit hub provides the best guidance. Commuter-based systems like the TRAX light rail in Salt Lake County require more stalls than transit hubs that aren't commuter based. For a commuter-based system, a facility the size of the Kimball Junction transit hub would need anywhere from 65 to 270 stalls. This transit hub is not anticipated to be a commuter-based system. Instead, it is anticipated to be more of a distributor system, where riders will use the transit system to access various locations in Summit County rather than a single destination such as a business district.

It is difficult to estimate the number of stalls needed for a distributor system because the volume fluctuates. During special events, such as a farmers market or a concert in Park City, the demand will be much higher than the average daily volume. To meet the demand of special event parking, Summit County has an agreement with the Research Park development to use the adjacent site's parking on weekends. This adds 100+ parking stalls that could be used for special event parking. With the available special event parking, the daily parking needs will fall into the range of 8 to 65 stalls. This range is based on the size of the transit building and the low end of the commuter range. The proposed transit building is approximately 2,400 square feet, which means it would have a maximum of approximately 8 parking stalls if it were commercial/office space. Table 1 shows the number of stalls proposed per option.

Table 1: Proposed Parking Stalls per Option

Option	Existing Richins Service Parking	Proposed Additional Parking	Proposed Range
Fish Hook Drive	82	47	8 – 65
Slant Drive	82	23	8 – 65

Fish Hook Drive has more proposed parking because it accommodates a small commuter parking lot. The commuter lot shown is a possibility, but is not necessary for the alternative. The alternative could be built and then the commuter parking could be added as needed.

Comments on Lochner Parking Analysis

This is a very succinct and helpful analysis especially the distinction made between commuter based and distribution transit hubs. I agree that this facility is not a commuter based hub although it may grow into that over time if the daily passenger load on the Salt Lake City bound UTA bus grows in passenger volume.

In my view, this hub will primarily serve local residents or seasonal visitors traveling between the Junction and Park City proper. The hub is intended to be multimodal which is why we have proposed a large number of bicycle parking spaces on site. In some ways a shortage of vehicle parking will force local residents to consider the use of cycling to access the site. I also agree that in the case of seasonal special events, the parking lots adjacent of the Boyer site could provide for some overflow.

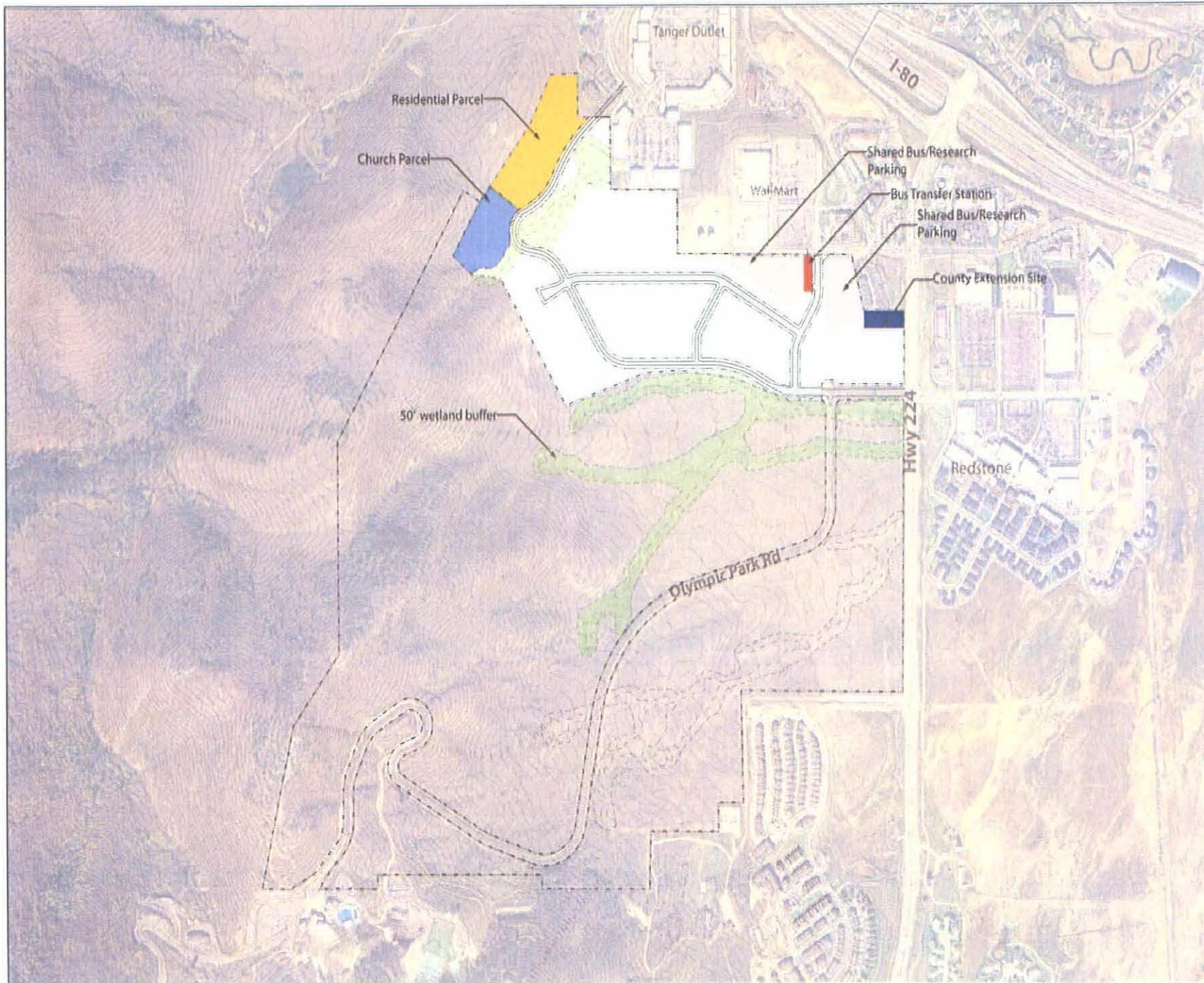
I would suggest that the table be modified to provide an additional column that would give the total parking spaces for each option which can be contrasted with the existing parking. I think it would also be useful to note that the additional parking under the fishhook option could be problematic given its proximity to the corner of the site by the roundabout.

Thanks for addressing this issue quickly. I think this provides a good answer to the question of why not more parking on the site.



PROPOSED MASTER PLAN AT FULL BUILD OUT

Exhibit I.1



Summit
Research Park

Boyer Snyderville
Junction, LLC

Site Elements

0 150 300 450 600 Feet

November 2008

Exhibit I.2



2. PARKING AND SERVICE S Service Docks Structured Parking Surface Parking



3. PEDESTRIANS AND BICYCLES Bike Path Multi-use Trail Pedestrian Walk



2. OTHER UTILITIES Gas Easement Water Sewer



3. LIGHTING Vehicular Pole Lights Pedestrian Pole Lights

Exhibit I.3 Port / Accent



ILLUSTRATIVE PLAN

Exhibit I.4

Commissioner Kingston stated that it is helpful to distinguish administrative from legislative processes. If his comments are on an administrative topic, the way of viewing the minutes is to see it as a deliberative process to reach a conclusion, in which case the comments are perhaps not so critical to be followed up on with each Commissioner. If it is a legislative process where they are discussing policy, he would request that Staff look at some of those individual comments, because they are deliberating an ongoing process that Staff is working on.

Ms. Brackin explained that the purpose of the minutes is to reflect the discussion that occurred, not to necessarily categorize or define or otherwise enhance. They are simply a summary of what occurred. Commissioner Kingston stated that he did not agree. They are a record, and there are legal reasons why that is the case, but they are also part of an ongoing discussion about policy making. If one of the Commission's roles is to deliberate public sentiment or to somehow negotiate that sentiment, identifying in the minutes items that have policy-making implications would seem to be critical. He did not believe they should just be looked at for accuracy and put on the shelf, but they should be looked at continuously as an ongoing record of a decision of policy making.

Commissioner Klingenstein made a motion to approve the minutes of the March 13, 2012, Snyderville Basin Planning Commission as written. The motion was seconded by Commissioner Velarde and passed unanimously, 6 to 0.

WORK SESSION

1. **Transit Center Conditional Use Permit Discussion** – *Adryan Slaght, Principal Planner*

Planner Slaght presented the staff report and explained that this is an administrative process, with the Planning Commission being the land use authority for this item. He clarified that the zone district is Community Commercial rather than Rural Residential as stated in the staff report. He explained that property for the transit center was given to the County as part of the Park City Tech Center development agreement and was approved for mass transit facilities and/or office buildings for public use. The 2007 short-range transportation master plan identified a need for a transit hub in the Kimball Junction area, and the County has been working with consultants to develop alternative master plans for the site. The consultants were given direction that the project should be able to house up to eight buses as well as vans and a transit coach, that there may be a possibility for two-way circulation on site, and that the transit center building would be LEED Silver eligible with approximately 50 seats and two restrooms. Consideration was also given to minimizing the wind that would impact passengers waiting for buses, orienting the building similar to the Richins Building, exploring the potential for solar and geothermal energy, exploring the possibility of connecting the facility to the Richins Building, providing housing facilities for bicycles, providing water conserving landscape, providing a minimum of 25% of the site as functional open space, and reserving a site for a public services building. He reviewed the two site plans in the packet and noted that the building would be similar in design to the Richins Building. The County asked the consultant to provide green design applications, and they are showing some solar application in the future. Once a site plan has been selected, they will look at whether geothermal will work on the site. The engineer has asked for higher levels of pervious pavement and sidewalk heating in high traffic areas for snow melt.

Commissioner Klingenstein asked if one plan meets the goal of exploring the potential for passive solar better than the other. Connie Holt with CRSA/Lochner, consultants for the transit center, replied that the slant drive orientation is slightly better for solar orientation, but both are oriented to maximize the solar potential.

Kelly Gillman, representing the consultants, explained that both options meet the program presented to them, but one key difference is that on one option they moved the buses out of the site and onto Landmark Drive, which would allow them to shorten the bus drive on the site

dramatically. That would free up about a third of the site to be used as open space, where otherwise it would be bus lane. With regard to the open space, they chose to show a farmer's market, but that is only one option of many that could work.

Commissioner Klingenstein asked about the parking goal, noting that there is a 25-car difference between the two plans and a potential future services building for the site. Mr. Gillman replied that adding the future building would change things dramatically. There was not a formal goal to include a certain number of spaces, but rather to determine how many parking stalls they could fit logically on the site so it would not detract from the other aspects of the site. The goal was to maximize open space and usability for the public rather than parking.

Planner Slaght explained that the intent of this presentation is to get feedback from the Planning Commission regarding which site plan or elements of the site plans they would prefer to see as they move forward.

Commissioner DeFord stated that he likes the proposed sustainability and hoped they would incorporate it. He believed they should go further, because with this new government building, he believed they should be examples of stewards of what is possible for future development. He believed they could do things such as capturing snow melt off the roof for landscaping water drip irrigation. He was unsure whether geothermal energy could be used to help with the snow melt on the sidewalk. Mr. Gillman replied that is a possibility, but the question is whether it would be cost effective. Commissioner DeFord suggested that they consider the use of solar energy on top of the bus shelters to provide for lighting or display boards. He liked the bicycle parking and suggested that they include a solar-operated air pump and possibly some tools for bike repair. He asked why the bus pull-out was not recommended in Option 2. The consultant explained that the bus would move slower, and they were concerned about the potential for cars backing up behind the bus during peak hour traffic, but there may be ways to mitigate that, such as scheduling only two buses per hour in that area during peak hour traffic. Commissioner DeFord asked if consideration for tour bus parking was considered. Mr. Gillman replied that they were not asked to consider tour bus parking in the program. Planner Slaght clarified that they were

asked to be able to park a 5-axle coach, but not necessarily tour buses. Public Works Director Kevin Callahan explained that, since it is proposed that this will be federally funded, they are not allowed to bring in private coaches.

Commissioner Kingston asked the consultant to address which criteria were met with each proposal. Mr. Gillman replied that Option 2 accommodates all of the vehicles requested in the program, but two of them are accommodated off-site and not within the County property. He explained that they were asked to provide a public space, and both options provide for that. The green space is broken up in Option 1, which does not accomplish the criterion for public open space as well as Option 2 does, because Option 2 provides contiguous open space. Both options meet the setbacks for zoning and minimum landscaping and open space. They were asked to provide a structure with 50 seats and restrooms, and the same building is proposed for both options but oriented slightly differently. Option 1 provides an additional parking lot by Landmark Drive and includes an additional slip lane into the site to help buses get in easier. Commissioner Kingston stated that it would be helpful to see where the neighboring properties are located in relation to this project. He was also concerned about aesthetics, noise abatement, access, and views. Planner Slaght indicated the adjoining properties in relation to the transit center. Mr. Gillman indicated the proposed roads on the Boyer property and the sight line to the Richins Building. With regard to noise, Option 2 would put the buses higher on the site compared to the building, and he was not certain whether that might make the noise less severe. They have also talked about landscaping on the site to screen the view of the buses and keep impacts down. Commissioner Kingston asked about the value added with this project based on what they already know from the transit facility in Park City. Mr. Gillman explained that they were asked to make the architecture of this facility similar to the Richins Building. However, the canopies will be more like the transit facility in Park City. They felt that would help the transit rider feel comfortable that they are within the same system. This is a much smaller building without a lot of open waiting areas. There is no need for a ticketing facility, and they have not planned for a large facility that someone would staff. The sustainability options would be an upgrade from the Park City facility.

Commissioner Franklin asked what they would do with the wellhead. The applicant replied that they would incorporate it into the landscaping. Commissioner Franklin stated that Option 2 would be his personal preference and that he likes the proposed plaza in that option.

Commissioner Klingenstein stated that he also favors Option 2 because of the non-linear orientation of the buildings, and he likes the open spaces. He commented that this will not be a park and ride lot. People may use it that way, but he did not believe they could advertise it as such, because that would put them in the parking management business. If they build another County building on the site, it would be severely underparked. He believed trying to put parking underground would be cost prohibitive. If parking was not a major goal, he believes this site plan works well, and he likes the undulation of the site.

Commissioner Velarde commented that everyone seems to like Option 2 because of the continuous open space and the large plaza. She was concerned about putting two buses on other property, because they will be most needed during the evening and morning rush hours, which would be the most disruptive to traffic. She asked if there is a way they could use the green space and pull the buses in so they are out of the line of traffic. The consultant explained that they would be out of the line of traffic, and the issue is that there is not a lot of distance between the front bus and the roundabout. Commissioner DeFord noted that the bus would have to yield at the roundabout anyway. There are some traffic concerns, but they are not extreme enough that they would want to move the buses back into the site and chop up the open space.

Commissioner Velarde stated that she would like to look at this as a park and ride as much as possible, because she believed the goal should be, as the workforce comes in from Salt Lake, to have them park here and take the bus. She believed it would be a good idea if they could add a few more parking spaces to Option 2.

Vice Chair Taylor agreed with Option 2 and noted that Option 1 has dead-end parking next to the roundabout. It is his opinion that dead-end parking does not work under any circumstances, and especially with very small lots. He believed having less of a grade in Option 2 is better, and avoiding a steep, curving road would be beneficial due to the snow and ice. With regard to

Option 2, he asked if it is critical for the access off of Landmark Drive to be opposite the curb cut from the Boyer project. The consultants explained that the County Engineer asked them to line up the curb cut. Mr. Callahan explained that the intention is to have connectivity in the bus routes. They want to be able to come out of this facility and go directly across the street to serve that area, and this is the only area where they have a 4-way intersection potential.

Commissioner Klingenstein asked if there might be a way to maximize underground parking for the future so they do not have to re-engineer the site later. He suggested that they take a look at the whole site now, because it would be easier to make everything work now than having to deal with it later.

Commissioner Kingston confirmed that he also favors Option 2.

Vice Chair Taylor asked the Commissioners to address the building, landscaping, or grading. Commissioner Klingenstein stated that he would like to see a connectivity plan with the trails, sidewalks, walkability, etc., and understand how that functions. He requested that they maximize the passive solar orientation. He noted that the Park City Transit Center is not heavily utilized, and he was pleased that they had learned something from that example. Commissioner DeFord asked if there would be a need for a bus driver lounge in the building. Ms. Holt explained that it was originally considered but was removed. They could close off the information booth and make a lounge for the drivers. Mr. Callahan explained that the buses will be at the transit center for 8 to 10 minutes, and there does not seem to be a high need for a lounge. Commissioner Kingston noted that ski and board racks have not been mentioned in the design. Commissioner Franklin referred to Commissioner DeFord's previous comment about collecting rain water off the roof and explained that violates Utah water law. Commissioner Velarde asked if the current and future development in Silver Creek would be included in the bus routes. Mr. Callahan confirmed that it would be. Vice Chair Taylor challenged the consultant to come up with a landscape plan that would define both screening and accent. He expressed concern about the elevation facing the roundabout, which seemed to be out of scale. He suggested that, if the storage room gable were hipped, it might tend to recede away from the

road, draw the entrance more toward the center of the building, and bring down the scale of the building. He also suggested that they hip the big gable over the main structure to help the scale of the building and work with the height of the wainscot. He recalled that someone referred to a wind consideration on the bus shelters and stated that he had not seen anything defining how they would protect someone from a horizontal snowstorm. The consultant explained that they contemplate a glass panel on the back side of the canopy and are talking about whether to put panels on the sides. Planner Slaght explained that they also talked about berming on the west side to break up the wind as it comes from the west.

Planner Slaght asked if the Planning Commissioners would prefer to see something other than a farmer's market proposed for the plaza space. Vice Chair Taylor stated that the Planning Commissioners seem to be pleased with a public space that is contiguous.

Commissioner Kingston asked when the public would get to see this. Planner Slaght replied that the next time it comes to the Planning Commission the public will be invited to give input.

2. **Discussion to amend the Snyderville Basin Development Code to clarify parking requirements at public trailheads; Bonnie Park, representative for Snyderville Basin Special Recreation District – Amir Caus, County Planner**

County Planner Amir Caus presented the staff report and explained that the Recreation District is requesting input from the Planning Commission on proposed amendments to the Development Code regarding the definition of trailhead parking. In 2011, the Recreation District proposed amendments that identified trailheads and trailhead parking, which were previously not identified in the Code and by default were not allowed. Final language was adopted in September 2011, but an unintended consequence was parking requirements, and the applicants are asking for additional amendments to address their concerns. He clarified that the memorandum is from Planning Staff, and the exhibits are from the applicants. The document entitled Staff Memo is actually from the Recreation District staff, not Planning Staff.



① GABION WALL



② MARKET STALL



③ RAIN GARDEN



④ BIKE RACKS



SHEET NOTES

- ① NEW SCREEN WALL (8'-0" ± HIGH) AROUND EXISTING EQUIPMENT
- ② NEW LOCATION OF BOOK MOBILE
- ③ NEW RAMP
- ④ EXISTING UTILITY TO REMAIN
- ⑤ NEW LIGHT POLE, TYPICAL
- ⑥ EXISTING WATER GARDEN TO REMAIN
- ⑦ FUTURE BIKE LOCKER LOCATION
- ⑧ NEW BIKE RACKS
- ⑨ NEW FARMERS' MARKET CANOPY, TYP.
- ⑩ GABION WALLS AT GRADING TRANSITIONS
- ⑪ TRAIL
- ⑫ EXISTING FIRE HYDRANT TO REMAIN

SITE LEGEND

-  Bicycle Trail

PLANTING LEGEND

-  LARGE DECIDUOUS (ASH)
-  EVERGREEN (LIMBER PINE OR DOUGLAS FIR)
-  SMALL DECIDUOUS (ASPEN)
-  SOD / TURF
-  NATIVE PLANTING





STANDARD:

- LEED® Silver as the standard (certification not pursued)

RESOURCE STEWARDSHIP—POSSIBILITIES:

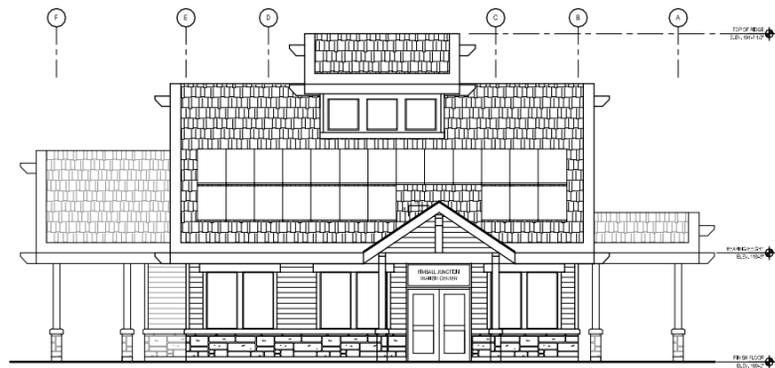
- Landscaping that reduces water use
- Stormwater management to clean rain runoff, encourage infiltration
- Photovoltaic panels if efficient for project size and life-cycle
- Low flow toilets and faucets reduce water use 30%
- Recycling services on-site
- Efficient mechanical & lighting systems
- Construction waste to be diverted from the landfill
- Recycled content of building materials and use local sources
- Building orientation aids efficient mechanical system

ENVIRONMENTAL & SITE QUALITY—POSSIBILITIES:

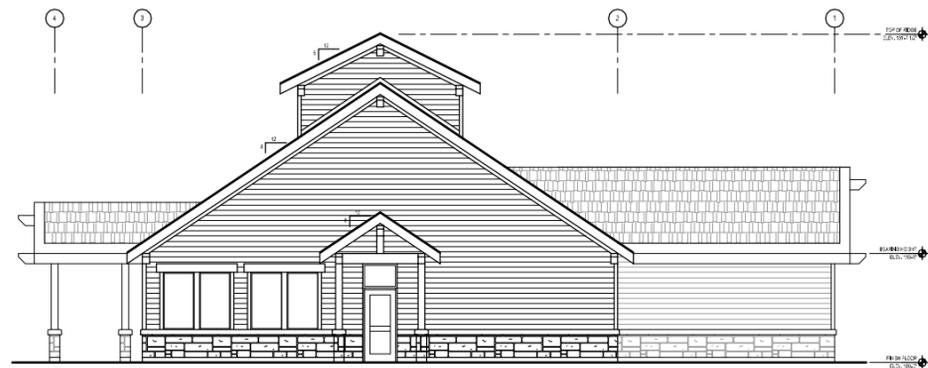
- Open space for farmers' market, community and library events
- Pervious paving for rainfall infiltration, safety and maintenance
- Night-sky friendly and safety site lighting
- Public art in open space
- Noise control with site layout, landscaping and berms
- Manage air quality with finish products and construction activities

TRANSPORTATION—POSSIBILITIES:

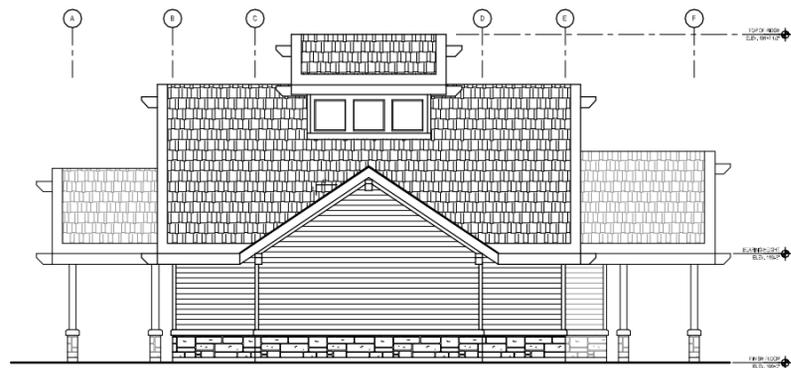
- Integrate existing bike trail network
- Covered, secure bike parking, ski & board racks
- Bus loop paving with snow-melt for safety and maintenance
- Shared parking signed for alternative fuel and car pool vehicles



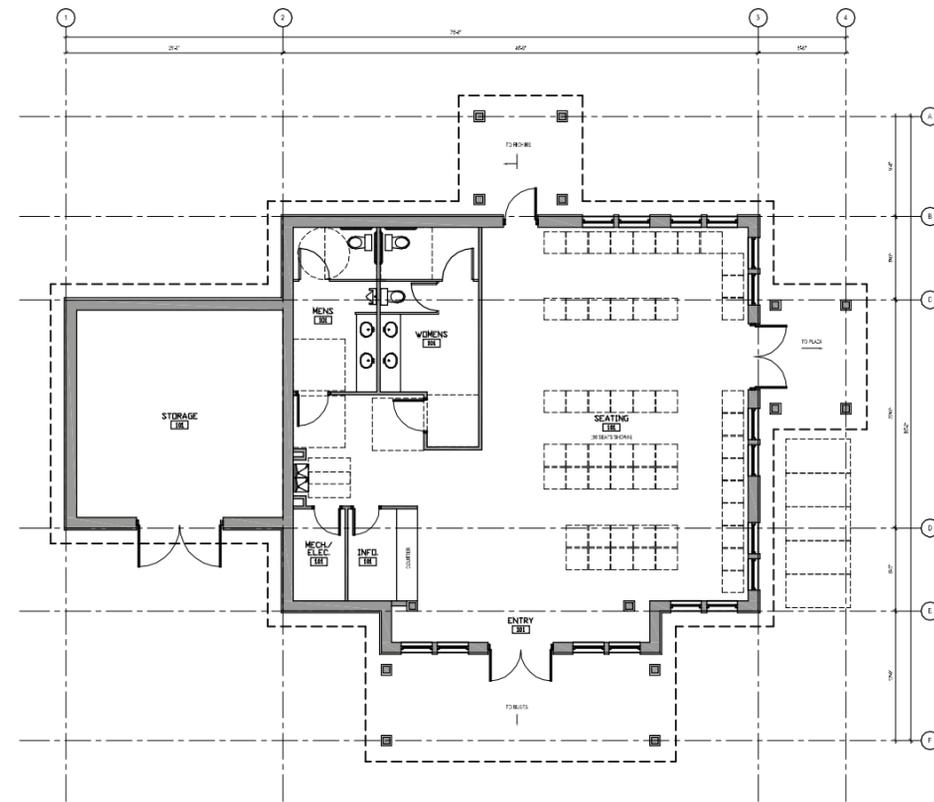
SOUTH ELEVATION



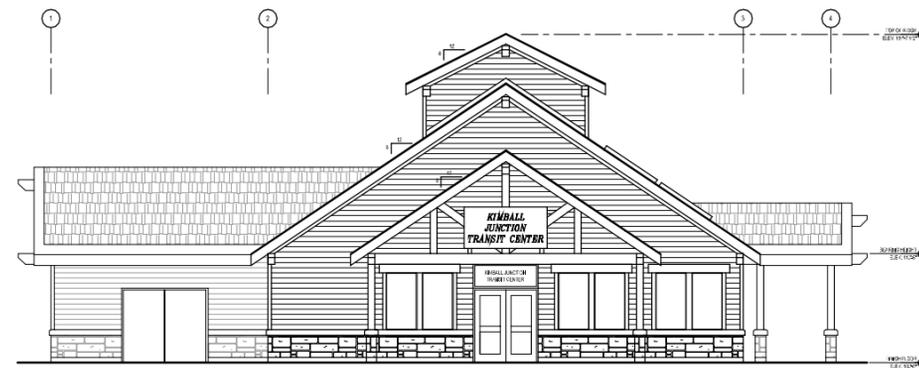
EAST ELEVATION



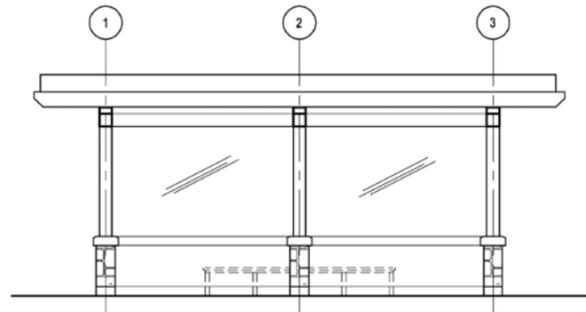
NORTH ELEVATION



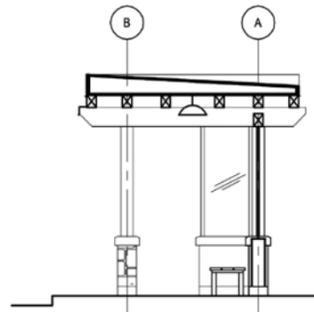
FLOOR PLAN GN



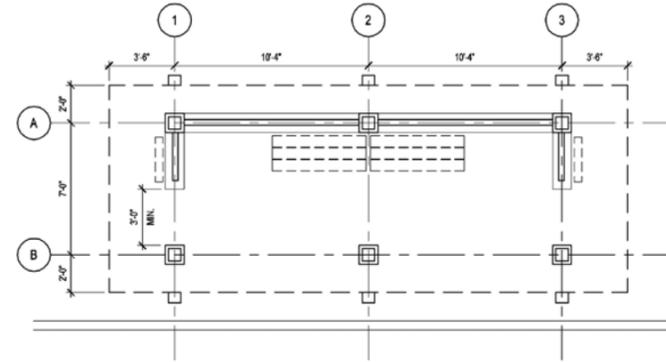
WEST ELEVATION



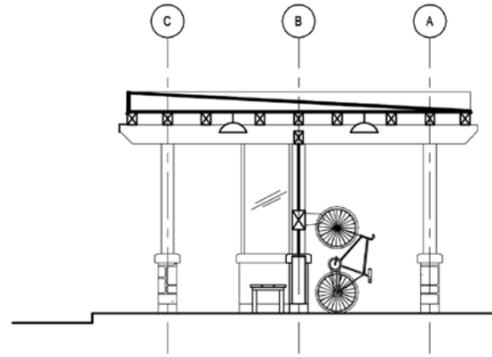
BUS CANOPY - ELEVATION
SCALE: 1/4" = 1'-0"



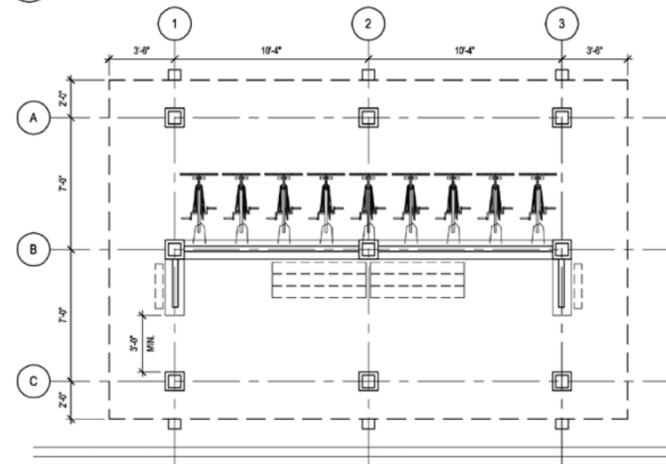
BUS CANOPY - SECTION
SCALE: 1/4" = 1'-0"



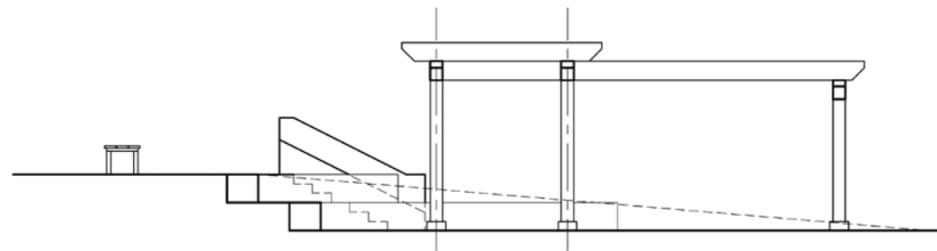
BUS CANOPY - PLAN
SCALE: 1/4" = 1'-0"



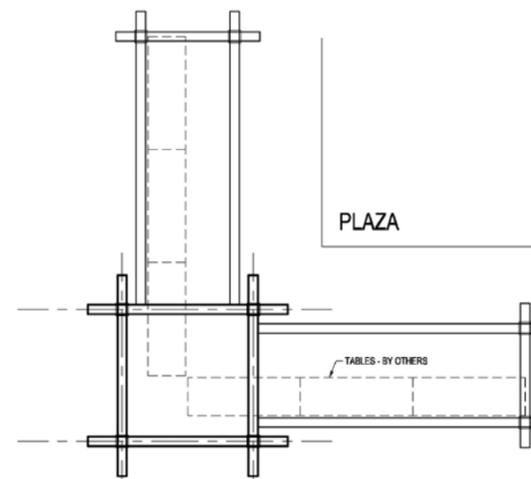
DOUBLE CANOPY - SECTION
SCALE: 1/4" = 1'-0"



BUS CANOPY & COVERED BIKE PARKING - PLAN
SCALE: 1/4" = 1'-0"



FARMERS' MARKET CANOPY - ELEVATION
SCALE: 1/4" = 1'-0"



FARMERS' MARKET CANOPY - PLAN
SCALE: 1/4" = 1'-0"

County Engineer



Leslie Crawford, P.E.

MEMORANDUM

Date: February 5, 2015

To: Summit County Council

From: Leslie Crawford, PE – County Engineer

Re: Update on Transportation Planning in the Snyderville Basin

Subsequent to the presentation of the Draft Snyderville Basin Long Range Transportation Plan to the County Council by Fehr and Peers in December, County staff including members of the Community Development Department, Public Works Department, Engineering, and the Public Information offices have been participating in a weekly brainstorming session to discuss transportation and its implications on the general population, the Snyderville Basin General Plan, and the Kimball Junction Transit Center. These sessions have been held weekly on Monday afternoons to identify existing problems with transportation and potential solutions to the transportation issues that exist within the Snyderville Basin.

This memo serves as a progress report on what has been discussed thus far and to gain feedback from the County Council on the methodology used thus far and further direction on the areas we should pursue.

Methodology

During the course of the meetings, it was found that the discussions could be grouped into three distinct areas: (1) Problems; (2) Solutions; and (3) Priorities.

Problems

The group has developed a list of problems to be solved related to transportation in the Snyderville Basin. These problems were placed into four categories:

1. Road Problems;
2. Social Problems;
3. Land Use/Design Problems; and
4. Tourism Related Problems.

The problems are listed below by category.

A. Road Problems

1. Traffic at Kimball Junction during AM and PM peak hours and during events
2. Loading and unloading of schools and school bus traffic
3. Jeremy Ranch exit backups
4. Silver Summit exit backups
5. Little or no bike/pedestrian lanes along busy corridors
6. Lack of or ineffective signage
7. Loading and unloading of ski resorts

B. Social Problems

1. Desire and convenience to drive rather than walk, bike, or take transit
2. Stigma associated with mass transit
3. Lack of knowledge/education about options
4. Automobile dependent culture

C. Land Use/Design Problems

1. Commercial and residential areas are not co-located
2. Commercial areas are not easily walkable
3. Trail network is designed for recreation, not transportation
4. Trail network does not continue through neighborhoods to provide interconnectivity
5. Transit system does not run late for restaurant/bar workers
6. Transit system does not go into neighborhoods within a safe walking distance from homes
Transit system offers too long of a wait (30 minutes for the pink line)
7. Some transit bus stops are unsafe, unmaintained, and unattractive
8. Surface parking lots are built instead of providing underground parking so that the land can be used to provide economic benefit
9. Simple convenience services are not offered near neighborhoods
10. Parking is too available and too free
11. Remote parking lots are not located in viable and realistic areas (e.g. Richardson Flat)

D. Tourism Problems

1. Event traffic
2. No good option for tourists to travel to dinner, clubs, movies and other events without a car
3. No education for the traveler that wants to visit without a car

Solutions and Priorities

Once we identified the problems, the group began to develop a list of potential solutions that were further grouped into three (3) categories:

1. Bricks and Mortar (e.g. Construction projects);
2. Programs; and
3. Policies.

As possible solutions were presented, the group attempted to correlate the solution with a particular problem. Furthermore, a subsequent exercise was attempted to categorize the solutions in terms of priority. The ideas were prioritized by using three categories: (1) projects that could be completed in less than one (1) year; (2) projects that could be completed in one (1) to five (5) years; and (3) projects that could be completed in five (5) or more years. Not included in this report but is currently under consideration by the group are the resources (e.g. funding, employee time, etc.) that will be necessary to implement each and every developed solution.

The result of this exercise is presented below.

Bricks and Mortar Projects

Problem Solved (A, B, C,D)	Project Description	Prioritization
A, B	Dedicated mass transit lanes on shoulders of SR-224	< 1 year
A, B	Signal pre-emption on SR-224 for transit	< 1 year
A, C	Remote park and ride at view area and Kilby Road	1 – 5 years
A, C	Improve Kilby Road/Increase speed limit	1 – 5 years
A, C	Include extensive pedestrian / bike improvements on Kilby Road	1 – 5 years
A, B, C, D	Kimball Junction regional intermodal center with parking facilities, retail services, visitor center	1 – 5 years
A, B, C, D	Fast, flexible, and high tech express route/loops through commercial areas (e.g. Kimball Junction to Canyons to Park City, Park City to Quinn’s Junction to Silver Creek, Silver Creek to Kimball Junction)	1 – 5 years
A, B, C, D	Identify and design “Super Bus Stops” (e.g. mini transit centers in neighborhoods)	1 – 5 years
A, B, C	Identify and construct pedestrian tunnels or bridges at key neighborhood crossings	1 – 5 years
A, B, C	Develop or improve existing “transportation” trails – dedicated/protected bike lanes	1 – 5 years
A, B, C, D	Quinns Junction regional intermodal center with associated parking facilities/garage and associated retail services—“Trails to Rails” connection to Park City via Rail Trail.	5+ years
A	Alternative/reversible lanes direction shifts on SR 224 and SR 248	5+ years
A, C	Fly-Over/Slip Ramp (On & Off) at Powderwood/High Ute (Divert)	5+ years
A, B, C, D	Boardwalk across Swaner Nature Preserve linking New Park and Round Valley	5+ years
A, C, D	Richardson Flat regional fields complex (better accessibility/transit, reduces trips into neighborhoods)	5+ years
A	Improve Powderwood or construct new by-pass through High Ute	5+ years
A	Improve Jeremy Ranch interchange	5+ years
A, B, C	Aerial connections between key nodes	5+ years

Programs

Problem Solved (A, B, C,D)	Project Description	Prioritization
B	Comprehensive public education as to how to use alternative transit systems (Aps, radio traffic reports, websites, social media	< 1 year
B	Comprehensive Public Outreach to change local driving behavior (e.g. use transit/car-pool, drive during off-peak hours, combine trips, etc.)	< 1 year
B	“Ride Amigos” or similar App for residents to combine trips	< 1 year
A, C, D	Coordinated dispatch of basin resorts/transportation companies	< 1 year
A	Enhanced school bus programs (e.g. link PCSD bus system to PC Transit system, work with PCSD to create incentives to not drive students to school)	1 – 5 years
A, B, C	Enhanced Intelligent Transportation System (ITS) upgrades (e.g. increased high tech signalization, traffic detection and monitoring, real time information for traffic routing)	1 – 5 years
A, B, C	Fleet of smaller transit vehicles/buses for neighborhood circulator routes	1 – 5 years
A, B, C	Mandatory shuttles for resorts and large commercial projects	1 – 5 years
A, C	Mandatory commercial traffic mitigation plans	1 – 5 years
A, C	Mandatory employee use of remote parking lots	1 – 5 years
A, B	Flexible work hours	1 – 5 years
A, B, C	Incentives for bike-to-work; showers in the workplace; maintained and lighted transportation trails	1 – 5 years
A, B, C, D	Incentive for ride share/car pool	1 – 5 years
A, B, D	Local shoppers receive “happy hour” specials to shop during off peak times (e.g. discounts, punch cards for prizes)	1 – 5 years
A, C, D	Enhanced way finding with public art possibly	1 – 5 years
A, B, C	Public/private incubator business in conjunction with transit center (give people a reason to be at the transit center	1 – 5 years

Policies

Problem Solved (A, B, C,D)	Project Description	Prioritization
C	Reexamine development code parking polices. Create incentives to reduce parking	< 1 year
A, C	Revise land use/zoning strategies – promote mixed use	< 1 year
A, B, C, D	Implement trip management program that reduces parking and/or trips by XX%	1 – 5 years
A, B, C, D	Require employees to use mass transit or carpool (Employer must subsidize mass transit option directly to employee or face a penalty such as increased transportation impact fee)	1 – 5 years
A, B, C, D	If in town center areas, contribute to a shuttle or circulator	1 – 5 years
A, B, C, D	Design transit system to serve locals (60% of the traffic) to provide smaller, quicker, flexible, high tech (e.g. Wi-Fi) and comfortable buses	1 – 5 years
A, B, C, D	Design transit system so that all residents are within ½ mile of bus stops	1 – 5 years
A, B, C, D	Provide heated bus stops at major bus stops	1 – 5 years
A, B, C, D	Optimized the commuter service between Salt Lake City and Summit County/Park City	1 – 5 years
A, B, C, D	Require new developments to participate in a Travel Demand Management program to reduce trips by XX% as part of their development permit	1 – 5 years

We have recently received the Fehr and Peers final Snyderville Basin Long Range Transportation Plan and are actively engaged in its review and its future implications on funding, transportation, and land use. We intend to review the strategies that are presented in the final plan at our next meeting (date to be determined). We will be prepared to present these strategies and their possible effects at our next presentation to the County Council.

Any of these solutions will require a financial and time commitment. At one of the next work sessions, we will discuss the type of resources that will be needed in order to provide effective solutions.

Please let me know if you have any questions or concerns.

Cc: Tom Fisher – Manager
 Derrick Radke, P.E. – Public Works Director
 Patrick Putt – Community Development Director
 Peter Barnes – Planning and Zoning Administrator

**A RESOLUTION OF SUMMIT COUNTY, UTAH,
ENCOURAGING THE STATE OF UTAH TO ADDRESS
COMPREHENSIVE TRANSPORTATION FUNDING**

WHEREAS, a safe and efficient transportation system creates the foundation for economic growth and improved quality of life; and

WHEREAS, the creation and maintenance of transportation infrastructure is a core responsibility of state and local government; and

WHEREAS, Utah’s population is expected to grow by 1 million residents by 2040; and

WHEREAS, Utah’s residents demand new comprehensive transportation options such as bike lanes, multi-use paths, off-road trails and transit in addition to traditional roads; and

WHEREAS, research from the Utah Department of Transportation indicates that road maintenance efforts save cities and counties from road rehabilitation that costs 6 times as much as maintenance, and saves cities and counties from road reconstruction that costs 10 times as much as maintenance; and

WHEREAS, investing in transportation results in tremendous economic development returns for counties, cities and the state; and

WHEREAS, improving comprehensive transportation in Utah will reduce private vehicle usage which will in turn lead to improved air quality; and

WHEREAS, poor air quality discourages economic development, business recruitment and tourism visits, and contributes to asthma and other health ailments; and

WHEREAS, nearly 1 in 10 Utah adults suffer from asthma and struggle to breathe during poor air quality days; and

WHEREAS, nearly 57% of Utah adults are overweight, and approximately 200,000 Utahns have diabetes and obesity related health care costs, resulting in costs which exceed \$1 billion; and

WHEREAS, investing in safe and connected trails, bike lanes, sidewalks and multi-use paths will encourage Utahns to be more active, spend more time with their families via active transportation and result in improved personal and community health; and

WHEREAS, the current motor fuel tax of 24.5 cents and local option sales tax are insufficient to satisfy current and future transportation needs; and

WHEREAS, Utah has led the nation in creating an Unified Transportation Plan to address these comprehensive transportation and quality of life issues and Summit County (the “County”) now asks the State and local governments to work together to find comprehensive funding solutions that will address transportation, economic development, air quality and health needs.

NOW THEREFORE, BE IT RESOLVED BY THE SUMMIT COUNTY COUNCIL:

SECTION 1. Comprehensive Transportation Funding. The County Council supports proposals which meet comprehensive local transportation needs, promote the Unified Transportation Plan and provide for future growth. The County supports studying a transportation funding option which would allow for the statewide implementation of a quarter cent (\$0.0025) local option sales tax to be used for transportation. The County also supports studying motor fuel taxes, “B and C” road funding and other transportation funding options. Motor fuel taxes are not equitably borne by road users with the advent of higher MPG vehicles, electric and hybrid vehicles and other fuel-saving technology. Additionally, since the motor fuel tax has not been adjusted since 1997 and is not indexed, the current purchasing power is inadequate. The County requests the Utah Legislature to carefully examine all funding options.

SECTION 2. Comprehensive Transportation Options. The County supports the expansion of the uses for which transportation funding can be spent to reflect the individual needs and discretion of local governments. Transportation, air quality and public health can be enhanced when active transportation and transit are eligible for transportation funding. Examples of items that could be eligible may include trails, bike lanes, sidewalks, safety equipment, traffic calming, signage and lighting. Investment in active transportation options will encourage residents to travel via walking, biking and transit, result in a healthier population, reduced car emissions, decreased health care costs and improved quality of life. The County supports additional funding mechanisms that will result in expanded active transportation infrastructure. The County also supports continued investment in public transit as outlined in Utah’s Unified Transportation Plan. Transit can help relieve traffic, promote walkable communities and improve air quality.

SECTION 3. Coordinating Efforts. The County encourages County staff to work with State elected officials, the Utah Transportation Coalition, the Utah Association of Counties and the Utah League of Cities and Towns.

SECTION 4. Distribution of this Resolution. A copy of this Resolution shall be sent to the Governor, the President of the Utah State Senate, the Speaker of the Utah House of Representatives, the County’s State Senators and State House of Representatives, the Executive Director of the Utah League of Cities and Towns, and the Chief Executive Officer of the Utah Association of Counties.

SECTION 5. Effective Date. This Resolution shall become effective upon passage.

APPROVED ON THIS _____ DAY OF _____, 2015.

Kim Carson
Council Chair

Attest: _____
Kent Jones
County Clerk

Approved as to form: _____
Robert Hilder
County Attorney

RESOLUTION NO. _____

**RESOLUTION APPROVING AN INTERLOCAL AGREEMENT
BETWEEN SUMMIT COUNTY, UTAH AND UINTA COUNTY,
WYOMING FOR MUTUAL AID AND ASSISTANCE IN LAW
ENFORCEMENT.**

WHEREAS, The Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Ann. (1953 as amended), permits governmental units to enter into agreements with agencies of other states for the joint exercise of power or powers, privileges or authority, including law enforcement; and

WHEREAS, Summit County and Uinta County entered into a Mutual Aid Agreement in 2015 concerning their respective law enforcement authority for a period of four (4) years; and

WHEREAS, Summit County, Utah and Uinta County, Wyoming desire to continue the association and enter into an Agreement whereby the parties will assist each other in providing emergency response, services and equipment by their respective agencies when, if and as needed or requested;

NOW THEREFORE BE IT RESOLVED by the Summit County Council to enter into the attached Interlocal Agreement with Uinta County, Wyoming for the purposes authorized in the Agreement. Be it further resolved that the attached agreement is hereby approved. The Chair of the Summit County Council is authorized and directed to execute the Agreement and any other document necessary to effect the purpose of the Agreement on behalf of Summit County.

DATED this ____ day of _____, 2015

SUMMIT COUNTY COUNCIL

By: _____
Kim Carson, Chair

Councilor Armstrong _____
Councilor Robinson _____
Councilor McMullin _____
Councilor Ure _____

ATTEST:

Summit County Clerk

**LAW ENFORCEMENT
INTERSTATE MUTUAL AID AGREEMENT**

UINTA COUNTY, WYOMING, SHERIFF'S OFFICE; and SUMMIT COUNTY, UTAH, SHERIFF'S OFFICE; the parties.

Pursuant to lawful authority, the party Wyoming law enforcement agency and law enforcement agency of adjoining Summit County, State of Utah, do hereby enter into this Mutual Aid Agreement (Agreement) for law enforcement assistance pursuant to WYO.STAT. § 7-3-901 *et. seq.* and Utah Code Title 11-13-101 *et. seq.*

Definitions.

1. A Law Enforcement Agency means a lawfully established federal, state or local public agency that is responsible for the prevention and detection of crime and the enforcement of penal, traffic, regulatory or criminal laws;
2. A Party Law Enforcement Agency means a law enforcement agency that is a party to this mutual aid agreement as set forth in this agreement;

Required Approvals. This Agreement is effective when all parties have executed it and all required approvals have been granted. The Wyoming Attorney General shall approve the Agreement and the agreement is not in effect until signed by the Wyoming Governor. The Agreement shall be filed with the Wyoming Secretary of State within 20 days of Attorneys General approval.

Purpose. The purpose of this Agreement shall be to establish the terms and conditions under which a party Wyoming law enforcement agency and a party law enforcement agency of an adjoining state may render assistance one to the other in the provision of law enforcement services. Nothing contained herein is intended to affect any other emergency management agreement or compact existing between the parties.

Duration. This Agreement shall be effective from 1 July, 2015 to 30 June, 2019, but under no circumstances longer than four (4) years from the date on which it first becomes effective.

Termination. This Agreement may be terminated by any party at any time upon reasonable written notice from one party to the other parties. Property shall be returned to the party which provided such property during the special event or emergency, after the mutual aid is completed.

Manner of Financing and Budget. Each party will be responsible for the payment of compensation and benefits for its law enforcement employees who provide mutual aid assistance under this Agreement. Each party shall independently budget for expected expenses under this Agreement, but may seek reimbursement from the requesting party for actual expenses incurred in providing law enforcement aid.

Administration of Mutual Aid Agreement. The parties may designate a joint board to administer this Agreement. Such joint board may coordinate all activities and mutual aid efforts of the parties under the Agreement. Pre-incident planning may be appropriate in certain special events or emergencies. The parties may create standardized schedules, lists of equipment and personnel that may be utilized in the special event or emergency. Procedures for acquisition of equipment may be created and implemented in anticipation of special events or emergencies.

The effective date of this Agreement is the date of the signature last affixed to this page.

FOR WYOMING

Matthew H Mead, Governor

Date

Wyoming Attorney General

Date

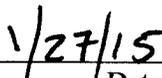
FOR SUMMIT COUNTY, UTAH

Summit County, Utah, County Council

Date



Summit County Sheriff



Date

FOR UINTA COUNTY, WYOMING

Uinta County, Wyoming, Board of Commissioners

Date

Uinta County Sheriff

Date

New Applications for Current Primaries

2036-A	Christopher Nangle	1/23/2015
AER-41	Henry Wreden	1/6/2015
BHV-1-14B	Melanie Stuchell & Chris Petty	1/12/2015
BHWKS-1-16-2AM	Amy Cairn Trustee	1/12/2015
BHWKS-2-144	Spa Station Properties LLC	1/8/2015 W/Lease
BHWKS-2-145	Spa Hawk Properties LLC	1/8/2015 W/Lease
BP-1-AM	Robert N Ward Suc Trustee	1/14/2015
CCRK-D-14	Glenn Mast	1/6/2015 W/Lease
CCRK-E-20	Paul Targosz	10/23/2014
CCRK-G-33	Alexandru Marica	1/9/2015
CD-77	Mont Williams	1/12/2015
CDW-5	William Rock	2/4/2015
CJ-363-L	Leah Kolb	1/9/2015
CRQJ-57-AM	Julie Estabrook	1/15/2015 W/Lease
DAW-1	Alysha Lynne Greenhalgh	1/15/2015
FPRV-8-E	Diane Keller	1/15/2015
FT-1-E	David & Madelyn Allenbach	1/7/2015
FWM-34	Allen Gene Rouse	1/20/2015
GE-10	Stephen E Rogers Trustee	1/15/2015 w/lease
GLD-2	Joshua & Baillie Vanwormer	1/7/2015
HC-1-48	Kelly Wallis & Susan Hanney	1/12/2015
HE-A-312-A	Robert Zarkos	1/20/2015
HE-A-317	Joseph L Vokas	1/13/2015
HMP-58	Ryan Eddy	12/23/2014
IC-45	Kent Bowen	1/13/2015
IRH-FS-F-3	Jonathan & Carla Good	2/3/2015
JNCSS-2	Thayne Stembridge	12/2/2014 w/lease
JR-3-313	Andre Palai	1/20/2015
JR-3-342	Michael Lane Hudson	1/13/2015
JR-4-4138	Susan Jennifer Thomas Trustee	2/4/2015
KE-A-96	Thomas Saylor	1/23/2015
KN-DVCE-9-AM	Michael Atkin & Winnie Chee-Atkin	2/2/2015
LNR-2	Melissa Hull	10/29/2014
LR-2-145	Timothy Burniski	1/8/2015
MH-II-70	Geoffrey Tabin	1/12/2015 w/lease
MRE-36	Nicholas J Hoson Trustee	1/12/2015 W/Lease
NBF-22	Rian Thacker	1/29/2015
NBF-95-AM	Robert and Tarah Stowell	1/23/2015
NE-6	Elizabeth Paul	1/20/2015
NS-105-A	Tyler Larsen	2/4/2015
NS-1245	Barbara Moore	1/8/2015
NS-651-A-2	Victor Rainey	2/3/2015
OAKS-40	Ellsworth & LeeAnn Clarke	2/3/2015

OT-8-B	Teresa Tultis	1/8/2015
OTNB2-209-A-2-A	Stephen Edmund Neeley Trustee	1/6/2015
PB-4-146	Richard Livingston Trustee	1/12/2015
PB-IB-44	Charlie Besecker	1/23/2015
PBP-B-R-1	Mark Beam	1/29/2015
PBP-B-R-21	Derek Nalewajko	1/9/2015
PB-PR-42	Brandon Aikin	2/3/2015
PC-464-A-4	Bryn Carey	1/13/2015 W/Lease
PEAKS-1	Haley S Richins Trustee	1/12/2015
PKM-78	Michael John Acee	1/6/2015
PNCR-F-3	Anne Reynolds	10/17/2014 W/Lease
POV-43	9990 Holdings LLC	1/13/2015 w/lease
PRE-45	Peter Epstein	1/9/2015
PRLW-2	Robert C Martin Trustee	1/6/2015
PSC-116	Susan & Charles Lengle	1/8/2015
PT-14-D-1	Kirk Benson	1/12/2015
PWV-A-2-AM	Bryan Allison	2/4/2015
PWV-B-38-AM	Masako Masuda Trustee	2/3/2015 w/lease
RC-1-24	Scott William Resch	1/26/2015
RC-1-42	Jerry R & Sandra J Jackson	1/5/2015
RPL-14	Edward J Manley Trustee	1/23/2015
RPL-II-77	David Garrison trustee	1/9/2015
RPL-IV-204	Robert P Kenniston Trustee	2/4/2015
RRS-II-3	Marisue Wells	1/26/2015
SFL-2-111	Eileen Moeller Trustee	1/12/2015 W/Lease
SKT-2	Dianne Theresa Sanchez Trustee	1/12/2015
SL-A-54	Jennifer Campbell Trustee	1/6/2015
SL-A-55	Warren & Pamela Hill	1/6/2015
SLS-16	Blackdog Ventures LLC	1/8/2015 W/Lease
SLS-60	Todd Evans	1/8/2015
SMIL-I-41	Richard Szabo	1/15/2015
SMS-8	Gregg Greenberg	1/13/2015
SMT-A-36	Jamieson Kimball	1/6/2015
SOS-C-56	Scott J Richards Trustee	1/26/2015
SOS-C-78	Jeff Daily Co-Trustee	1/6/2015
SRS-5-2AM	Kendall Rockhill Trustee	1/8/2015
SS-146-D	Charles A Coonradt Trustee	1/9/2015
SSS-3-406	Stuart Campbell	1/7/2015
SU-A-65	Fran H. Schaut Jr	2/3/2015
SU-B-39	Mark Hancey	1/20/2015
SU-C-12	Kaylin Richardson	1/21/2015 W/Lease
SU-C-16	William Farinelli	1/12/2015 W/Lease
SU-H-40	Gregory McGinn	1/13/2015
SU-J-95	Mary Lou Mylet	1/26/2015
SU-M-2-26	Eugenie Emory	1/6/2015
SU-M-2-6-AM	Mark & Joan Danninger	1/26/2015
TCT-6	J M G Washington	1/15/2015 W/Lease

TH-4-3	Clare Ellen Jackson Trustee	1/12/2015
TPL-2	David & Janice Jessen	2/2/2015
TSP-18	Cory J Goldberg	1/14/2015
WH-43	Justin & Rachel Cummings	1/7/2015
WLCRK-24	Eileen Moeller Trustee	1/12/2015
WWPD-A16-AM	Patricia Hartzell	1/15/2015
WWPD-A23-AM	Susie-Jane Q Woolley	1/8/2015
WWPD-B25-AM	Corey Ann Dutton	1/8/2015

Non-Primary Properties

802-B	Donald & Lisanne Hendricks Trustees	1/15/2015
AMD-17-C	Scott McCarter	1/23/2015
BDV-301	J&F Portland LLC	1/12/2015
CD-390-H	Joanne Dunivan Trustee	1/20/2015
CHC-108	Gary Dunn	12/3/2014
CR-28-A-2AM	Neal Wilson	1/12/2015
CVOS-3-1	Victor Varela	1/14/2015
DLV-2-8B	Wilford M Farnsworth III	1/20/2015
DMLC-5138-AM-RE	Craig & Kelly Davis	1/2/2015
DMLC-7117-AM-RE	Gregory Reveal	1/26/2015
ECSC-18-AM	Brendan Wallace	1/13/2015
ESCLAL-233-AM	Jed Holden	1/7/2015
GWLD-II-127-AM	Charles Adcock	1/9/2015
HODV-1A-23	Sean & DeAnn Guidry	1/2/2015
HPCR-314-AM	Dana Darwish	2/4/2015
LKSD-11-B	Veronica Seay	1/30/2015
OAKS-64-AM	3605 Oak Wood LLC	1/12/2015
OAKS-77	William Heller	1/12/2015
OTNB2-209-A-2-A	Stephen Edmund Neeley Trustee	1/6/2015
PC-402-A	Oruck Properties UT, LLC	1/16/2015
PKM-2-5	Michael Grey Co-Trustee	1/20/2015
PT-10-A	Jan Mirovich	1/26/2015
PT-4-A	Marjorie McKeithen	1/29/2015
SLC-224-AM	Jerome H. & Louise A. Cahill	1/7/2015
SLT-II-2-A	David Johnson & Kathryn Keate-John	2/3/2015
SOL-2-A-112	Mike Corcoran & Bob Robison	1/29/2015
SOL-51	Carl Schuster	1/7/2015
SPIRO-A-1304-AM	Joel B. Seligstein Trust	2/4/2015
SRNYK-1	Randy & Caroline Scott	1/2/2015
TH-3-17	Dean Lacy	1/26/2015
TM-C-46	Eric Mozilo	1/2/2015
TWL-12D	Erbacher Family LLC	1/20/2015
WCAN-I-30-AM	Keith Conrad	1/26/2015

WHLS-24 Jennings Holdings LLC 1/12/2015

New Primaries

3K-1-L	Owen Rene Case	1/26/2015
BCKS-4	Tamera & John Kinnear	1/27/2015
BHVS-28	Daniel J Mouthaan	1/8/2015
BHVS-T11	Richard Sprung	11/10/2014
BHVS-T145	Nicole McMillen	1/15/2015
CCRK-B-11	Ian Dornfeld	1/23/2015 w/lease
CD-2126-B	Terry Lee Severson	1/20/2015
CD-392-13-C	Gregg H English	1/12/2014
CEM-1-65-AM	Steve Rosenberg	12/23/2014 w/lease
CLC-303-AM	Michael Lee	11/7/2014
CVC-1-B-108	Klaus P. Romeis	1/29/2015
EP-IV-59	Dean J Brooks	1/29/2015
FHE-II-66	Steven M Kern	1/5/2015 New Construction
FM-C-71	Carey Lutheran	1/26/2015
GWLD-16-AM	Ken Chahine	1/23/2015 New Construction
GWLD-II-137-AM	Mandel Luiz Ferrao De Amorim	1/15/2015
GWLD-III-164	Robery & Kimber Parry	1/6/2015
JR-3-379	Ronald C. Jerman Trust	1/7/2015 New Construction
LGRFL-2-2AM	Victoria Delheimer	1/23/2015 New Construction
LINE-1	Patrick Coffey	1/26/2015
LKSD-7-C	Derek R Jeffery	1/14/2015
MR-2	Paul Howarth	1/21/2015
NSS-A-16	Evan & Natalie Clark	2/4/2015
PKM-2-39	Susan A Doucette Trustee	1/15/2015
PKM-3-35	Samuel Thompson	1/12/2015
POV-4	654 Woodside LLC	
PRE-52	Peter Morris	1/9/2015 New Construction
PRESRV-1-8	Robert Altman	1/6/2015 New Construction
PSKY-27	Skip & Paula Hodgetts Family Trust	1/7/2015
PSSR-12	Philip Lowe	1/21/2015
PVC-1A-204	George & Kimberly Coleman	11/10/2014
QM-I-8	Gina & Tony Mason	2/4/2015
RCS-1A-1	William C Monninger	1/29/2015
RCS-1B-4	Brad Stevenson	11/12/2014
SG-C-25	Brian & Donna Tiley	1/29/2015
SRC-4115	Christian & Holly Hansen	12/3/2014
SU-C-11	Kaylin Richardson	1/21/2015
SU-H-4	Rick Cannard	1/12/2015
SU-I-16	Kent Fawcett	1/7/2015 New Construction
SUM-2	Rita Gilmore	1/12/2015 New Construction

SUM-29	Mark Casp	1/14/2015 New Construction
SUM-5	Jeffrey Schloesser	1/6/2015
VLC-31	David & Heather Spader	1/2/2015
WDCS-A-25	Gina Johnson	2/4/2015
WDCS-B-5	Bretton Trowbridge	1/26/2015
WWPD-A1-AM	David & Gayle Evans	2/2/2015
WWS-2A-A7	James Mair	1/29/2015



MEMORANDUM

DATE: February 5, 2015
TO: Summit County Council
FROM: Rich Bullough
RE: Proposed resolution to the Utah State Legislature supporting adoption and implementation of Healthy Utah

Healthy Utah is Governor Herbert's proposal to extend health insurance coverage to approximately 111,000 Utahns, the same amount of people as would be covered by Medicaid expansion, and would utilize the same favorable federal funding structure.

Approximately 54,000 of the new enrollees earn annual incomes of less than 100 percent of the federal poverty level (FPL), or \$11,670 for an individual. The remaining 57,000 enrollees earn between 100 percent and 133 percent of FPL, or \$15,521 annually

Rather than enrolling those 111,000 people in traditional Medicaid, the funding would be used to purchase their health insurance coverage through the private marketplace, and covered individuals would have increased responsibility with respect to copays and other contributions to coverage.

The Summit County Board of health adopted a similar resolution in support of Healthy Utah in their meeting on February 2, 2015.

Impact of Healthy Utah in Summit County

- Utah state law mandates that counties are responsible for providing behavioral health services for residents, irrespective of their ability to pay
- Most counties, including Summit, are strained to meet this requirement
- In Summit County in 2012, over 1100 clients were treated by VMH (the MH and SA authority for Summit) (NEARLY 800 MH AND 325 SA). This accounts for approximately 10,000 hours of client service.
- Roughly 90% of these persons are uninsured, and nearly 100% of those seeking treatment for SA are uninsured.
- Of the 1100 total clients, nearly 700 were referred to VMH services through Summit County courts and the county jail.
 - We have estimated that over 50% of these referrals, who are virtually all uninsured, would be eligible under the Governor's proposed Healthy Utah product. This includes adults without children.
 - One of our struggles in this county is to adequately treat those who cycle in and out of our courts and jails. We have shifted focus to this population but still fall short on what is needed to adequately treat. Increasing the proportion of these persons who have benefits would greatly help this effort, and would save Summit County money long-term.
- In addition to being responsible for providing behavior health services, our county is responsible for providing other physical health services, such as immunizations, for the uninsured and underinsured citizens of our county. By increasing the proportion of those who have health coverage, we can further stretch our existing strained resources to reach a larger proportion of the population.
- If Healthy Utah were approved it will help avoid an increased shift of the uninsured moving to receive services through the county provided safety net. As already stated, we are by law responsible for providing behavioral health services for this population, and we are strained to meet those responsibilities. Increased health coverage would help us focus on those "frequent fliers" who cycle in and out of our court and corrections systems and improve their outcomes, saving the county money. It would allow us to better meet the needs of our citizens and allow us to have greater impact on the lives of those affected. Additionally, it will allow us to continue and expand our existing health services, such as immunizations.

Utah Health Status Update:

Healthy Utah Plan

June 2014

Long before the term “Obamacare” worked itself into the national lexicon, Utah leaders were looking for ways to reduce the number of uninsured residents in the state.

Providing access to high-quality, affordable health care for those who find such services beyond their reach has been a goal of Utah’s current and past three governors.

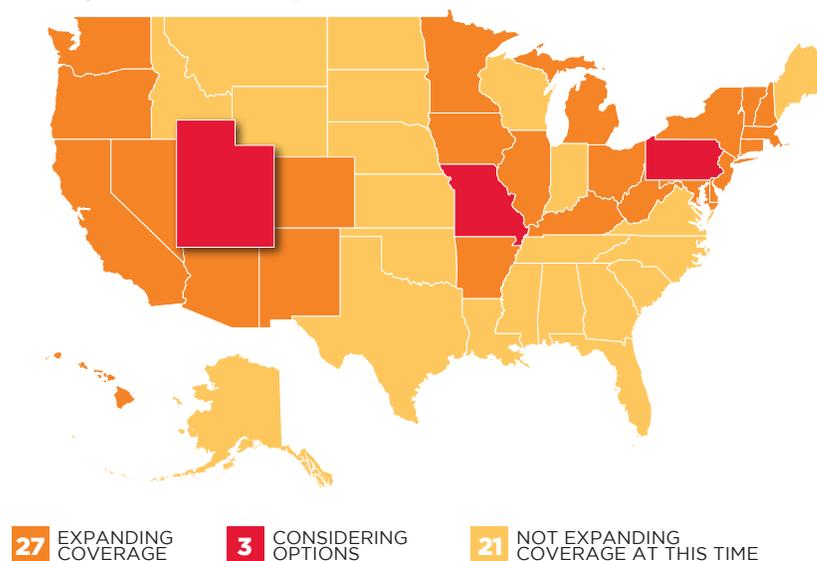
In recent years, and especially with the passage of the Patient Protection and Affordable Care Act (ACA), the conventional wisdom has been that expanding states’ Medicaid programs was the best way to achieve this goal.

Under the ACA, states were directed to expand their Medicaid programs to higher-earning parents and to childless adults as a way of reducing the number of uninsured residents in their states. As incentive to expand, the federal government would cover the entire cost of a state’s expansion from 2014–2016, then gradually reduce its contribution through 2017–2019, and finally settle at 90 percent funding for 2020 and any future years.

- **In Utah, Gov. Gary Herbert has proposed an alternative to an expansion of Medicaid called the Healthy Utah Plan.**
- **The Healthy Utah Plan would provide health insurance coverage for the approximately 111,000 Utahns who would have been covered by expanding Medicaid.**
- **The plan would utilize the federal Medicaid expansion dollars to purchase private health insurance coverage for those eligible.**
- **The plan is built around the governor’s four guiding principles:**
 - » *Promote Individual Responsibility*
 - » *Support Private Markets*
 - » *Maximize Flexibility*
 - » *Respect the Taxpayer*

Medicaid Expansion: A National View

Figure 1. The 2012 Supreme Court ruling on the Affordable Care Act allows states to determine for themselves whether they will expand their Medicaid programs. The map below outlines the different approaches states are taking with regard to Medicaid expansion.



Source - <http://www.advisory.com/daily-briefing/resources/primers/medicaidmap>

In the summer of 2012, the Supreme Court ruled that the Medicaid expansion to these adults was optional. Many states have elected to expand their Medicaid programs; others have outright rejected the expansion, and three are still considering their options (Figure 1).

In Utah, Gov. Gary Herbert has proposed an alternative plan called Healthy Utah.

Healthy Utah would extend health insurance coverage to approximately 111,000 Utahns, the same amount of people as would be covered by Medicaid expansion, and would utilize the same favorable federal funding structure.

Approximately 54,000 of the new enrollees earn annual incomes of less than 100 percent of the federal poverty level (FPL), or \$11,670 for an individual. The remaining 57,000 enrollees earn between 100 percent and 133 percent of FPL, or \$15,521 annually (Figure 2).

But rather than enrolling those 111,000 people in traditional Medicaid, the funding would be used to purchase their health insurance coverage through the private marketplace.

The plan requires federal government approval, but a handful of other states have already received approval, or are in the process of receiving approval, to implement similar plans.

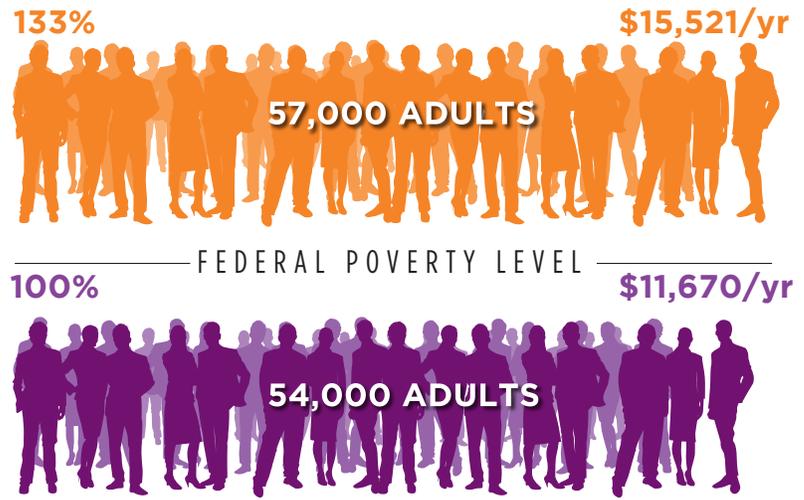
The plan is built around the governor's four guiding principles:

- » **Promote Individual Responsibility:** Recipients will share in the costs of their health care. Higher-earning recipients will be responsible to help pay their premiums, and all recipients will pay modest co-payments. The plan will also require individuals who are able to work to either be employed or receiving job training in order to return to the workforce.
- » **Support Private Markets:** Recipients will use federal dollars to purchase private health insurance. The plan will also seek to place adults on their employer-sponsored health insurance if it's available. It will also help families obtain coverage through a single plan by allowing families whose children are currently enrolled in Medicaid to enroll in the plan their parents select through Healthy Utah.
- » **Maximize Flexibility:** The Healthy Utah Plan is seeking a fundamental shift in the state's relationship with the federal government. Medicaid has historically been a program that has received uncapped matching funds from the federal government. Healthy Utah will seek to negotiate some risk sharing with the federal government; if costs exceed estimates the state will assume some of that risk, however, the state may also be able to share in the savings if costs are below estimates.
- » **Respect the Taxpayer:** Whether the state chooses to expand its Medicaid program or not, Utah taxpayers are already sending hundreds-of-millions of dollars to the federal government in the form of ACA taxes. Healthy Utah ensures the same amount of money will be returned to our state as would be returned under traditional Medicaid expansion.

Figure 3 highlights some of the key differences and similarities between the proposed Healthy Utah Plan and traditional Medicaid expansion.

Who Will Be Covered?

Figure 2. Approximately 111,000 Utahns will receive health care coverage under Gov. Herbert's Healthy Utah Plan. These individuals are adults between the ages of 19–64.



Healthy Utah vs. Full Medicaid Expansion

Figure 3. Side-by-side comparison of Healthy Utah and traditional Medicaid expansion.

	Healthy Utah	Full Medicaid Expansion
Utah Taxpayer Dollars Returned from Federal Government	Yes \$258 million in matching funds in 2015	Yes \$258 million in matching funds in 2015
Requires Federal Approval	Yes	No
Covered Population	Medically frail, parents, adults without dependent children	Medically frail, parents, adults without dependent children
Plan Benefits	Comprehensive health benefits	Comprehensive health benefits
Primarily Uses Traditional Medicaid to Provide Coverage	No	Yes
Requires Participant Cost Sharing	Under \$11,600: Minimal \$11,600-\$15,500: 2 percent of income plus other cost sharing	Minimal
Supports Private Insurance Markets	Yes	No
Work Requirement for Participants	Yes	No
Medicaid Children Can Join Parents on Private Plan	Yes	No

June 2014 Utah Health Status Update

For additional information about this topic, contact Tom Hudachko, Public Information Officer, Utah Department of Health, 801-538-6232, email: thudachko@utah.gov, Nate Checketts, Health System Reform Consultant, Utah Department of Health, 801-538-6043, email: nchecketts@utah.gov, or the Office of Public Health Assessment, Utah Department of Health, Box 142101, Salt Lake City, UT 84114-2101, (801) 538-9191, email: chdata@utah.gov

**RESOLUTION SUPPORTING HEALTHY UTAH
SUMMIT COUNTY, UTAH**

WHEREAS, the expansion of access to care under the Affordable Care Act is of statewide concern and benefit; and,

WHEREAS, in Summit County, 16% of adults (approximately 3,859 individuals) are uninsured, and more than half of these adults would benefit from medical coverage under Healthy Utah or Medicaid expansion; and,

WHEREAS, due to the US Supreme Court decision, Summit County adults with incomes over 100% and up to 400% of the federal poverty level will be eligible to purchase subsidized insurance through Utah's Health Benefit Exchange (individual insurance market) if they don't already have insurance through their current employer; and,

WHEREAS, should the State elect to implement Healthy Utah or Medicaid expansion, childless adults earning up to 138% of the federal poverty level, as well as parents earning between 44% and 133% of the federal poverty level, would be eligible for health benefits; and,

WHEREAS, should the State not elect to implement Healthy Utah or Medicaid expansion, those individuals with incomes between 100% and 400% of the federal poverty level will still be required to purchase insurance, while those below 100% of the federal poverty level won't have access to affordable health insurance coverage at all; and,

WHEREAS, research has shown that when parents have insurance coverage, their children are more likely to obtain and use insurance (see "Given the Association between Parent and Child Insurance Status," New Expansions May Benefit Families (GAO-11-264, February 4, 2011)); and,

WHEREAS, the State of Utah is already paying the federal requirement for Medicaid expansion and that money will not benefit the Citizens of Utah without Medicaid Expansion or implementation of Healthy Utah; and,

WHEREAS, the State of Utah's portion of the expansion costs until 2020 will never exceed 10% of the overall costs; and,

WHEREAS, the estimated costs of the Healthy Utah or Medicaid expansion in 2014 (approximately \$3.9 million) are probably less than the costs of services provided to the same population that are currently receiving care in a more expensive and less cost effective environment (i.e.; mental hospitals, emergency rooms, and jails);

NOW, THEREFORE, be it resolved by the Summit County Council, Summit County, Utah, that based upon cost-benefit analyses in other states and on the data that is available for Summit County and the state of Utah, we recommend full support for the implementation of Healthy Utah or Medicaid expansion to both the Governor and Utah State Legislature.

APPROVED AND ADOPTED this 11th day of February, 2015.

SUMMIT COUNTY COUNCIL

SUMMIT COUNTY, UTAH

ATTEST:

Kent Jones, County Clerk

By: _____
Kim Carson, Chair



MEMORANDUM:

Date: February 11, 2015

To: Council Members

From: Tom Fisher

Re: Recommendation to reappoint member to the Summit County Board of Health

Advice and consent of County Manager's recommendation to reappoint Dorothy Adams to the Summit County Summit County Board of Health. Dorothy's term to expire December 31, 2017.

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
MONDAY, JANUARY 5, 2015
SUMMIT COUNTY COURTHOUSE
COALVILLE, UTAH

PRESENT:

Chris Robinson, Council Chair

Kim Carson, Council Vice-Chair

Roger Armstrong, Council Member

Claudia McMullin, Council Member

Anita Lewis, Assistant Manager

Kent Jones, Clerk

Dave Thomas, Deputy Attorney

Council Member Ure was excused from the meeting.

Council Chair Robinson called the meeting to order at 12:00 noon.

OATH OF OFFICE CEREMONY

Chair Robinson welcomed Justice Court Judge Shauna Kerr to come forward and swear in County Officials elected at the November General Election. Sworn in were:

Chris Robinson	4 year term	Council Seat D
Kent Jones	4 year term	Clerk
Michael Howard	4 year term	Auditor
Robert Hilder	4 year term	Attorney
Justin Martinez	4 year term	Sheriff
Mary Ann Trussell	6 year term	Recorder/Surveyor
Corrie Forsling	6 year term	Treasurer
Steve Martin	6 year term	Assessor

APPOINTMENT OF 2015 COUNCIL CHAIR AND VICE CHAIR

Council Member McMullin made a motion to appoint Council Member Kim Carson as the Chair for 2015. Council Member Armstrong seconded the motion which passed unanimously 4-0.

Council Member McMullin made a motion to appoint Council Member Roger Armstrong as the Vice Chair for 2015. Council Member Carson seconded the motion passing unanimously 4-0.

All other business being completed, the Council adjourned at 12:30pm.

Chris Robinson, Chair

Kent Jones, Clerk

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, JANUARY 7, 2014
SHELDON RICHINS BUILDING
PARK CITY, UTAH

PRESENT:

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

Anita Lewis, Assistant Manager
Robert Hilder, Attorney
David Thomas, Deputy Attorney
Kent Jones, Clerk
Karen McLaws, Secretary

OATH OF OFFICE

David Ure was sworn in as a member of the Summit County Council.

CLOSED SESSION

Council Member Ure made a motion to convene in closed session to discuss property acquisition. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

The Summit County Council met in closed session for the purpose of discussing property acquisition from 3:10 p.m. to 4:15 p.m. Those in attendance were:

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

Anita Lewis, Assistant Manager
Robert Hilder, Attorney
David Thomas, Deputy Attorney
Lisa Yoder, Sustainability Coordinator
Tyler Dustman, BOSAC
Wendy Fisher, Utah Open Lands
Cheryl Fox, Summit Land Conservancy
Rena Jordan, Snyderville Basin Recreation
Nell Larson, BOSAC
Scott McClelland, BOSAC
Richard Pimentel, BOSAC
Will Pratt, Snyderville Basin Recreation
Bob Radke, Snyderville Basin Recreation
Steve Spaulding, BOSAC
Connie Steffen, BOSAC
Mindy Wheeler, BOSAC

Council Member Robinson made a motion to dismiss from closed session and to convene in work session. The motion was seconded by Council Member Armstrong and passed unanimously, 5 to 0.

WORK SESSION

Chair Carson called the work session to order at 4:20 p.m.

- **Interview applicants for vacancies on the Mountain Regional Water Special Service District**

The Council Members interviewed Mike Todd, Mike Kobe, Duncan Silver, and Matt Lindon for positions on the Mountain Regional Water Special Service District Control Board. Questions included why the applicants are interested in serving on the Board, what expertise they would bring to the Board, their time commitment to serve on the Board, and any potential conflicts of interest. The Council Members also answered applicants' questions.

- **Interview applicants for vacancies on the Timberline Special Service District**

The County Council Members interviewed Tor Boschen, Todd Hoover, and Argan Johnson (by telephone) for positions on the Timberline Special Service District Board. Questions included why the applicants want to serve on the Board, what talents and experience they would bring to the Board, whether they have the time to commit to serving on the Board, what challenges the District has, and what skills may be lacking on the Board.

REGULAR MEETING

Chair Carson called the regular meeting to order at 5:25 p.m.

- **Pledge of Allegiance**

MANAGER COMMENTS

There were no Manager comments.

COUNCIL COMMENTS

Council Member Robinson reported that he and Council Member Armstrong will attend the economic roundtable for Mountain Accord on January 8. Chair Carson requested that they record the meeting for the other Council Members to review.

Chair Carson reported that she attended the Board of Health meeting on Monday, January 5, where they adopted the fee schedule that goes with the Health Code. They also shared the results of a State-wide table-top exercise on Ebola, which went well. Flu cases have increased, and the flu strain has drifted, so flu vaccinations are protecting only about 50% of the time. However, vaccinations do decrease the duration of the flu symptoms by 50%. She reminded the Council Members of the Leadership 101 meeting and a pipeline safety meeting scheduled for January 21.

DISCUSSION AND POSSIBLE APPROVAL OF PRIMARY PROPERTIES AND NON-PRIMARY PROPERTIES; ASHLEY BERRY, ASSESSOR'S OFFICE

Ashley Berry with the County Assessor's Office provided a list of requests for primary residency status for lots that are not currently taxed as primary residences, continuing primary residences where owners have reapplied for primary residency status, and non-primary residences where the owner has contacted the County to declare that the residence is not their primary residence. She explained that this is a list of all properties within these categories for which applications were received from the time the Board of Equalization closed until last week.

Council Member Robinson made a motion to approve the list of primary and non-primary residences as presented. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

ADVICE AND CONSENT OF ASSISTANT COUNTY MANAGER TO APPOINT MEMBER TO PUBLIC ARTS PROGRAM AND ADVISORY BOARD

Council Member Robinson made a motion to consent to the Assistant County Manager's recommendation to appoint Polly Hopkins to the Public Arts Program and Advisory Board, with her term to expire July 31, 2017. The motion was seconded by Council Member Armstrong and passed unanimously, 5 to 0.

APPROVAL OF COUNCIL MINUTES

NOVEMBER 19, 2014
DECEMBER 1, 2014
DECEMBER 3, 2014
DECEMBER 9, 2014

Chair Carson noted that she corrected a couple of typographical errors in the November 19 and December 3 minutes.

Council Member McMullin made a motion to approve the minutes of the November 19, 2014, Summit County Council meeting as corrected. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.

Council Member McMullin made a motion to approve the minutes of the December 1, 2014, Summit County Council meeting as written. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

Council Member McMullin made a motion to approve the minutes of the December 3, 2014, Summit County Council meeting as corrected. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.

Council Member McMullin made a motion to approve the minutes of the December 9, 2014, Summit County Council meeting as written. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

PUBLIC INPUT

Chair Carson opened the public input.

There was no public input.

Chair Carson closed the public input.

PUBLIC HEARING AND POSSIBLE ACTION REGARDING A SPECIAL EXCEPTION TO AMEND THE LIST OF ALLOWED USES OF THE EXISTING HOME SAVINGS BANK BUILDING LOCATED AT 4580 N SILVER SPRINGS DR.; PARCEL HSBSPA-A; DOUGLAS CLYDE, APPLICANT; SEAN LEWIS, COUNTY PLANNER

County Planner Sean Lewis presented the staff report presented background information regarding the Home Savings Bank building. He explained that it was developed in 2002 under the Specially Planned Area (SPA) process, and the development agreement associated with that SPA development allowed for a very narrowly defined set of uses that specifically excluded uses such as dentists, doctors, and other types of office uses. The development agreement expired in 2007, and it has been the County's practice that, when a development expires, the uses remain but the density expires, so there is no opportunity to expand or build further. The bank has vacated the building, and the landlord is asking to expand the pool of potential uses. Staff has received communication from several neighbors asking what is planned for the building. The applicant has confirmed that there is no use intended for the building, and this request is to allow a wider field of potential tenants so they can advertise to a wider market. Staff has proposed a special exception rather than a rezone, because a rezone to a specific zone allows any use that is applicable to the zone. They would like to keep the uses more compatible with the surrounding neighborhood, and the uses proposed in the special exception would require approval by the County, allowing Staff to look at impacts that could affect the surrounding neighbors. Staff recommended approval of the special exception based on the approval process that would be required for the uses proposed in the special exception.

Doug Clyde, the applicant, explained that Home Savings Bank conducts about 60% of its business in Summit County, but their business model has changed, and it is difficult to lease a portion of the building because of the restrictions on the site. He confirmed that the bank will move out of the building entirely.

Council Member McMullin asked about the number of parking spaces for the building and noted that a dental use across the street from this building has no parking, causing people to park all along the street, which is a big problem for the neighborhood. She wanted to be sure there is enough parking for the uses and that parking on the street would be prohibited. Planner Lewis confirmed that there are 15 parking stalls on the site, one of which is a handicapped stall.

Council Member Robinson asked if the applicant would be allowed to modify and expand the structure. Mr. Clyde stated that is one of the issues, and he believed it is impractical to say the building will look like this in perpetuity. When a tenant asks for certain changes to the building, it is difficult for Staff to determine whether those changes are allowed, so he is asking that they be subject to the zone setbacks and height restrictions in the underlying RR Zone. He explained that they are looking to provide uses that would be appropriate to and used by the community.

He noted that all potential uses would be subject to approval by the County and would have to include a finding about traffic and parking.

Council Member McMullin asked what is allowed right now with the development agreement having expired. Deputy County Attorney Dave Thomas explained that, once a development agreement expires, if the conditions in the development agreement have been perfected, the property vests permanently for the use, the square footage that has actually been developed, and the height and setback of what has already been built. The underlying zone is SPA, not RR, as the development was rezoned to SPA through a development agreement at the time it was approved. What exists now is a legal conforming use, and the applicant is asking to add to the uses. However, the County no longer has SPAs outside of Town Centers, so the SPA Zone is no longer available for that property. In order to change the uses, the applicant must rezone the property to another zone district. Staff did not like all the uses that would be allowed in the other zone district for this property and would not likely support that rezone. Therefore, there is no recourse other than the special exception process. The special exception process allows the Council to consider this, and it is an equitable remedy, which allows the Council to set the limits in making a determination. They can decide whether or not to expand some of the uses, increase the density of the square footage, or increase the height or setbacks. The applicant is requesting some expanded uses and to comply with the height and setback regulations for the RR Zone. The Council can decide whether what is proposed satisfies the provisions for a special exception, and they could set other limits on the special exception.

Planner Lewis explained that Staff would not be opposed to minor changes to the building or square footage, but they would want to look at any plans for a major expansion. In this case, no proposal has been made to expand the building, so they are not comfortable commenting on how an expansion may affect the site.

Council Member McMullin asked about the maximum square footage if they were to comply with the setbacks and height in the RR Zone. Planner Lewis replied that Staff has not done those calculations. After further discussion, Mr. Clyde indicated that there would not be much room for expansion, and they would depend on the Low Impact Permit (LIP) and Conditional Use Permit (CUP) process to evaluate the impacts and whether a particular use fits on the site.

Council Member Robinson suggested that they limit this to a change in uses and not allow any expansion. He explained that the SPA created its own impacts based on the structure that was approved with the SPA. If the applicant wants to change the structure, perhaps he should have to come in for another special exception.

Council Member Armstrong stated that, looking at the lot, it does not appear that the applicant could increase the structure substantially. He did not have a problem with the proposed new uses, but he was concerned about traffic and causing parking problems. He would like to include a condition to address traffic generation and minimizing traffic. Mr. Clyde stated that they would be willing to submit to all the LIP and CUP requirements. Council Member McMullin suggested that they could increase the level of process the applicant would be required to submit to, since they do not know yet what the applicant might propose.

Chair Carson opened the public hearing.

Ted Haeger, a resident of Walker Court, explained that this area is of concern to him. He commented that the Home Savings building has been a model building in terms of upkeep. After talking with the neighbors, the only thing that concerned them was the intensive use item on the list, as they get a lot of intensive traffic in this area, especially during school pick-up and drop-off hours. If they were dealing with an intensive medical use, that could create a problem. Otherwise, they do not have concerns about what is proposed.

Tracy Douthett, a member of the Silver Springs single-family home owners association board, expressed concern about the traffic generation this building might require. She agreed that making all the uses conditional might be a good idea. She stated that traffic parking on the street from the use across the street from this one has had a negative impact on traffic into and out of Silver Springs. She was happy to see that the proposed uses are low impact.

Chair Carson closed the public hearing.

Council Member Robinson asked if the statement in the staff report that the height and setback requirements of the surrounding RR Zone would be applied to this property is the status quo. Mr. Thomas replied that it is his position that the underlying zoning is whatever the SPA was, and it is now vested as a legal conforming use for the current height, density, and setbacks. Council Member Robinson expressed concern about reverting back to allowing height and setbacks to control.

Chair Carson stated that she would not want to prohibit moderate modifications to the building to make it functional. Council Member McMullin suggested that they allow a de minimis 10% change in square footage. Council Member Robinson believed they should include a finding that the height of the existing structure cannot be modified, but the square footage of the structure may be increased by no more than 10% so long as any increase in square footage adheres to the setbacks for the RR Zone.

Council Member Armstrong did not believe Conclusion of Law 2 is correct in stating that the applicant does not reasonably qualify for a rezone. Mr. Thomas explained that they could craft that conclusion to state that it would be futile for the applicant to apply for a rezone, because it would not be approved.

Council Member Robinson made a motion to approve the special exception for the Home Savings Bank Building based on the following findings of fact and conclusions of law shown in the staff report with Finding of Fact 10 being deleted and replaced with a finding stating that the structure may be increased in square footage up to 10% provided that such increase does not violate the existing setback requirements in the Rural Residential (RR) Zone, correcting Conclusion of Law 2 to state that it would be futile for the applicant to go through the rezone process, editing Finding of Fact 6 to state “legal conforming,” and adding Finding 16 that all of the proposed uses would require a Conditional Use Permit (CUP):

Findings of Fact:

- 1. Home Savings Bank is the listed fee title owner of Parcel HSBSPA-A.**
- 2. Parcel HSBSPA-A is 0.83 acre in size.**
- 3. Parcel HSBSPA-A is located at 4580 North Silver Springs Drive.**

4. According to Summit County assessment records, a commercial building was erected on Parcel HSBSPA-A in 2002 in compliance with the Development Agreement in effect at that time.
5. Parcel HSBSPA-A was rezoned to Specially Planned Area in 2002 via Summit County Ordinance 428.
6. The structure on Parcel HSBSPA-A is considered to be “legal conforming,” as it was developed as part of a SPA process, and the accompanying development agreement that sets forth use and bulk regulations has now expired per the five-year sunset clause written into the agreement.
7. The adjacent uses are commercial, office, and institutional in nature.
8. The proposed uses are office in nature.
9. Per Section 10-3-7 of the Snyderville Basin Development Code, “Where the county council finds that an applicant has a unique circumstance or equitable claim which makes strict enforcement of the provisions of this title unduly burdensome, it may, after a public hearing, approve special exceptions to the zoning provisions of this title so that substantial justice may be done and the public interest secured; provided that the special exception does not have the effect of nullifying the intent and purpose of [the Snyderville Basin Development Code] or any provision thereof.”
10. The structure may be increased in square footage up to 10% provided that such increase does not violate the existing setback requirements in the Rural Residential (RR) Zone.
11. The proposed expansion of uses allows expanded office uses.
12. Staff does not anticipate any non-mitigatable impacts related to traffic, parking, lighting, or noise as a result of the proposal.
13. The property has been used for commercial and office uses for the past 12 years with no reported neighborhood impacts or nuisances.
14. A rezone to another possible zoning designation was also considered by Staff.
15. A rezone to Community Commercial, Service Commercial, or Neighborhood Commercial is inconsistent with the current General Plan and pending General Plan update.
16. All of the proposed uses would require a Conditional Use Permit (CUP).

Conclusions of Law:

1. The proposed allowance of uses to allow office uses as permitted in the Community Commercial Zoning District as found in Section 10-2-10 of the Snyderville Basin Development Code is not detrimental to the public health, safety, and welfare.
2. It would be futile for the applicant to go through the rezone process.
3. The proposed office uses are compatible with the surrounding commercial buildings.

The motion was seconded by Council Member McMullin.

Council Member Armstrong asked if they need to give the Planning Commission guidance regarding low traffic generation for the proposed uses. Planner Lewis replied that the terms of the development agreement and Land Management Code would address that. Council Member Armstrong noted that Council Member Armstrong referred to the RR Zone setbacks and asked if they want to take out the existing zone or if the existing zone is sufficient. Council Member Robinson suggested that the finding state that an increase in square footage shall not violate the setbacks that were approved in the original SPA agreement rather than referring to the RR Zone setbacks.

Council Member Robinson asked where it says in the findings and conclusions that they are granting the four uses shown on page 3 of the staff report. Planner Lewis agreed to include those office uses in the findings of fact.

Council Member Robinson amended Finding 10 to read: The structure may be increased in square footage up to 10% provided that such increase does not violate the setbacks that were approved in the original SPA agreement. He also amended Finding 8 to read: The proposed uses of “Offices, general,” “Offices, intensive,” “Offices, medical and dental,” and “Offices, moderate,” are all office in nature. Council Member McMullin accepted the amendments in her second. The motion passed unanimously, 5 to 0.

PUBLIC HEARING AND POSSIBLE APPROVAL OF AMENDMENTS TO THE SNYDERVILLE BASIN AND EASTERN SUMMIT COUNTY DEVELOPMENT CODES REGARDING HAZARDOUS LIQUIDS AND MATERIALS TRANSMISSION PIPELINES; JENNIFER STRADER, COUNTY PLANNER

PUBLIC HEARING, CONSIDERATION, AND POSSIBLE APPROVAL OF AMENDMENTS TO TITLE 13 OF THE SUMMIT COUNTY CODE RELATING TO HAZARDOUS LIQUID OR MATERIAL PIPELINES; JENNIFER SMITH, ENGINEER

PUBLIC HEARING, CONSIDERATION, AND ADOPTION OF WATER SOURCE PROTECTION ZONES, SUMMIT COUNTY CODE, TITLE 4, CHAPTER 6; DAVE THOMAS, CHIEF CIVIL ATTORNEY

County Planner Jennifer Strader explained that Staff is proposing language to be inserted in both the Snyderville Basin and Eastern Summit County Development Codes relating to hazardous liquids and materials transmission pipelines. She explained that the purpose of the amendments is to insure the health and welfare of the citizens and the environment due to the construction of new pipelines. She explained that there are numerous federal safety regulations regarding hazardous materials pipelines, but local jurisdictions can regulate environmental and health hazard aspects. She noted that natural gas is pre-empted by the State of Utah. She explained that, prior to the Temporary Zoning Ordinance that expires on January 10, the Code did not differentiate between hazardous materials and other utility lines. The Eastern Summit County and Snyderville Basin Planning Commissions each held two public hearings on the proposed language, and on December 16, the Snyderville Basin Planning Commission forwarded a positive recommendation to the Council by a vote of 6 to 1, with Commissioner Harte voting against the recommendation due to concerns about the setback distance from drinking water sources, believing that the setback should be increased. On December 18, the Eastern Summit County Planning Commission forwarded a negative recommendation to the Council. They had a variety of questions and opinions on the language and suggested that a subcommittee meet to further discuss the language. After the first public hearings with the Planning Commissions, a subcommittee was formed with two members from each Planning Commission, two Council Members, and Staff. The discussions focused on the justification for the setbacks and confirmation of the water sources that would be subject to the setbacks. The subcommittee decided on a 1,000-foot setback because the drinking water source protection plans within Summit County designate 1,000 feet, which would be legally defensible. In addition, an independent consultant was hired to model surface and sub-surface worst case scenarios, and

they produced a generally acceptable range of between 700 and 3,000 feet. That report was used to back up the 1,000-foot drinking water source protection zone setback.

Ms. Strader summarized the amendments as follows: A CUP would be required in all zone districts. A 50-foot easement would be required for the pipeline plus a 1,000-foot setback from the edge of the easement to any water source defined in a source protection plan filed by a public drinking water system. A 100-foot setback would be required from all other streams, ponds, wetlands, and private wells. She noted that the 100-foot setback from private wells is also identified in the source protection plan. There is an allowance in the Code for the pipeline to cross 30% slopes or greater with certain mitigation requirements. A 1,000-foot setback is required from a high-consequence land use or an essential public facility. In addition, other environmental criteria would be applicable through the CUP process, such as air quality, water quality, erosion, etc.

Ms. Strader reported that the Tesoro representatives proposed language at the Planning Commission public hearings to allow for independent peer review if an applicant does not agree with a determination made by the County Engineer or Community Development Director. Staff had concerns with that request, because the Code already contains an appeal process for all types of applications, and they did not believe this should be treated any differently. They were also concerned about violating the standard that states that the County will not grant special favors or circumstances solely for one property owner or developer. Neither Planning Commission asked to include the dispute resolution language in the Code. She noted that this request was received from only one pipeline company, and Staff felt that might favor that pipeline company. She clarified that the subcommittee met again after the recommendations were made to the County Council by each Planning Commission, and the subcommittee was not inclined to change the setbacks or the proposed language recommended by the Planning Commissions.

Jennifer Smith with the County Engineer's Office discussed the amendments to Ordinance 825, the engineering ordinance regulations. She explained that they received a lot of comment, and many people are concerned about this issue. She stated that they have an opportunity to shape the community, and Summit County is at the forefront of this issue. She explained that the purpose of the engineering regulation ordinance is to prevent and minimize unnecessary risk to public health and welfare. She stated that the mission of the federal Pipeline and Hazardous Materials Safety Administration (PHMSA) is to protect people and the environment from the risks of hazardous materials transportation, and they establish national policy. The Code of federal regulations prescribes safety standards and reporting requirements for transportation of hazardous liquids and pipelines. She reported that each pipeline that passes through Summit County will be subject to a CUP, and Engineering will have the opportunity to review the pipeline and make comment on it. The applicant will be required to apply for a pipeline permit, enter into a haul road agreement, provide bonding, and address any crossing of public roads or rights-of-way. Temporary housing plans will be required as well as a drainage plan for any dewatering of the pipeline. She reviewed the general provisions that would be required and noted that federal Code pre-empts many design guidelines. The County will address seeding and weed control, excavation, backfill, and reclamation. She reviewed the documents the developer needs to make available to affected landowners.

Council Member Ure requested that they include language in the Code that would require the developer to notify and sign off with the irrigation companies to keep their ditches intact. Mr.

Thomas explained that should be addressed in the easements and expressed concern about trying to regulate things outside the County rights-of-way.

Ms. Smith reviewed the notification requirements if there is an incident with a pipeline. She stated that the pipeline company will be required to notify the Summit County Emergency Manager and property owners within 1,000 feet of the incident within four hours.

Chair Carson asked where the four hour time limit came from and stated that she would like to see that time shortened if it is reasonable to do so. Council Member McMullin asked about the consequences of not providing proper notice in the event of an incident. Mr. Thomas stated that the County tried to keep the same language as other ordinances that parallel the language in the federal ordinance. Council Member Armstrong asked about the consequence if someone were to build something on their property that they are not supposed to. Mr. Thomas replied that it would be a Class C misdemeanor, and the County could get an injunction. Council Member Armstrong stated that he believed they should have similar consequences for a pipeline if they do not comply with the Code. Planner Strader explained that a CUP is required for a pipeline, and the CUP could also be revoked.

Ms. Smith addressed pipeline repairs and explained that they must be in accordance with State and federal standards. With regard to marking the pipeline, the Engineer's Office addresses location, spacing, and placement of the markers. The text on the sign must indicate the danger associated with the pipeline and 24-hour contact information. The applicant must provide an emergency preparedness plan that is coordinated with the County Emergency Manager, and a copy must be on file with the County. The applicant must also provide funding for training and equipment for implementing the emergency plan. In the event of a pipeline disruption, the pipeline company must provide 48-hour notice and notice of excavation. The applicant must also provide as-built information within 90 days before commissioning the pipeline. The engineering regulations also address indemnification and a franchise agreement.

Mr. Thomas explained the legal defensibility of the 1,000-foot setback. He explained that drinking water source protection zones are provided for in State statute and discussed the process for filing a source protection plan by a water provider. He explained that water source protection plans do not have any teeth unless the local legislative body adopts them by ordinance as source protection zones. State statute has provisions that must be met in order to adopt water source protection zones, which is important, because it authorizes by statute zoning regulations for the storage, handling, use, or production of hazardous and toxic substances. The Development Codes can designate the setbacks from water sources because of the water source protection zones. He reviewed the four requirements to establish a water source protection zone. He explained that the water source protection plans for the Weber and Provo Rivers and their tributaries show a 1,000-foot setback. Originally the County proposed a 2,500-foot setback, because they believed the water source protection plans contained a 2,500-foot setback, but they found as they looked at the documentation that the setback is only 1,000 feet. The water providers themselves thought it was 2,500 feet and agreed that it should be 2,500 feet, but each thought the other had amended the plan, and it was never amended. Because source protection plans are adopted by ordinance, they have legal consequences, and until they are amended, only a 1,000-foot setback is called for. Mr. Thomas explained that they consulted with Weber Basin as the County's water wholesaler and with Mountain Regional Water, the water retailer.

Mr. Thomas explained that the County also needs to consider the effects of the setbacks on agriculture, manufacturing, industrial operations, and mining operations. He noted that the regulations the County will implement apply only to hazardous liquid or materials transmission pipelines. He indicated that there is a pathway for a pipeline through Summit County, and it will not interfere with or preclude these other kinds of uses. He reported that the independent SWCA spill report that was commissioned by the County substantiates the range of 700 to 3,000-foot setbacks, and the 1,000 feet used in the source protection zones falls within that range.

Mr. Thomas discussed how the land use, engineering, and water source protection ordinances fit together. He explained that the land use ordinances address environmental health and general welfare regulations. The pipeline must go through a CUP process, and there will be a 50-foot pipeline corridor. They have also talked about the setbacks, which come from the water source protection plans and are addressed in Ordinance 826-A. He explained that the reason Ordinance 826-A is in the Eastern Summit County planning regulations is that for the most part, the water source protection zones pertain to the Weber River and Provo River, which go through Eastern Summit County. For the Snyderville Basin, the East Canyon Creek TMDL study found the Creek to be an impaired stream, so it will also be included in the setbacks. He explained that public wells have also been included in the setbacks for wells and wetlands, because that comes from the source protection plans and the statute dealing with water source protection which specifically calls out a 100-foot radius setback from wells. He explained that there is a difference between crossing the Weber River, Provo River, and East Canyon Creek and crossing other miscellaneous streams. Stream crossings can be done by open trench, but the rivers and East Canyon Creek will require directional boring under the river. It is his understanding that Tesoro intends to cross the Weber River twice and the Provo River once. With regard to the engineering regulations, the pipeline permit can be done concurrently with the CUP, and Ms. Smith has reviewed the pipeline permit process.

Mr. Thomas discussed the actual ordinances and addressed some of the questions that were raised. With regard to Ordinance 825-A, he addressed the reference to the term environmental health and reported that he has added water sanitation plants, jails, courthouses, and public health facilities to essential public facilities. He corrected an error in the definition of hazardous liquids or materials and added waterway crossings to the plans required for a pipeline permit. He reviewed other edits to the ordinance which had been made for further clarification and in response to some of the questions that had been raised. He explained that the indemnification language applies only to Summit County, not to the water companies, because the County is the regulator of the ordinance.

Mr. Thomas reviewed changes to Ordinance 826-A, which applies to the Eastern Summit County Development Code. With regard to setbacks, he read the following additional language requested by Chair Carson: Where slopes exceed 10%, additional setbacks of up to 3,000 feet may be required to mitigate the potential migration of the hazardous substance to adjacent water sources. Such additional setbacks shall be determined as part of the Conditional Use Permit process where the actual slope and its variations, terrain, soils, and mitigation opportunities can be explored. Mr. Thomas noted that would be outside the water source protection zones, but it would be within the SWCA study limits.

Council Member Armstrong referred to the spills report and noted that the pipeline ordinances are not limited to waxy crude and could apply to anything a pipeline is designed to carry. He

recalled that Mr. Thomas said the water companies originally said they thought their setbacks were 2,500 feet, and he was not interested in enshrining their mistake with regard to setbacks, especially when they indicated that they believe it should be 2,500 feet. He did not want to adopt 1,000 feet if the water providers may be changing the setbacks to 2,500 feet. Mr. Thomas explained that legal status has been given to water source protection plans that are filed with the State, and they need Weber Basin and Mountain Regional to file their source protection plans with a 2,500-foot setback. Chair Carson stated that they could change the language to say that, where slopes exceed 10%, additional mitigation may be required. Mr. Thomas stated that he would be more comfortable with that language.

Council Member Robinson stated that they are relying heavily on the source protection plans, but there are actually four source protection zone setbacks. He suggested that they say that the setback will be the applicable setback for the zone in the source protection plan, which will change when Mountain Regional and Weber Basin change their source protection plans. Mr. Thomas explained that there are certain legislative functions the Council cannot delegate to another entity. He expressed concern that, if the Council says the setback will be whatever the source protection plan says, they would be delegating their regulatory authority to set specific setbacks to another regulatory authority. That is why they need to set a specific setback and have a basis for it rather than have a moving target that a non-regulatory entity can unilaterally set. Council Member Robinson disagreed with calling out Zone 2 as the setback when there are actually three different source protection zones. He suggested that they call out Zones 1 and 2 separately with the corresponding setbacks in the ordinance. Mr. Thomas expressed concern that, if the language simply states whatever Zones 1 and 2 are, they may be improperly delegating their legislative authority to another entity. Council Member McMullin agreed with the concern that they may be giving up their legislative authority. Mr. Thomas stated that people need to be able to evaluate the ordinance based on what is on the record right now to determine whether it is arbitrary and capricious. Council Member Armstrong argued that they are using a 1,000-foot setback because they believe it is legally defensible, even though they have not been challenged yet, but they also have a report from Mountain Regional saying that if crude oil gets into their water treatment plant, it will shut down their entire system. They also have testimony from Mountain Regional and Weber Basin that the source protection zone should actually be 2,500 feet, but they failed to file for 2,500 feet. There could be huge damage to a major portion of Utah's population if oil gets into their water system, yet the County wants to go with something that is legally defensible. Mr. Thomas explained that he wants the ordinance to be legally defensible because, when the ordinance is challenged, the County will have no ordinance if it is struck down. With the water source protection zones, they have very strong language in State statute that they can couple with existing case law and intersect with the SWCA study and make a very strong legal argument. The likelihood of the County prevailing would decrease if they lose the protection of using the source protection zones by increasing the setback to 2,500 feet. Council Member Armstrong suggested that they use something like Chair Carson's scalable language or language that says that if it is subsequently determined that such distance is filed into any Utah laws that is would not be less than 1,000 feet. Council Member Robinson explained that one size does not fit all, even if the water companies amend the source protection plan. He did not believe anyone would change the source protection rules to make the setbacks less than 1,000 feet. Mr. Thomas stated that he would be most comfortable if the language states that the setbacks in Zone 1 would be 2,500 feet and Zone 2 would be 1,000 feet.

Planning and Zoning Administrator Peter Barnes commented that he was skeptical with the first draft of the spill report, because it dealt only with subsurface spills. Staff asked the consultant to look at other worst-case scenarios, which changed their opinion of the protection consequences. When he looks at it from a land use perspective, they can deal with whatever the setback may be, whether it is 1,000 feet or 2,500 feet. He explained that it is not possible to put a pipeline through the County without encroaching on one of the water systems, and possibly many, and how they cross those restricted areas is more important to Staff. He noted that a pipeline less than 12 inches is an allowed use and not considered to be development in the current Eastern Summit County Development Code. The proposed ordinance defines it as development, and because it is development, multiple sections of the Code will apply. Regardless of the setback, during the CUP process, the applicant must provide engineering information and details showing that the development they are building is suitable, regardless of the grade they build on. If the County determines it is not suitable, they will not approve it without appropriate mitigation measures. Those mitigation measures may include an increase in the setback or intercept barriers as called for in the federal regulations. He clarified that other mitigating measures can be taken, especially under the federal regulations, and it is not just a distance issue. One concern he has about basing the ordinance on the spill modeling report is that it is based on three assumptions that strongly deviate from reality. Just picking a number for the setback distance could be open to legal challenge, and during the CUP process, they have an opportunity to analyze the actual route that is proposed, the slope conditions as the pipeline nears waterways or other protected areas and facilities, and require mitigating measures for those conditions which may include increased distance. He believed they could engineer a solution that will not allow oil or other hazardous substance to travel 1,000 feet. He explained that the proposed pipeline will now be controlled by the existing regulations the County already has on the books that are legally defensible, whereas previously it would not have been controlled by those regulations. Chair Carson asked Mr. Barnes if he believed it would be necessary to put a caveat in the ordinance regarding additional conditions that may need to be met as part of the CUP. Mr. Barnes replied that he did not think it would be a problem to include that to remind the applicant that they will be going through the CUP process and that the County will require conditions as part of that process. In that process, they will look at how to protect the surrounding area if anything goes wrong with the pipeline.

Mr. Thomas answered additional questions and reviewed additional changes to the draft ordinance. He indicated other locations in the ordinance that would need to be amended if the Council decides to refer to Zones 1 and 2 rather than using a 1,000-foot setback. He noted that Exhibit A would also need to be amended to change the definition of source protection zone to state those source protection zones designated as Zone 1 and Zone 2 and insert those zones in the setback provisions.

Mr. Thomas discussed proposed changes to Ordinance 827-A.

Chair Carson opened the public hearing.

Tom Clyde, a resident of Woodland, stated that his property is the first one the proposed Tesoro pipeline will hit in Summit County. His family owns about 700 acres, and under the current information he has from Tesoro, the pipeline will be on his property for a distance of about 1.5 miles, which will create a substantial impact and is a significant concern. He appreciated the effort the County has put into this. Two problems with the setbacks involve the pipeline being

sited against an existing facility. Once the pipeline is built, if someone wanted to build a school or hospital on his property, he asked if he would be precluded from that use within the 1,000-foot setback. He expressed concern that Tesoro may think they are condemning a 50-foot right-of-way when they may actually be condemning a 1,000-foot right-of-way on either side of the pipeline. He was also concerned that the 1,000-foot setback might apply to an adjacent property that is not more than 1,000 feet from the pipeline and asked what remedy that person would have and who he would have to deal with to receive compensation for the condemnation of his property. He noted that “man-made reservoir” is not defined in the ordinance and asked if the pipeline would have to be offset from that body of water or from a stock pond on his property. He believed that needs to be better defined. He did not understand why houses of worship should be included in high-consequence land uses, but if that is the case, he wondered if he could build some small churches on his property to shift Tesoro away from them and asked which County employees would determine whether those are real churches or not. He commented that the pipeline will operate at 1,500 psi, and if there is an incident, they will know it and will not have to wait four hours to see the impacts. He expressed concern about whether Tesoro would be able to bore under the Provo River and stated that open trenching is extremely disruptive to the neighborhood. That is not addressed in the federal regulations, and he hoped the County’s CUP process could mitigate the construction impacts. Tesoro claimed there will be no heating plants, which did not seem plausible, and he has now been contacted by Tesoro to acquire a 3-acre site for a tank farm and heating plant, which he refused. He noted that the source of energy to heat the pipeline has not been made clear. He believed those types of industrial facilities need to be addressed, as well as the air quality issues associated with them. He can live with a pipeline, but he does not want a heating plant in his backyard, and he hoped that would require additional permitting or that the use is not allowed in an agricultural zone. With the TZO expiring, he encouraged the Council to vote on the ordinances they have before them but recognize that they are a work in progress and need substantial additional changes.

Erin Bragg read a statement from the Summit Land Conservancy explaining that their mission is to protect Summit County’s waterways, agricultural lands, viewsheds, animal habitat, and rangeland. They have identified the Weber River as one of the most critical and most threatened natural resources in Utah, and it faces extreme development pressures. They expressed concern that one of more of the proposed Tesoro pipeline routes runs close to the County’s waterways. They fully support the efforts of the Council to enact regulations that reflect best practices for protecting the public health, safety, and welfare of Summit County residents and the environmentally sensitive nature of the land, particularly the water supply, because there are other alternatives for the pipeline, but not for the Weber River.

Jeff Anderson stated that he was also contacted by Tesoro to see if he would sell them three acres for their heating plant. He has never been invited to a public hearing about the pipeline because it was far away from him, but that has now changed, and it will be in his backyard. He did not think the public hearing process was adequate. When he inquired about who has routing responsibility, he was told by PHMSA that the County has responsibility for where the route goes. He believed it should be put on the land that is least valuable, which is Forest Service land, not private land. He referred to what happened in Millard County when the power company wanted to put their wind farm transmission line across everyone’s land and the County came up with a utility corridor where these types of facilities could be located. He believed the County could take that approach and designate where things can go so they do not get caught with things like this in the future. He believed the setback determinations were arbitrary and that the County

would be setting itself up for a legal battle. He stated that 1,500 psi can shoot a long way, and on steep slopes, they need a long distance between the pipeline and where it could do some real damage. He believed the route should go far north of Slater Basin and away from the waterways on Forest Service land.

Francis Millard, a resident of the Kamas Valley, thanked the Council for their work and stated that this is very important. She did not believe the pipeline should go through the Kamas Valley at all. She cited the 2003 USGS study and explained that the State identified the Kamas Valley aquifer as the source of water for the phenomenal growth rate in Utah, which is projected to double by 2050, with Summit County and Wasatch County projected to grow by 300% to 400%. It did not make sense to her to put a pipeline through the Kamas Valley. The report states that about 350,000 acre feet of water flow out of the Kamas Valley every year, and about 70% of the fresh water replenishing the resources on the Wasatch Front comes from the Kamas Valley. She stated that the exchange rate between the streams, rivers, and aquifers is extremely high in the Kamas Valley, and the water ends up everywhere. In order to protect it, they have to protect it all. She explained that, in this aquifer, a toxin can move as far as 10,000 square feet in a day. She stated that the more common problem with pipelines is a pinhole leak rather than a rupture, and waxy crude will not float to the surface but will sink into the soil. It is much more difficult to clean up than a cleaner oil that does spread across the land surface. In order to clean it up, they have to heat it up, and what they use to clean it up with would transfer to the aquifer, which would be a disaster. She expressed concern that so much of the safety of the pipeline has been deferred to federal regulations, because the federal government is very weak on regulation. A pipeline company is only required to send a pig through the pipeline once every five years. When she met with Tesoro, they claimed they would find any anomalies by sending pigs through the line, but once every five years is not adequate. She stated that the safety board that investigated the Tesoro explosion in Washington referred to Tesoro's very poor safety mentality and the lack of federal regulations. She noted that most aquifers have some sort of protective layer between the land surface and the aquifer, but the Kamas Valley is a gravel aquifer where the land surface coincides with the water surface, and there is no protection.

Clint Benson, a landowner who will be affected by the pipeline, expressed concern about the 500-foot setback from any structure being reduced to 50 feet. He believed that would affect market value and be a concern for homeowners. Having 1,500 psi so close to a residential structure would be a major hazard, and no one would be interested in purchasing the property because it is dangerous. He requested that they consider requiring a 500-foot setback from a safety standpoint, and he believed that could be supported from a legal standpoint. He requested a study of the impacts and the radius that would be affected if the line were to rupture.

Tracy Otterness, an owner of property where the east Rockport route would cross, expressed concern about the effect on his property and about safety. He knows several water companies have their source just below Rockport Dam, and they would all be affected. There is no protection between the surface water and the aquifer, so 100 feet around a well does not help much, because the aquifer would be affected by surface water.

Paul Harman with the Tesoro and Uinta Pipeline stated that they realize these ordinances are being put in place not just to address the Tesoro pipeline but to address any pipeline project that may come through Summit County in the future. He stated that they appreciate the opportunity to provide input into the ordinances and the cooperation and collaboration with the County.

They believe the ordinances provide the County with a good framework and that they are workable for Tesoro.

Chair Carson closed the public hearing.

Mr. Thomas explained that these regulations only address new transmission pipelines coming into the County, not existing pipelines. If there is an existing pipeline, there are no specific setback requirements in the new regulations, and the fallback would be the federal regulations with regard to setbacks from structures, which is 50 feet. He explained that they discussed man-made reservoirs, and they could be considered by the Council. With regard to high-consequence land uses and houses of worship, it is a legal term of art defined in federal law, and the County uses the same definition. A heating plant would be part of the pipeline and would be subject to a CUP. With regard to watershed protection and the pipeline going through the Kamas Valley, those comments were more specific to Tesoro than to pipelines in general. Because of the County's ordinances, Tesoro has moved the alignment out of the Kamas Valley, but as a result, the pipeline will at times be on slopes that exceed 5% to 10% grades.

Chair Carson asked if a route was ever proposed going to the north through Forest Service land. Ms. Smith replied that five or six routes were initially proposed, and they must go through the NEPA process. She explained that the Forest Service considers their land to be the most valuable, and that has been included in their studies. Chair Carson confirmed with Mr. Thomas that it would be addressed through the NEPA process. She clarified that these ordinances do not include an approval of the route or the pipeline itself. They are trying to put some controls in place as to what would need to be done to protect the water sources and the environment.

Mr. Thomas clarified that the setbacks apply to a new pipeline with regard to water sources, high consequence land uses and public facilities, and wells. Other than that, there are no other setbacks. With regard to setbacks from an existing pipeline once that pipeline has been constructed, there are no setback requirements in the regulations that would preclude someone from building a high consequence land use on their property.

Mr. Thomas summarized that the Council needs to reach a consensus as to what the setback should be and whether language stating that additional mitigation may be required on slopes greater than 10% is sufficient. Council Member Robinson suggested that they delete the 1,000-foot setback from man-made bodies of water. The Council Members and Mr. Thomas reviewed the language that would be included in the ordinance referring to Zone 1 and Zone 2. Council Member Robinson recommended that they include Zone 3 as well as Zones 1 and 2. Chair Carson expressed concern about the setbacks being lower in Zone 3. Council Member Armstrong did not believe they are addressing what they need to address, and he was not happy with the ordinance. He believed they were erring on the side of expediency and legal justification and not being careful about getting the appropriate protection. He would like additional protection in the ordinance. Council Member Robinson commented that they cannot protect against every eventuality, and the setbacks are driven by drinking water and the legal underpinnings to protect their drinking water. Council Member Armstrong argued that they are accepting a Zone 2 designation that they know is wrong. Council Member Armstrong stated that he believed the Zone 2 designation would soon be changed.

Council Member Robinson made a motion to adopt Ordinance 825A to approve amendments to Title 13 of the Summit County Code relating to Hazardous Liquid or Material Pipelines with the amendments discussed and subject to the Chair’s review and approval. The motion was seconded by Council Member McMullin.

Council Member Ure noted that they have made numerous changes to the ordinances, and the Council is relying on one person to review and approve them. He recommended that they continue a decision on the ordinances and meet tomorrow to take action. Mr. Thomas explained that they would not have enough time to notice a meeting. County Clerk Kent Jones explained that they could adopt the ordinances tonight subject to the changes and then review the changes later and make corrections if they are not adequate. Mr. Thomas explained that, if they do not agree with the changes made by the Chair, it can be brought back and reconsidered. The ordinances would remain in effect until a reconsideration vote is taken.

The motion passed unanimously, 5 to 0.

Council Member Robinson made a motion to adopt Ordinance 826A, a land use regulation amending Title 11, Chapters 3 and 6 of the Summit County Code relating to Hazardous Liquids or Materials Transmission Pipelines and adopting Title 4, Chapter 6, Water Source Protection Zones with the amendments discussed, including the references to Source Protection Zones 1, 2, and 3, setting the respective setbacks at 2,500, 1,000, and 500 feet, subject to review and approval by the Chair. The motion was seconded by Council Member McMullin and passed by a vote of 4 to 1, with Council Members Carson, McMullin, Robinson, and Ure voting in favor of the motion and Council Member Armstrong voting against the motion.

Council Member Robinson made a motion to adopt Ordinance 827A, a land use regulation amending Title 10, Chapters 2 and 8 of the Summit County Code relating to Hazardous Liquid or Materials Transmission Pipelines with the amendments discussed, including the references to Source Protection Zones 1, 2, and 3, setting the respective setbacks at 2,500, 1,000, and 500 feet, subject to review and approval by the Chair. The motion was seconded by Council Member McMullin and passed by a vote of 4 to 1, with Council Members Carson, McMullin, Robinson, and Ure voting in favor of the motion and Council Member Armstrong voting against the motion.

The County Council meeting adjourned at 9:35 p.m.

Council Chair, Kim Carson

County Clerk, Kent Jones

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, JANUARY 14, 2015
SUMMIT COUNTY COURTHOUSE
60 NORTH MAIN STREET, COALVILLE, UTAH

PRESENT:

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

Anita Lewis, *Assistant Manager*
Robert Hilder, *Attorney*
David Thomas, *Deputy Attorney*
Kent Jones, *Clerk*
Annette Singleton, *Admin. Office Manager*
Karen McLaws, *Secretary*

CLOSED SESSION

Council Member Robinson made a motion to convene in closed session to discuss litigation. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.

The Summit County Council met in closed session for the purpose of discussing litigation from 1:55 p.m. to 2:50 p.m. Those in attendance were:

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

Anita Lewis, *Assistant Manager*
Robert Hilder, *Attorney*
David Thomas, *Deputy Attorney*
Jami Brackin, *Deputy Attorney*
Jody Burnett, *Legal Counsel*

Council Member Armstrong made a motion to dismiss from closed session to discuss litigation and to convene in closed session to discuss property acquisition. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

The Summit County Council met in closed session for the purpose of discussing property acquisition from 2:50 p.m. to 3:00 p.m. Those in attendance were:

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

Anita Lewis, *Assistant Manager*
Robert Hilder, *Attorney*
David Thomas, *Deputy Attorney*
Jami Brackin, *Deputy Attorney*

Council Member Robinson 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, 5 to 0.

The Summit County Council met in closed session for the purpose of discussing personnel from 3:00 p.m. to 3:10 p.m. Those in attendance were:

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

Anita Lewis, Assistant Manager
Robert Hilder, Attorney
David Thomas, Deputy Attorney
Jami Brackin, Deputy Attorney

Council Member Ure 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, 5 to 0.

WORK SESSION

Chair Carson called the work session to order at 3:15 p.m.

- **Interview applicant for vacancy on the Summit County Service Area No. 5 Board**

The Council Members interviewed Steve Sady by telephone for a position on the Service Area No. 5 Board. Questions included why he was interested in serving on the Board, what skills he would bring to the Board, the most important issues that need to be addressed and how he would approach them, and the time commitment to serve on the Board.

- **Interview applicants for vacancy on the South Summit Cemetery Maintenance District**

The Council Members interviewed Brent Mitchell, Scott Buchanan by telephone, Jack Clegg, and James Blazzard for a position on the South Summit Cemetery Maintenance District Board. Questions included why the applicants want to serve on the Board, whether they have time to serve on the Board, what skills they would bring to the Board, and how they would work with the other Board members.

CLOSED SESSION

Council Member Robinson made a motion to convene in closed session to discuss personnel. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

The Summit County Council met in closed session for the purpose of discussing personnel from 4:15 p.m. to 4:30 p.m. Those in attendance were:

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

Council Member Armstrong made a motion to dismiss from closed session and to reconvene in work session. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

WORK SESSION – (Continued)

- **PCCAPS center for advanced professional studies presentation by instructor Charlie Mathews and his students who are conducting New Home Energy Analysis**

Sustainability Coordinator Lisa Yoder introduced Charlie Mathews, Advanced Placement physics teacher at Park City High School and PCCAPS facilitator. She noted that he is also on the Georgetown University energy prize executive committee. She explained that this presentation is an example of how the County will work with PCCAPS and students toward vying for that prize.

Mr. Mathews stated that this project was the result of conversations with Community Development Director Patrick Putt and Architect Craig Elliott, who has been working with the PCCAPS program. They talked about all the new construction going into the area in the next several years, and this project is directed at motivating homeowners, home buyers, developers, and Realtors to look at life cycle costs rather than just sticker cost of homes.

Carlin O’Connell, Makayla Trask, and Katie Turnlund presented the PCCAPS project. Ms. Turnlund explained that one of the objectives was to show that people should participate in energy efficiency because it sustains the environment and because it is affordable. She stated that the average home wastes 25% of its energy. Ms. O’Connell explained that the engineering team looked at home plans and construction techniques for new homes. They also looked at home appliances and determined the five top energy hogs, then developed cost comparisons of the energy costs for those appliances with energy efficient versions.

Ms. Trask explained that they looked at insulation and windows and the savings that could be achieved through energy-efficient upgrades. They also looked at building solar into new home construction and the energy savings that could be achieved over time. They recommended that banks consider energy efficiency when making home loans and that home buyers benefit from energy efficient options.

Council Member Robinson asked what role triple-pane windows play. Ms. Trask replied that they have a much higher insulation value, do not allow as much heat loss, and will pay their way over time.

Chair Carson asked if they have recommendations for implementing this. Ms. Trask stated that they had not reached the point of discussing how these recommendations could be implemented.

CONVENE AS THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT

Council Member Robinson 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, 5 to 0.

The meeting of the Governing Board of the Snyderville Basin Special Recreation District was called to order at 4:50 p.m.

DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION 2015-01, GENERAL OBLIGATION BONDS AUTHORIZING NOT MORE THAN \$25,000,000 AGGREGATE PRINCIPAL AMOUNT OF ITS GENERAL OBLIGATION BONDS, SERIES 2015 AND RELATED MATTERS

Brian Baker with Zions Bank reported that the 40-day contest period for the election has run its course, and they are ready to initiate the bond issuance process for the projects identified on the ballot. This resolution sets the maximum parameters and authorizes the issuance of the debt subject to final approval of the pricing committee. The bond will be sold around February 25, and the current rates are about 2.75% and lower, which is lower than when they estimated the tax impact. He explained that the bonds would be call protected for 10 years.

Rena Jordan, Director of the Snyderville Basin Special Recreation District, noted some small edits that were made to the resolution.

Board Member Robinson made a motion to adopt Resolution 2015-01, general obligation bonds authorizing not more than \$25,000,000 aggregate principal amount of its general obligation bonds, Series 2015, and related matters. The motion was seconded by Board Member McMullin and passed unanimously, 5 to 0.

DISMISS AS THE GOVERNING BOARD OF THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT AND RECONVENE AS THE SUMMIT COUNTY COUNCIL

Board Member Robinson made a motion to dismiss as the Governing Board of the Snyderville Basin Special Recreation District and reconvene as the Summit County Council. The motion was seconded by Board Member McMullin and passed unanimously, 5 to 0.

The meeting of the Governing Board of the Snyderville Basin Special Recreation District adjourned at 5:00 p.m.

REGULAR MEETING

Chair Carson called the regular meeting to order at 5:00 p.m.

- Pledge of Allegiance

APPOINT MEMBERS TO THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

Council Member Robinson made a motion to appoint Michael Todd and Michael Kobe and to reappoint Matthew Lindon to the Mountain Regional Water Special Service District Administrative Control Board, with their terms to expire December 31, 2018 and to expand the number of Board members from five to six. The motion was seconded by Council Member Armstrong and passed unanimously, 4 to 0. Council Member McMullin was not present for the vote.

APPOINT MEMBERS TO THE TIMBERLINE SPECIAL SERVICE DISTRICT BOARD

Council Member Armstrong made a motion to appoint Todd Hoover to the Timberline Special Service District Board, with his term to expire December 31, 2018, and to appoint Tor Boschen to fill the unexpired term of Elizabeth Blackner on the Timberline Special Service District Board, with his term to expire December 31, 2015. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2015-02 MRW, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT (PARCEL SS-18-C-1-A)

General Manager Andy Armstrong reported that this is a small parcel along Bitner Road that wants to annex into the District. He answered questions from the Council Members regarding details of the annexation process and the associated costs.

Council Member Ure made a motion to approve Resolution 2015-02MRW, a resolution annexing certain real property into the Mountain Regional Water Special Service District, Parcel SS-18-C-1-A. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

APPROVAL OF SUMMIT COUNTY COUNCIL 2015 ANNUAL NOTICE OF SCHEDULED MEETINGS

Council Member Ure made a motion to adopt the Summit County Council 2015 annual notice of scheduled meetings. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

COUNCIL COMMENTS

Council Member Robinson reported that he sent to the Council Members an email request from Laynee Jones regarding a potential European trip in mid-February to see how Europe uses transit and rail to access their resort towns. Council Member McMullin suggested that Council Member

Robinson participate in the trip. Council Member Robinson reported that Mountain Accord will start a public comment period on January 26. On March 9 the executive board will decide which alternatives to put forward for the NEPA process. They have asked each board member to find ways to involve their constituencies in some kind of meeting. He believed it might be a good idea to have a joint meeting with the Snyderville Basin Planning Commission where they could engage the public. Council Member McMullin discussed a number of other community groups where they could meet with the public and suggested that Council Member Robinson get on the agendas to meet with those various organizations. Council Member Robinson reaffirmed that he believes something good will come from Mountain Accord and that it is a worthwhile endeavor.

Council Member Armstrong stated that he has great concerns about the connections from the Cottonwoods discussed by Mountain Accord, and he did not have confidence that is the right thing to do. He believed the wilderness protection opportunities are worthwhile. He attended a roundtable discussion with experts from throughout the country regarding the economics of Mountain Accord, and one consistent comment was that a rail connection does not make sense from a cost-benefit analysis. There was no discussion of the potential loss of business, and he heard no substantial justification for the connection. Until they receive clear understanding that there will be a substantial benefit, he will be very concerned about that connection. He believed they need to continue to work with Park City, because the impacts on Park City could be significant. He believed a connection would bring in a lot of day skiers, who will use low-cost season passes, not spend money in restaurants and hotels, and cause more crowding at the resorts. If they degrade the skier experience, it could impact the destination skier market. With regard to the many people who have contacted him since the transportation plan open house, he responded that they are doing their best to address traffic. He has been working with Staff, and he is not certain that the current transit system design is the best one. He believes they need to think more creatively about transit. They need to cut down wait times and move people conveniently, and they cannot wait a couple of years for studies to be done. They need to start trying new ideas and then work hard on the bigger issues that will cost more money. One option might be to use smaller vans that people can call when they need a ride to take them to another part of the Basin and bring them home at a certain time. He believed there are ways to build in benefits and incentives to solve the transit problem, and they have not been thinking that way. He asked the Council to think about whether a citizens' committee could help them, because there are some very bright minds in the community who would be willing to help.

Council Member Ure asked for a report on what happened at the Snyderville Basin General Plan public hearing the previous evening. Community Development Director Patrick Putt reported that between 165 and 180 people attended, a large number of whom were from Jeremy Ranch. They heard a lot of concern about wanting more information about a transfer of development rights program, and many were fearful about what the unintended consequences might be. A number of people talked about open space and connectivity and defining what open space acquisitions are for. The Planning Commission gave Staff direction to look at receiving areas and mapping them. They decided to hold the next public hearing on February 10 to allow Staff to compile the comments and meet with the subcommittee to address them. He commended Commission Chair Colin DeFord for doing a good job of assuring people that the Commission was listening and would respond to their concerns. Chair Carson expressed concern that

February 10 is also the date of the Mountain Accord input session. Mr. Putt offered to discuss that with the Planning Commissioners to see if they could move the public hearing date.

Council Member McMullin congratulated the Snyderville Basin Planning Commission and Staff on doing a great job on the General Plan public hearing. She reported that Jeff Jones did a presentation at Rotary yesterday and commended him for all he has accomplished during the six months he has been with the County. She agreed that transportation issues need to be addressed as quickly as possible and that they need to try things to see how they work. She also likes the idea of putting together a community group and tapping into the talent in the community. She believed they should focus on the number of people who work in the County who come from Salt Lake in their cars. She suggested that they prepare a questionnaire for local businesses to see what it would take to get their employees to come up the Canyon using some sort of transit or van pools and requested the Chamber Bureau help in accomplishing that.

Chair Carson reported that Michael Howard indicated that the audit process will begin February 1. The audit will be conducted by Ulrich & Associates, and the cost will be approximately \$56,000 with some additional expenses, which is in line with past years. She reported that the Council received an invitation to the economic forecast luncheon on February 12 and to the Utah Business Ambassador's Reception on January 24. She reported that she received an email from Public Health Director Rich Bullough informing her that he has met with representatives from the Planning Department to express his concerns about woodburning fireplaces and stoves. He feels it is important to get restrictions in place and asked if the Council would be supportive of that. She stated that he is considering an emergency ordinance, and she will schedule a work session to have that discussion with him. She reported that she will travel with Rena Jordan and Brian Baker to San Francisco to make presentations to the ratings agencies. She stated that a wilderness advisory group meeting was held last week, and it went very well. She believed they were working through a positive plan to address watershed protection on the North Slope in conjunction with the addition of wilderness area. They were able to start drawing lines on a map and will keep the process going and hold another meeting the first week of February.

MANAGER COMMENTS

Assistant Manager Anita Lewis stated that Park City and the School District would like to have a joint meeting, and they will meet on March 6. They would like to know if the Council could meet with them on that date.

PUBLIC INPUT

Chair Carson opened the public input.

There was no public input.

Chair Carson closed the public input.

PUBLIC HEARING TO CONSIDER POTENTIAL PROJECTS FOR WHICH FUNDING MAY BE APPLIED UNDER THE CDBG SMALL CITIES PROGRAM FOR PROGRAM YEAR 2015

Administration Office Manager Annette Singleton recalled that Hoytsville Pipe and Water Company and Peoa Pipeline Company received CDBG grants last year, and they would both like to apply in 2015 to continue their projects. Peoa Pipeline Company would like to apply for \$145,000 this year to lay another 1,200 feet of 10-inch water pipe for their culinary system. Hoytsville Pipe and Water Company will apply for between \$50,000 and \$70,000 this year. She explained that the Council's role is to receive comment from the public and decide if the County would like to sponsor these projects.

Sue Follett with the Hoytsville Pipe and Water Company explained that they will do a second phase of their project in 2015. They have purchased radio read water meters to replace their failing meters. They have awarded the bids, and the entire project is just under \$200,000. This year they are looking for between \$50,000 and \$70,000 for final installation costs. She commented that they continue to find a number of meters that they were unaware of. Council Member Robinson asked if members of this Water Company would use the pressurized irrigation system when it is completed. Ms. Follett replied that they hope people will and that it will take some of the pressure off their system, but they will not police it.

Greg White with the Peoa Pipeline Company stated that they have made tremendous strides in improving their water system. He recalled that the County supported them in their previous CDBG grant requests, and they are almost finished with their project. They have 1,400 feet of pipe in the ground from the tank to Woodenshoe, and it has been tested and is functioning correctly. It allows them to add about 10 extra pounds of pressure on their system, and now they need to work on the lines in the street. This will take them from Woodenshoe to where it meets State Road 32 running north and provide new service connections and fire hydrants for the people in that area. He requested that the County support their CDBG grant request.

Chair Carson opened the public hearing.

There was no public comment.

Chair Carson closed the public hearing.

Council Member McMullin made a motion for the County to support both projects for which funding may be applied under the CDBG Small Cities Program for program year 2015. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.

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

Council Chair, Kim Carson

County Clerk, Kent Jones

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, JANUARY 21, 2015
SUMMIT COUNTY COURTHOUSE
60 NORTH MAIN STREET, COALVILLE, UTAH

PRESENT:

Kim Carson, *Council Chair*

Roger Armstrong, *Council Vice Chair*

Claudia McMullin, *Council Member*

David Ure, *Council Member*

Tom Fisher, *Manager*

Anita Lewis, *Assistant Manager*

David Thomas, *Deputy Attorney*

Kent Jones, *Clerk*

Karen McLaws, *Secretary*

WORK SESSION

Chair Carson called the work session to order at 2:00 p.m.

- **Site visit of Rockport Rocks Quarry; Sean Lewis, County Planner**

The Council Members toured the Rockport Rocks quarry site from 2:00 p.m. to 3:15 p.m.

- **Drive to Coalville**

The Council Members returned to the County Courthouse from the Rockport Rocks quarry site visit at 3:40 p.m.

- **Presentation by Utah Division of Wildlife of a payment in lieu of taxes; Justin Dolling; Northern Region Wildlife Supervisor**

Justin Dolling with the Utah Division of Wildlife Resources reported that the Division owns and manages about 18,000 acres in Summit County, including land in the Henefer-Echo area, land just outside of Kamas, and property along the Weber River. They manage that property with the revenue generated from the sale of hunting and fishing licenses, and the Division is presenting a check to the County this year in the amount of \$6,184.99 as payment in lieu of taxes.

Council Member Armstrong asked about the sage grouse issue. Mr. Dolling replied that the federal budget bill indefinitely postponed the decision on sage grouse. Council Member Ure asked if there are concerns about sage grouse in the hills west of Kamas, because that was given as a reason for not running the Tesoro pipeline through that area. Mr. Dolling replied that the Division was concerned about the pipeline running past its fish hatchery, but he had not heard any concerns about sage grouse in that area. He stated that there is some concern about sage

grouse in the East Canyon area on the pioneer trail divide, and they will be tracking them in that area.

REGULAR MEETING

Chair Carson called the regular meeting to order at 4:00 p.m.

- **Pledge of Allegiance**

APPOINT MEMBER TO THE SOUTH SUMMIT CEMETERY MAINTENANCE DISTRICT

Council Member McMullin made a motion to appoint James Blazzard to serve as the Subdistrict 2, Francis/Woodland area representative on the South Summit Cemetery Maintenance District, with his term to expire December 31, 2018. The motion was seconded by Council Member Armstrong and passed unanimously, 4 to 0.

APPOINT MEMBER TO THE SUMMIT COUNTY SERVICE AREA NO. 5 BOARD

Council Member McMullin made a motion to appoint Steve Sady to the Summit County Service Area No. 5 Board, with his term to expire December 31, 2018. The motion was seconded by Council Member Ure and passed unanimously, 4 to 0.

DISCUSSION REGARDING COMMITTEE ASSIGNMENTS

Chair Carson reported that the USACC Legislative Committee is not active this year and asked that it be removed from the committee assignment list. Council Member McMullin offered to serve as the alternate to the Joint Transportation Advisory Board (JTAB) this year, with Council Members Armstrong and Robinson remaining as representatives to that Board. Council Member Ure agreed to continue on the Mountainland Senior Advisory Board. Council Members McMullin, Robinson, and Ure will remain on the Mountainland AOG Executive Council. Council Member Ure will remain on the Weber Basin Water Conservancy District and CDBG Ratings and Rankings Committee. Council Members Armstrong and McMullin will serve on the Joint Economic Development Task Force. The remainder of the committee assignments will remain as at present, with Council Member Carson serving on the UAC Board of Directors, Council Members Carson and Ure serving on the Public Lands/Wilderness Advisory Group, Council Member Armstrong serving on the Library Board of Directors, Council Member Carson serving on the Board of Health, Council Members Armstrong and Carson serving on the Summit County Finance Committee, and Council Member McMullin serving as liaison to the Park City Chamber Bureau.

COUNCIL COMMENTS

Council Member Armstrong discussed the Mountain Accord trip to Europe and noted that the cost will come out of what the County has already paid in. He asked who would represent Summit County on the trip. Chair Carson stated that the other Council Members had indicated

that they would be unable to go on the trip. Council Member Ure stated that he believed Council Member Armstrong should go on the trip, because he had the most input on transportation. Council Member McMullin believed it would make sense for someone from Staff to go and suggested County Manager Tom Fisher. Council Member Armstrong stated that he was not entirely clear about what they would do on the trip. Chair Carson offered to call Laynee Jones with Mountain Accord and get more details. Council Member Ure cautioned that they need to be sure they are comparing apples to apples, because the fact that a transportation system works in the Alps does not mean it will work in the Wasatch Mountains. Council Member Armstrong was not sure they would be looking at a community that reflects the Park City basin, the advantage they have, and how to connect it together. He would rather go somewhere to see some remarkable new technology that is affordable and how it works.

Chair Carson stated that the Council has received an invitation to the outdoor recreation summit. Council Member Armstrong felt it would be useful if they could get a list of participants and do some outreach beforehand. Economic Development Director Jeff Jones offered to attend if the Council would forward the information to him. Chair Carson reported that she attended the UAC Board of Directors meeting where she received an overview of potential legislation, including a possible gasoline tax increase or sales tax to be dedicated to transportation. She suggested that they hold a work session to discuss that and take a position on it.

MANAGER COMMENTS

There were no Manager comments.

APPROVAL OF COUNCIL MINUTES

DECEMBER 10, 2014

Council Member McMullin made a motion to approve the minutes of the December 10, 2014, County Council meeting as written. The motion was seconded by Council Member Ure and passed unanimously, 4 to 0.

CONSIDERATION OF APPEAL OF AMENDMENTS TO THE ROCKPORT ROCKS CONDITIONAL USE PERMIT; SEAN LEWIS, COUNTY PLANNER

County Planner Sean Lewis presented the staff report and explained that the original Conditional Use Permit (CUP) was approved by the County Council through an appeal process last year. It was recently brought before the Eastern Summit County Planning Commission for an amendment and was approved unanimously. That amendment has been appealed based on the assertion that there will be increased noise and visual and dust impacts. The amendments are to two conditions previously approved by the County Council. One would expand the quarry operations area, and the other would remove the daily limit on the number of trucks to the site and increase the size of the trucks allowed to access the site. He explained that the terms and conditions of the original CUP would remain in force regardless of the outcome of this appeal, which relates only to this amendment. There had been some discussion of compliance with the existing CUP, and the site was inspected several times this past summer. The operation was visited by the Code Enforcement Officer, Community Development Director, Planning and

Zoning Administrator, and Mr. Lewis and was found to be in general compliance with the CUP. The issue before the Council is to determine whether the Planning Commission acted appropriately in approving the amendments to the CUP. He provided photographs of the site during the inspections last summer and during today's site visit.

Council Member Armstrong confirmed with Wes Siddoway, the quarry operator, that the expansion area would take the quarry over the top of the ridge and onto the other side. Chair Carson recalled from the original site visit that the quarry would not go to the top of the ridge and would stay below it so it would not be visible. Council Member Armstrong referred to the Council's Findings of Fact regarding the previous appeal, which state that it was observed that the small, narrow canyon that would serve as the quarrying operation site had significant steeply sloped walls that would direct the sound of the operation away from the neighboring properties. He stated that taking the quarry over the top of the ridgeline would actually project noise down into the valley, and it would no longer be hidden. He expressed concern about the impacts of the crushing operations with the expansion, and he had understood that the operator would bring the rocks down behind the ridgeline. He believed expansion of the quarry area would have a substantial impact in terms of noise, that nothing would block the noise, and that the noise would be enhanced. Mr. Siddoway explained that they did noise studies and did not exceed 60 dB at the property line. He acknowledged that things have changed, but he believed he was still operating within the original conditions.

Chair Carson noted that when they visited the site today, she pointed out the area that was cut out beyond what had been proposed, and Mr. Siddoway said that was why he was coming before the Council. She stated that he has already done it and is asking for permission now after it has already been done. She was not sure where the boundaries are and would not be comfortable making a decision until she can see something staked out on the mountain so she can see clearly where the original boundaries were and what is proposed. When Mr. Siddoway first came to them, he made promises, and they based the original CUP decision on him upholding those conditions. She had concerns going forward about what will or won't take place. Mr. Siddoway explained that he was not aware that he was not in compliance, and in talking to Staff, they told him to apply for an amendment to the CUP. He stated that he understands the Council's concern.

Council Member Ure asked Planner Lewis what his justification was for making a positive recommendation to the Planning Commission. Planner Lewis replied that the original 2-acre site was not sufficient to get a truck in and turned around to load it. The excavation was within the 2-acre area, but the staging and loading was not. Staff informed Mr. Siddoway that he would have to come into compliance, and the enforcement officer made several inspections and saw that he was moving toward compliance. Once he was in compliance, he came to Staff and explained that he could not get a truck into the 2-acre area and would have to expand the size to include the lower portion of the operation to allow trucks to come in and load. Staff asked him what amendments he would like to make, and he chose to amend the two conditions. He said that nothing else would change. He stated that he has never walked to the top of the ridge himself, but he believed Staff acted in good faith to be sure the conditions have been met and to keep an eye on this. As they get complaints, they investigate them. Because they had a change in their Code Enforcement Officer, and it probably took a little longer to address than the

appellants may have wanted. When Staff visited the site, he did not believe the excavation was as far up the mountain as it appears to be today.

Council Member Armstrong asked what Staff would have done if they believed the quarry had exceeded the initial site. Planner Lewis replied that they would have taken it to the Planning Commission to make a decision about what to do with the CUP. The Planning Commission could have chosen to revoke the CUP if they found that the conditions had been violated. They did not take it to the Planning Commission because they issued a letter of non-compliance, and Mr. Siddoway worked to come into compliance. It was based on the non-compliance that he came in to try to amend the CUP so he could be in compliance in the future.

Deputy County Attorney Dave Thomas asked if the original boundaries are superimposed on Staff's map. Planner Lewis replied that there is an official metes and bounds description of the 2-acre site, and the GIS office put that on the aerial photograph as closely as they could, but it is not an official survey. The boundaries were drawn as accurately as they could with GIS mapping.

Council Member Armstrong asked if the Planning Commission analyzed the impacts the expanded area would have or whether it was just an amendment review. Planner Lewis replied that it was the latter. Council Member Armstrong stated that he was not happy with that, because the applicant proposes to double the site and come over the ridgeline, which exposes the front of the ridge to both operation and visual impacts.

Council Member McMullin verified with Mr. Thomas that the Council can ask for additional information. Mr. Thomas explained that, if they uphold the appeal, the applicant can refile for something less. This is before the Council on appeal as to whether an error was made by the Planning Commission.

Council Member Armstrong referred to the neighbors' concerns and what the Council originally did to try to mitigate those concerns. Now the applicant would continue this area out quite a distance, and he was concerned about that. He believed this would create a problem the neighbors would continue to complain about and cause enforcement problems over and over again. He would like to find a decision that would allow Mr. Siddoway to operate without endless complaints that might cause him to cease operation.

Council Member Ure stated that his only issue is the impacts that will be caused by going over the top of the ridge.

Brooke Richins, one of the appellants, discussed the purpose of conditions as the criteria by which impacts of a proposed use can be mitigated. She recalled that the Council put 16 conditions on the original CUP and stated that Rockport Rocks has not fulfilled their agreement. As a neighboring property owner, the quarry operation has drastically affected her family's daily life. She stated that Rockport Rocks blatantly violated the conditions in the current CUP, which shows disrespect for both the Council and neighboring property owners. She maintained that the quarry operated outside the conditions of the CUP from its inception, the noise has impacted her life on a daily basis, and it was not within the operating hours described in the CUP. They were

assured that the quarry operations would be in the ravine to protect the neighbors from visual impacts and noise, but the quarry operation was not confined to the ravine. She can see the operations daily, and the noise is projected into her home and all across the valley. She stated that the amended CUP would defeat the initial requirement that the operations would be within the ravine and would not mitigate the noise. Her daughter suffers from allergies, and the increased dust compounded her problems. She submitted photographs to the County showing the clouds of dust, and she asserted that there has been no watering at the quarry at any time. She stated that impact was never mitigated, even after the compliance letter was issued. She remarked that the inspection took place several days after she submitted the photographs and after rain had fallen, so the dust conditions did not exist on that day. She submitted her first complaint April 28, 2014, at which time Rockport Rocks was in violation of conditions 5, 6, 8, and 16. She filed another written complaint on June 13 and June 25, and at that point, Mr. Siddoway was in violation of eight conditions, 3, 4, 5, 6, 8, 9, 13, and 16. She stated that during her correspondence with the County, she learned that Mr. Siddoway was not the on-site supervisor of the quarry and was at the quarry very little during the four months it has operated. Instead, it was supervised by someone who has little or no quarrying background and without the professional supervision Mr. Siddoway assured the neighbors and the County Council would be the case. She argued that, in truth, the quarry has never operated in compliance with the conditions of the CUP. The quarry opened and operated without a final inspection by the County, and it took a concerned citizen policing the operation and coming to the Council to achieve some measure of enforcement. Without ever operating in compliance with the permit, Rockport Rocks has now applied to double the size of the quarry and eliminate important conditions that mitigate the impact on the neighbors. Without listening to the neighbors, the Planning Commission rewarded Rockport Rocks by doubling the size, scope, and traffic of the quarry. She stated that the Planning Commission was hostile and disrespectful to her and other neighboring property owners and showed immediate pre-judgment in favor of Rockport Rocks. She reported that they ridiculed her for filing complaints regarding Rockport Rocks' non-compliance. The Planning Commission scheduled a public hearing for Rockport Rocks on December 18, a date that the neighbors and their counsel could not attend. They asked for an extension on the public hearing, and it was denied by the Planning Commission. She contended that there was no resolution of the violation, but the operator simply brought in trucks and hauled away the material that was stored outside the quarry area. She referred to Finding of Fact 8 in the staff report and explained that it was written before the neighbors were allowed an opportunity to testify about the impact of the newly proposed loading and storage area. She believed the applicant has a burden of proof, and none has been provided. With regard to Finding of Fact 10, the limit of 10 truck trips a day was removed without any justification. She recalled that it took an appeal to the County Council to have that limit placed in the permit, and the Planning Commission tossed that out the window when they amended the permit. She referred to Finding of Fact 10 and stated that the study did not address the additional noise and dust impact of loading a truck almost three times the size of what was previously approved. It only addressed road damage and safety issues. She requested that Mr. Siddoway not be allowed to double the size of the rock quarry and that he show that he can operate within the scope of the current permit and mitigate impacts to the neighboring property owners. She did not believe they should reward someone for continually working outside the scope of their permit.

Stewart Grow stated that he went to the GIS department and asked them to put contour lines on the map, because he could not tell from the aerial photo where the ridgeline was located. It was clear to him that Rockport Rocks has exceeded the 2-acre boundary with his excavation. He asserted that Mr. Siddoway has not admitted until today that he exceeded the 2-acre boundary.

Brandon Richins expressed concern about the term “general compliance” used by Staff. He believed people either comply or they don’t, and the term “general compliance” is very loose. He also asked where the silt fence should start. He stated that he has asked questions that were never addressed, and it seems like there is no regulation. Code Enforcement Officer Corey Carlson explained that what was meant by general compliance is that things such as the silt fence will constantly need to be repaired and maintained as part of this type of work. The word “general” means that the quarry is in compliance, but there may be times that it may not be because of mending and upkeep that needs to be done.

Council Member McMullin stated that she would like to see how big the quarry is and whether it comports with the original conditional use before they consider any expansion. It made no sense to her to amend the original CUP to bring the operation into compliance because it is now in violation. It also made no sense to her to make a decision on an amendment without any evidence of what the impact would be and how to mitigate it. She believed they should not make a decision until that information is available, because they have no basis to deny or grant.

Chair Carson believed it was obvious that there would be additional noise with the extension down the road, and nothing was offered in terms of mitigation. There are also no restrictions on where in that area certain activities can take place.

Council Member Armstrong asked how the Council could impose 16 conditions of approval, and no one verified that they had been satisfied before making an amendment. Planning and Zoning Administrator Peter Barnes replied that he cannot answer that, because he was not with the County when the original approval was made. He explained that the process is that they assume the operation will be maintained in accordance with the CUP, and when they receive notice of potential violations, they investigate them. He acknowledged people’s concerns and feeling that nothing was being done while the Community Development Department was struggling with their internal problems of not having a Code Compliance Officer. Staff made a site visit with the Code Compliance Officer, and there were obvious problems, and the ones they felt needed immediate mitigation were the County Engineer’s concerns about storm water pollution. He explained that they respond to concerns they become aware of the best they can with the resources they have available, and they believe they did that. As to the extent of the excavation, he has no personal knowledge as to whether it matches the original boundaries of the CUP. Council Member Armstrong expressed concern that the Council put in place very specific conditions, yet it appears from the complaints that those conditions were not met. If the Council puts in place conditions that need to be satisfied, they need to count on Staff to be sure someone verifies that those conditions have been satisfied prior to the operation commencing, not wait until a neighbor becomes disturbed and begins to complain about it. Mr. Barnes replied that normally, prior to any operation, the Engineering Department and Code Enforcement Officer will visit the site to be sure conditions have been met, and he could not answer why that was or was not done in this case. He noted that the operation must actually begin before they can

respond to some of the conditions. Council Member Armstrong stated that, to him, “general compliance,” or being close, is not going to get them there. If a condition has not been satisfied, it is out of compliance, and he expects the Code Enforcement Officer to proceed. Mr. Carlson responded that he does not know if something is out of compliance unless he receives a complaint, and he cannot babysit every CUP. Council Member McMullin suggested that they make it a condition of the CUP that nothing is to happen until all the conditions of the CUP have been met and that has been verified by Staff.

Chair Carson asked if Mr. Siddoway leased the operation to someone else. Mr. Siddoway replied that it is operated by a partner, and Mr. Siddoway is in charge and responsible for what he does. As far as capability, Mr. Siddoway stated that the partner is as capable as he is.

Council Member Armstrong emphasized to Mr. Siddoway that the conditions were well thought out and designed, and he needs to be sure those measures are in place and maintained on a daily basis. He would count on him to do that.

Council Member Ure requested a copy of the noise tests that were done for the quarry. Mr. Thomas asked if the quarry was using and loading trucks outside the 2-acre site when the noise readings were taken. Mr. Carlson replied that they were operating a track hoe but not loading trucks when the readings were taken. Mr. Thomas suggested that the Council request an accurate measure superimposing the original 2-acre boundary on an aerial photo of the site to determine whether excavation occurred outside the boundary. It may also be helpful to have a noise reading at the property line with a truck being loaded in the proposed staging area compared with the ambient noise on the roads. Council Member Armstrong requested that they consider the visual impacts of excavating over the ridge. Mr. Thomas noted that the Council has been given data regarding more daily trips and heavier vehicles, and they should look into whether that would increase the noise. Council Member Armstrong suggested that they also look at the safety hazards of heavier trucks entering the highway. Council Member Ure suggested that they continue to limit the number of truck trips per month but not the number of trips per day.

Chair Carson expressed concern that this was promoted to the Council as a small, family-run operation, which they supported. However, this amendment takes it out of that realm. She noted that there are no restrictions on the amended CUP.

The appellants requested to be on site when the sound studies are done. Mr. Thomas agreed and asked them to coordinate that with Mr. Carlson.

Planner Lewis explained that the only way to get an accurate map of the original quarry site is to have it surveyed. The appellants agreed to pay for the survey if it is found that their assertion that the quarry exceeds the approved boundaries is incorrect. Mr. Thomas explained that, if the survey shows that the quarry is out of compliance, the Council can require the operator to pay for the survey.

Chair Carson also requested that the County Engineer’s report address the heavier trucks and impacts of more than 10 trucks per day entering State Route 32.

Mr. Thomas summarized that the four items to come back to the Council for consideration are a survey of existing conditions compared to the original boundaries of the CUP and the expansion area, a noise analysis, a report from the County Engineer, and the Planning report on aesthetics.

Council Member Armstrong asked if the Eastern Summit County Planning Commission treated the appellants badly. Planner Lewis admitted that there were some snide remarks, but he did not believe they were made directly to the individuals. At the December 18 meeting, the agenda showed that this item would be addressed later in the meeting, and the Vice Chair moved this item up on the agenda shortly before the meeting started. They were unable to contact any of the opposing group to let them know that changed had happened, so they were not able to make comments at the hearing. Council Member Ure stated that he understood the Vice Chair asked legal counsel about doing that, and counsel confirmed that it was all right for them to do that. Planner Lewis noted that the agendas do state that times are approximate and that items may not be discussed in the order listed. Council Member Armstrong emphasized that the Council has said they want citizens engaged in the process and have a voice, and if people cannot participate in the process, they are taking that voice away from them.

Council Member McMullin asked what the effect of staying this item would be. Mr. Thomas replied that the original CUP remains in effect. The act of appealing stays the amendment until a final decision is made by the Council.

Council Member Armstrong made a motion to stay the December 18, 2014, decision of the Eastern Summit County Planning Commission regarding the Rockport Rocks Conditional Use Permit amendment pending a decision of the Summit County Council on the appeal that is before them and subject to the four conditions that Deputy County Attorney Dave Thomas has outlined for Staff to bring back to the Council. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

PUBLIC INPUT

Chair Carson opened the public input.

There was no public input.

Chair Carson closed the public input.

Chair Carson announced that the February 18 Council meeting will be cancelled.

The County Council meeting adjourned at 6:00 p.m.

Council Chair, Kim Carson

County Clerk, Kent Jones



MEMORANDUM

DATE: February 4, 2015
TO: Summit County Council
FROM: Rich Bullough, Ray Milliner, Phil Bondurant
RE: Proposed 6-month ban on installation of wood burning appliances in new construction in the Snyderville Basin of western Summit County

Western Summit County, particularly the Snyderville Basin, is geographically an area prone to inversions and haze during the winter months. While air quality in western Summit County remains generally good, there is evidence that air quality is deteriorating. Also, the area is surrounded by counties that frequently violate federal standards for PM_{2.5} and ozone. We believe now is the time to put in place regulations aimed at protecting air quality moving forward, and at helping avoid the poor air quality that many of our neighboring counties now experience.

Staff is proposing a temporary, 6-month ban on installation of wood burning appliances (fireplaces, wood stoves, etc) in new construction in the Snyderville Basin in western Summit County. During the 6-month ban, a comprehensive plan related to wood burning will be developed that will aim to protect air quality and personal exposure to wood smoke toxins.

Health and Wood burning

Western Summit County, particularly the Snyderville Basin, is geographically an area prone to inversions and haze during the winter months. In response to citizen concern related to air quality, the Summit County Board of Health, with support from the Summit County Council, authorized the purchase of air quality monitors in 2010. The Summit County Health Department runs the monitors and reports real-time PM2.5 and ozone data.

While air quality in western Summit County remains generally good, there is evidence that air quality is deteriorating. Also, the area is surrounded by counties that frequently violate federal standards for PM2.5 and ozone. We believe now is the time to put in place regulations aimed at protecting air quality moving forward, and at helping avoid the poor air quality that many of our neighboring counties now experience.

Wood smoke is even more toxic than other particulate pollution, and contains over 200 chemicals and compound groups. Components of wood smoke are very similar to those in cigarette smoke. They include particulate matter, carbon monoxide, formaldehyde, sulfur dioxide, nitrogen oxides, dioxins, and polycyclic aromatic hydrocarbons. Furthermore, like with cigarettes, those who are doing the wood burning, are the most victimized by the pollution generated.

In addition to contributing to poor overall air quality, wood burning creates hot spots of pollution and “local victims” not revealed by monitoring stations. The largest single source of outdoor fine particles (PM2.5) entering into our homes in many American cities is our neighbor's fireplace or wood stove. Only a few hours of wood burning in a single home at night can raise fine particle concentrations in dozens of surrounding homes throughout the neighborhood and cause high concentrations of toxic substances.

Unlike most other sources of pollution, home wood burning emissions are released directly into the area where people spend most of their time at an elevation that does not promote dispersion. Studies from California show that within a single square kilometer of a residential area, wood smoke concentrations varied by three orders of magnitude. A neighbor burning wood can raise the amount of pollution you are exposed to over 100 times greater than what is recorded at the nearest monitoring station.

Wood burning also has an enormous impact on community wide pollution levels. Studies have estimated that wood/biomass combustion contribute 10-40% of the fine particle concentrations (PM2.5) in large cities such as Seattle, Phoenix, and Salt Lake. A study in Los Angeles showed that in the winter, residential wood combustion contributed 30% of primary organic aerosols, (probably the most important mass component of particulate pollution), more than motor vehicle exhaust. A recent study from researchers at the U. of Utah showed that smoke from fireplaces, wood stoves and grills was responsible for as much direct PM2.5 as vehicles during certain conditions. There is no reason to believe this will not hold true in Summit County.

According to the California Air Resources Board, the inhalable particle pollution from one wood stove is equivalent to the amount emitted from 3,000 gas furnaces producing the same amount of heat per unit. The EPA estimates that a single fireplace operating for an hour and burning 10 pounds of wood will generate more inhalable toxins than 120,000 cigarettes. Also, while EPA certified wood stoves may be cleaner than old wood stoves, they still cannot begin to approach the emissions level of a natural gas furnace.

Wood smoke is not just an outdoor problem. There is no practical way to prevent wood smoke pollution from seeping into nearby homes. The extremely small size of the particles results in the particles remaining suspended in the atmosphere for long periods making a disproportionate contribution to air shed pollution. Stagnant conditions and winter temperature inversions result in wood smoke hanging close to the ground, easily penetrating homes and buildings. A single wood-burning household can envelope adjacent and downwind homes with some of the most dangerous pollution there is. Indoor concentrations in homes nearby were found to average 75% as high as outdoor concentrations. This demonstrates how significant the creation of “local victims” is in assessing the true extent of the health impacts of wood burning. What goes up your chimney ends up in your neighbor’s living room even on a “green burn” day. This is similar to being exposed to second hand tobacco smoke.

Ultrafine particles are more potent in inducing inflammatory responses than fine particles. Wood smoke produces high levels of free radicals and DNA damage. The EPA estimates that the lifetime cancer risk from wood stove smoke is twelve times greater than that from an equal volume of second hand tobacco smoke. Burning two cords of wood produces the same amount of mutagenic particles as driving 13 gasoline powered cars 10,000 miles each at 20 miles/gallon.

Burning Wood: Pollution and Health Impacts

Wood fires are hazardous to health and are especially problematic during inversion periods. Wood smoke impacts everyone, but children, older adults, and people with lung or heart disease are particularly vulnerable. Although it may feel cozy, it is harming your health and the health of others. Please help the community by putting the wood aside.

Hearthside hazards

Fine particles known as particulates are carried into our lungs when we breathe wood smoke. They can cause a variety of health problems, and are a serious concern for federal and regional air-quality agencies.

Unseen harm

Smoke particles are so fine they can slip past macrophages, immune cells inside the alveoli that destroy foreign particles. We cannot see the tiny particles that are being embedded in our lungs.

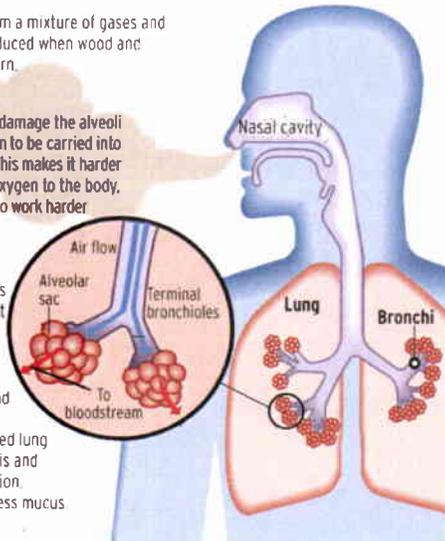
Substance	Size	
	Micrometers	Inch
90% of wood smoke particles	1 micron	0.00004
Red blood cell	8 microns	0.0003
Human hair	70 microns	0.003

Smoke comes from a mixture of gases and fine particles produced when wood and organic matter burn.

Particulates can damage the alveoli which allow oxygen to be carried into the bloodstream. This makes it harder to get sufficient oxygen to the body, causing the heart to work harder to compensate.

Particulates may cause more deaths in people with heart disease.

Smoke effects range from eye and respiratory tract irritation to reduced lung function, bronchitis and asthma exacerbation, coughing and excess mucus.



Sources: EPA, South Coast Air Quality Management, NOAA

The Register

Health Effects of Wood Smoke

The chemical components of wood smoke are harmful. Wood smoke contains fine particulate matter, carbon monoxide, sulfur dioxide, formaldehyde, and various chemicals that can scar the lungs. Wood smoke also contains chemicals linked to cancer, including dioxin and polycyclic aromatic hydrocarbons.

Wood smoke depresses the immune system and damages the layer of cells in the lungs that protect and clean the airways.

Short term effects of wood smoke exposure include coughs, headaches, and eye and throat irritation.

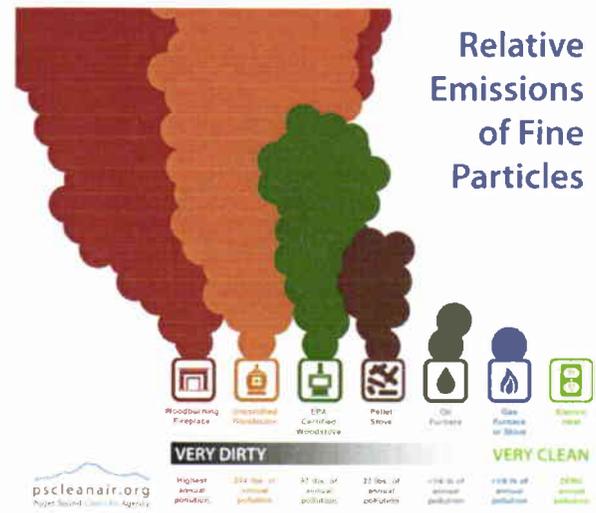
Exposure to the fine particles of smoke increases the risk of heart attacks, strokes, arrhythmias, chest pain, palpitations, shortness of breath and fatigue.

Exposure To Wood Smoke

The particulate matter in wood smoke is tiny and even doors and windows cannot keep it out. Up to 70 percent of the wood smoke that exits a chimney reenters nearby homes.

One older wood burning fireplace or stove pollutes as much as **five dirty diesel buses**.

One fireplace can emit as much particulate pollution as **90 SUVs**.



BreatheUTAH

For more information visit www.BreatheUtah.org/WoodSmoke

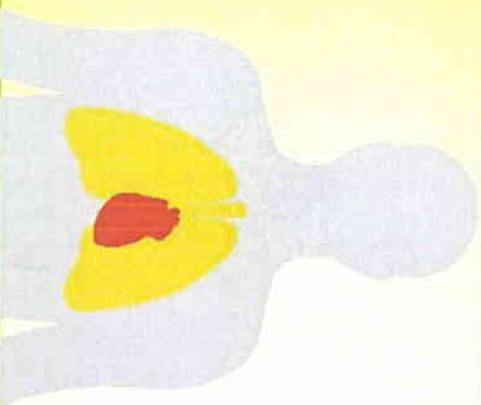
WOOD SMOKE AND YOUR HEALTH

Wood smoke may smell good but it's not good for you. With a few simple steps you can help reduce wood smoke to protect your health and the air we breathe.

DID YOU KNOW?

One old, inefficient wood stove can emit as much air pollution as 5 dirty old diesel trucks.

Tiny particles in wood smoke can affect your health



HEART IMPACTS

Increases the risk of heart attack, irregular heartbeat, heart failure, stroke and early death.



LUNG IMPACTS

Triggers asthma attacks and aggravates other lung diseases and damages children's lungs.

WHO IS AT GREATER RISK?

Older adults
Children and teens
People with heart or lung disease

Four easy steps to reduce wood smoke

1

Burn dry, seasoned wood that has been split, stacked, covered and stored.



3

Use a cleaner-burning gas or wood stove.



2

Test wood with a moisture meter (20% moisture or less is best).



4

Provide sufficient air to the fire; never let it smolder.



SUMMIT COUNTY, UTAH
ORDINANCE NO. _____

**A TEMPORARY LAND USE REGULATION MANDATING A MORATORIUM ON THE
INSTALLATION OF WOOD-BURNING APPLIANCES IN NEW CONSTRUCTION AND
REMODELS IN THE SNYDERVILLE BASIN PLANNING AREA**

PREAMBLE

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

WHEREAS, the goal of Chapter 5 of the Snyderville Basin General Plan (“General Plan”) is to ensure that all development undertaken is compatible and in harmony with the surrounding mountain environment while maintaining ecological balance and protecting the scenic and historic qualities of the Snyderville Basin; and

WHEREAS, in furtherance of this goal, §10-1-1(D) of the Summit County Code (“Code”) provides that within the Snyderville Basin Planning Area it is the intention of the County to manage the development of land so as to protect and enhance both the mountain environment and resort nature of the area; and,

WHEREAS, western Summit County, particularly the Snyderville Basin, is geographically an area prone to inversions and haze during the winter months. While air quality in western Summit County remains generally good, there is evidence that air quality is deteriorating, as the area is surrounded by counties that frequently violate federal standards for PM2.5 and ozone; and,

WHEREAS, wood smoke is even more toxic than other particulate pollution, and contains over 200 chemicals and compound groups. Components of wood smoke are very similar to those in cigarette smoke. They include particulate matter, carbon monoxide, formaldehyde, sulfur dioxide, nitrogen oxides, dioxins, and polycyclic aromatic hydrocarbons. Furthermore, like with cigarettes, those who are doing the wood burning, are the most victimized by the pollution generated; and,

WHEREAS, in addition to contributing to poor overall air quality, wood burning creates hot spots of pollution and “local victims” not revealed by monitoring stations. The largest single source of outdoor fine particles (PM2.5) entering into our homes in many American cities is our neighbor's fireplace or wood stove. Only a few hours of wood burning in a single home at night can raise fine particle concentrations in dozens of surrounding homes throughout the neighborhood and cause high concentrations of toxic substances; and,

WHEREAS, unlike most other sources of pollution, home wood burning emissions are released directly into the area where people spend most of their time at an elevation that does not promote dispersion. Studies from California show that within

a single square kilometer of a residential area, wood smoke concentrations varied by three orders of magnitude. A neighbor burning wood can raise the amount of pollution you are exposed to over 100 times greater than what is recorded at the nearest monitoring station; and,

WHEREAS, wood burning also has an enormous impact on community wide pollution levels. Studies have estimated that wood/biomass combustion contribute 10-40% of the fine particle concentrations (PM2.5) in large cities such as Seattle, Phoenix, and Salt Lake. A study in Los Angeles showed that in the winter, residential wood combustion contributed 30% of primary organic aerosols (probably the most important mass component of particulate pollution), which is a greater percentage than that caused by motor vehicle exhaust. A recent study from researchers at the University of Utah showed that smoke from fireplaces, wood stoves and grills was responsible for as much direct PM2.5 as vehicles during certain conditions. There is no reason to believe this will not hold true in Summit County; and,

WHEREAS, according to the California Air Resources Board, the inhalable particle pollution from one wood stove is equivalent to the amount emitted from 3,000 gas furnaces producing the same amount of heat per unit. The EPA estimates that a single fireplace operating for an hour and burning 10 pounds of wood will generate more inhalable toxins than 120,000 cigarettes. Also, while EPA certified wood stoves may be cleaner than old wood stoves, they still cannot begin to approach the emissions level of a natural gas furnace; and,

WHEREAS, wood smoke is not just an outdoor problem. There is no practical way to prevent wood smoke pollution from seeping into nearby homes. The extremely small size of the particles results in the particles remaining suspended in the atmosphere for long periods making a disproportionate contribution to air shed pollution. Stagnant conditions and winter temperature inversions result in wood smoke hanging close to the ground, easily penetrating homes and buildings. A single wood-burning household can envelope adjacent and downwind homes with some of the most dangerous pollution there is. Indoor concentrations in homes nearby were found to average 75% as high as outdoor concentrations. This demonstrates how significant the creation of "local victims" is in assessing the true extent of the health impacts of wood burning. What goes up your chimney ends up in your neighbor's living room even on a "green burn" day. This is similar to being exposed to second hand tobacco smoke; and,

WHEREAS, ultrafine particles are more potent in inducing inflammatory responses than fine particles. Wood smoke produces high levels of free radicals and DNA damage. The EPA estimates that the lifetime cancer risk from wood stove smoke is twelve times greater than that from an equal volume of second hand tobacco smoke. Burning two cords of wood produces the same amount of mutagenic particles as driving 13 gasoline powered cars 10,000 miles each at 20 miles/gallon; and,

WHEREAS, the preponderance of smoke from wood-burning stoves and fireplaces (together, “Wood-Burning Appliances”) in the Snyderville Basin represents a potential risk to human health and the natural environment; and,

WHEREAS, as currently drafted, the Code does not set forth specific criteria or a process for the regulation of Wood-Burning Appliances; and,

WHEREAS, §1-12-3 of the Summit County Code of Health (“Health Code”) prohibits the sale and installation of wood burning stoves that are not EPA Phase 2 certified; and,

WHEREAS, the Summit County Board of Health (“Board of Health”) and the Summit County Department of Community Development are currently in the process of preparing a new Wood-Burning Appliance regulation, which will set forth specific and special criteria and processing procedures for the installation of Wood-Burning Appliances within the Snyderville Basin Planning Area; and,

WHEREAS, UCA §17-27a-504 provides that the County may enact a temporary land use regulation without prior consideration of a recommendation from the planning commission where the Summit County Council (“County Council”) makes a finding of compelling, countervailing public interest; and,

WHEREAS, such a temporary land use regulation would be in effect for no longer than six months from the effective date, thus allowing adequate time for the County to enact a comprehensive Wood-Burning Appliance regulation through the normal statutory processes; and,

WHEREAS, the County Council held a public hearing on February 11, 2015; and,

WHEREAS, it is in the best interests of Summit County to provide for a temporary moratorium on the installation of Wood-Burning Appliances in both new construction and interior remodels while comprehensive Wood Burning Appliance regulations designed to protect air quality within the Snyderville Basin Planning Area are being studied, publicly vetted and adopted;

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

Section 1. **Finding.** Based upon the facts as set forth in the Preamble hereto, the County Council finds that there exists a compelling, countervailing public interest to enact a temporary land use regulation imposing a moratorium on the installation of Wood-Burning Appliances in new construction and interior remodels within the Snyderville Basin Planning Area.

Section 2. **Moratorium.** There is hereby declared to be a moratorium on the installation of Wood-Burning Appliances in new construction and interior remodels within the Snyderville Basin Planning Area (the “Moratorium”).

- A.** No development permits or certificates of occupancy shall be issued to any person found in violation of this Moratorium.
- B.** A violation of this Moratorium shall be sufficient grounds to revoke any development permit or certificate of occupancy pertaining to the property upon which the violation has occurred.

Section 3. **Wood-Burning Appliances Defined.**

- A.** A **wood-burning stove**, which is a heating appliance capable of burning wood fuel and wood-derived biomass fuel, such as wood pellets. Generally the appliance consists of a solid metal (usually cast iron or steel) closed fire chamber, a fire brick base and an adjustable air control, or
- B.** A **fireplace**, which is a framed opening made in a chimney to hold an open fire.

Section 4. **Effective Date.** This Ordinance shall take effect fifteen (15) days after publication and shall sunset at 5:00 p.m. on August 11, 2015.

Enacted this 11th day of February, 2015.

ATTEST:

SUMMIT COUNTY COUNCIL

Kent Jones
Summit County Clerk

Kim Carson, Chair

APPROVED AS TO FORM

David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

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