PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
August 4, 2016

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, August 4, 2016.

CLOSED SESSION

12:00 p.m. To Discuss Property, Personnel and Litigation

WORK SESSION

3:15 p.m. – Water Conservation Update PAGE 3

3:45 p.m. – Site Visit – National Register of Historic Places Designation of Park City Library (held at 1255 Park Avenue) PAGE 8

4:45 p.m. – Discuss New Housing Goals and Proposed Amendments to Housing Resolution 13-15 PAGE 10

5:15 p.m. – Discuss Proposed Open Space Bond Resolution PAGE 27

5:45 p.m. – Rossi Hill Parking Analysis Discussion PAGE 33

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. APPOINTMENTS AND RESIGNATIONS

Public Art Advisory Board Appointments-Beth Armstrong, Alex Butwinski, Jenny Dorsey and Jocelyn Scudder PAGE 63

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF
Council Questions and Comments

IV. PUBLIC INPUT *(ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)*

V. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from July 21, 2016 PAGE 68

VI. OLD BUSINESS

Request to Authorize the City Manager to Enter into a Two-Year Service Provider Agreement with Morrison & Morrison, LC, for Public Defender Services in the Amount of $125.00 Per Hour, in a Form Approved by the City Attorney PAGE 79

VII. NEW BUSINESS

1. Request to Execute a Contract with the Park City Foundation with the Intent of Providing $45,000 to Summit Community Power Works to Pursue the Georgetown University Energy Prize Which Will Support City Council's Ongoing Efforts to Becoming a Net-Zero Community PAGE 93

2. Consideration to Approve Resolution 17-2016, a Resolution Amending the Public Art Advisory Board and Public Art Policies PAGE 111

(A) Public Hearing (B) Action

3. Request to Consider a Fee Waiver in the Amount of $63,851.64 for the Christian Center of Park City PAGE 191

(A) Public Hearing (B) Action

4. Consideration to Approve Ordinance 2016-40, an Ordinance Staying Enforcement of Certain Violations of Land Management Code Title 15 Chapter 3 Section 4 Subsection a (3), Parking Restrictions in a Form Approved by the City Attorney PAGE 198

(A) Public Hearing (B) Action

5. Consideration to Approve Ordinance 2016-38, an Ordinance Amending Title 11 Chapter 13 - Impact Fees, of the Municipal Code of Park City, Utah, in a Form Approved by the City Attorney PAGE 202

(A) Public Hearing (B) Action

6. Consideration of Ordinance No. 16-39, an Ordinance Approving the North Silver Lake Amended and Restated Condominium Plat 1St Amendment to Units 6A, 6B, 10, 11, and 13 Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney PAGE 217

(A) Public Hearing (B) Action

7. Consideration to Continue Ordinance 2016-41, an Ordinance Approving the Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2 Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney PAGE 249

(A) Public Hearing (B) Continue until the August 25, 2016 meeting

VIII. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

This report summarizes at a high level staff's current efforts related to water conservation. This includes both customer facing and internal City efforts.

Respectfully:

Jason Christensen, Water Resources Manager

City Council
Staff Report

Subject:	**Water Conservation Update 2016**
Author:	**Jason Christensen, Water Resources Manager**
	Brenda Wilde, Water Billing Coordinator
	Troy Dayley, Streets & Streetscapes Manager
	Clint Dayley, Parks & Golf Manager
Department:	**Public Utilities & Public Works**
Date:	**July 21, 2016**
Type of Item:	**Informational**

Summary Recommendation
Staff recommends Council review this staff report, and engage staff is a discussion of the City's water conservation program.

Executive Summary
This report summarizes at a high level staff's current efforts related to water conservation. This includes both customer facing and internal City efforts.

Acronyms
AMI	Advanced Metering Infrastructure
SCADA	System Control And Data Acquisition

The Problem
The City desires to reduce its impact on the natural environment, by reducing the amount of water used per connection.

Background
Council has identified water conservation as a high priority and has asked that staff return at least twice a year to update Council on the program. Staff is doing so today. Council also requested the next update contain information related to internal (Parks and Golf) water conservation efforts.

Date	Item
October 2, 2014	Water Conservation Plan (pg. 33)
December 10, 2015	Water Conservation 2nd Update. (pg. 4)
June 12, 2016	2016 Water Rate Changes (pg. 140)

Analysis

Community Facing Programs
WaterSmart (login here)
- Single Family Residential Home Water Reports
- Annual reminder letter to Commercial, Multi-Family, and Irrigation Accts.

- Leak Alerts
- User Set Consumption Alerts
- Hourly Usage Record

Financial

- Smart Controllers
  - Up to $300 rebate (more information here)
- Rain Barrels
  - $25 per barrel, up to 200 barrels (more information here)
  - Partnership with Utah Rivers Council

Partnership Weber Basin Water Conservancy District

- Conservation Garden (more information here)
- Home Water Audits (more information here)
- Classes (more information here)
- Weber Basin also offers Smart Controller Rebates, up to $150 off a smart controller (more information here)

Billing

- Conservation Rates (more information here)
  - Year around conservation pricing, where the price per 1,000 gallons of water increases as more water is used in the month.
- Occasional Billing Inserts with conservation information.

Energy Program

- Reduced water usage reduces energy consumption and water conservation will be a component of the program.

Education

- Participate in 4th Grader Water Fair (more information here)

Ordinances

- Time of Day Restrictions (PCMC § 13-1-21, available here)
  - Watering is prohibited from 10:00 am to 7:00 pm.
- Even/Odd Restriction (PCMC § 13-1-21, available here)
  - Even numbered addresses may water on even days and odd numbered houses may water on odd days.
- Water Wasting Prohibition (PCMC § 13-1-21, available here)
- Water Fines (Fee Schedule § 2.3, available here)
  - Most violations of the Water Code are addressed through education, but the code allows fines for non-compliance.
- Drought Ordinance (PCMC § 13-1-26, available here)
  - Outlines the City's response to a prolonged drought or temporary shortage.

Maintain Weather Station

- The City maintains a weather station that feeds data to the state slow the flow website. Add is available to some smart controllers in order to adjust irrigation run times.

City Facing Programs

Water Department Asset Management

- Water Meters

250k a year, a rotating 20 year replacement window for meters.

Pipeline Corrosion Protection

Soil Corrosivity is measured to ensure that the right pipe is used in the right place to increase the life of the pipe and reduce leakage and loss.

Advanced Analytics

SCADA Upgrade

The System Control And Data Acquisition ("SCADA") system has been updated to allow for better control and more information. It is staff's intent to harness this information to better target leaks in the system.

AMI System

The Advanced Metering Infrastructure ("AMI") is the backbone data collection system for customers and provides the City will hourly data on consumption. This data is feed to the WaterSmart system and also will be paired with the SCADA system in the future with the goal of better targeting leaks.

Parks & Golf

Golf Course

USGA Golf Course irrigation evaluation (more information here)

Planned Golf Improvements for 2016:

Upgrade Computer / software program (stay current with the latest software technology)

Raise / level sprinkler heads - maximize sprinkler head efficiency.

Long Term 2017-2020 years:

Identify additional out of play areas that will allow the removal of turf grass, installing more efficient drip irrigation to trees.

Parks

Smart Controller Network:

Staff is currently replacing existing parks irrigation controllers with the latest technology available. As of now 65% of the parks controllers have been upgraded.

Staff Training/Education:

This spring two new staff participated in an in-depth training course to further their understanding in irrigation management.

Continued and ongoing training of irrigation staff is planned.

System Wide Park Evaluation:

Bowen Collins is currently conducting a system wide park assessment that includes:

Mapping all parks – GIS all parcels, identifying size, hardscape and landscaping.
Analyzing water usage data for the past three years, prioritizing irrigation upgrades.

Preforming third party water audits of turf-grass areas larger than 1/4 acre, using audit information to prioritize future projects and system upgrades.

Maintenance review of all new parks designs to ensure maximum water efficiency.

Sprinkler Head Replacement 2016

Ed Center & North-40 Fields, upgrade sprinkler heads providing better water distribution.

Long Term Improvements 2017- 2020:

Using the Parks Evaluation, identify parks that could be redesign to a more drought tolerant landscaping, i.e. remove turf, install water wise plant material, remove irrigation spray heads and install drip, etc.

Department Review

This staff report has been reviewed by Public Utilities, Legal, and Executive.

Funding Source

Customer and City facing conservation programs are part of the Water Department Operations or Capital Budget.

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

The City Council will recognize the listing of the Park City Library on the National Register of Historic Places on August 4 at 4:00 p.m. with the unveiling of the plaque installed at the Park City Library. Sites listed on the National Register of Historic Places have been found significant in American history, architecture, archeology, engineering and culture.

Respectfully:

Michelle Kellogg, City Recorder

City Council
Staff Communications Report

Subject: **Park City Library on the National Register of Historic Places**
Author: **Phyllis Robinson**
Department: **Sustainability**
Date: **August 4, 2016**
Type of Item: **Administrative**

The historic Park City High School, now the Park City Library and Education Center, located at 1255 Park Avenue, was added to the National Register of Historic Places (National Register) in January 2016. The National Register is the official federal list of districts, sites, buildings, structures and objects that contribute to the history of their local community, state or nation. Sites listed on the National Register have been found significant in America history, architecture, archaeology, engineering and culture.

The historic Park City High School was constructed in 1928. It is recognized as a contributing historic resource to the city's mining era. It is a well-preserved Collegiate Gothic-style building designed by the prominent Salt Lake City firm of Scott & Welch. There are no other examples of this style of architecture in the area. It is also significant as the first high school in Park City, built at a time when the mining community of Park City came to realize the importance of educating boys and girls. The building served as the Park City High School until 1977, and then as the Carl Winters Middle School until 1982. After several years of vacancy, it became the Park City Library in 1993.

The City Council will recognize this listing on August 4 at 4:00 p.m. with the unveiling of the plaque installed at the Park City Library. Sites listed on the National Register of Historic Places have been found significant in American history, architecture, archeology, engineering and culture.

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

The proposed amendments to Housing Resolution 13-15 and housing goals are a follow-up to a joint Study Session on June 30 with Park City Council and Planning Commission. Proposed amendments include:

- Adjusting the calculation of in-lieu fees to existing construction costs.
- Amend employee generation rates to match current data;
- Amend income targets to reflect current needs; and
- Institute an impact fee waiver no longer limited to amount (excluding water impact fees and those assessed by non-City agencies such as the Fire District and Snyderville Basin Water Reclamation District).

Establish a Big Hairy Audacious Goal (BHAG) for adding affordable units each year:

- Based on the analysis of developable property and opportunities for purchasing existing units, Staff is recommending a goal of 600 units by 2026.

Respectfully:

Rhoda Stauffer, Housing Specialist

City Council
Staff Report

Subject: Affordable Housing Policy Discussion,
Author: Rhoda Stauffer, Housing Program Manager
Anne Laurent, Director
Department: Community Development
Date: August 4, 2016
Type of Item: Legislative

Summary Recommendation

Staff recommends that City Council review and discuss proposed amendments to Housing Resolution 13-15 as well as new housing goals.

Executive Summary

The proposed amendments to Housing Resolution 13-15 and housing goals are a follow-up to a joint Study Session on June 30 with Park City Council and Planning Commission. Proposed amendments include:

- Adjusting the calculation of in-lieu fees to existing construction costs.
- Amend employee generation rates to match current data;
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Establish a Big Hairy Audacious Goal (BHAG) for adding affordable units each year:

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Acronyms

- AMI – Area Median Income
- BHAG – Big Hairy Audacious Goal
- PCMC – Park City Municipal Corporation
- sf – square foot/feet

The Problem

As an international resort community with world class recreational, hotel and leisure service amenities, Park City's job market is dominated by the hospitality and leisure sector. More than 40 percent of all jobs within the city limits are in this sector. In 2014, the average annual income earned in all employment sectors was $44,052. Wages earned in the leisure and hospitality sector averaged $27,456 – 38 percent below all jobs.

According to Realtor.com, the median listing price for a home in Park City is currently $1.52 million, and with the lowest price single family home within the Park City limits is

currently in Prospector home priced at $719,000 (needing extensive repairs/remodel). For Midway and Heber City, the median listing price is $345,000 and $360,000 respectively. For homes in Park City to be affordable to the majority of those employed within City limits, prices would need to range between $200,000 and $500,000 (this range covers both affordable and attainable). Today, approximately 80% of Park City's workforce lives outside the city limits. High home prices in Park City not only result in the need to import a high percentage of our community's workforce, it causes problems that range from increased traffic to the risk that Park City could lose vibrancy because of lack of full time residents.

Background

In early 2015, Council established "Affordable, Attainable and Middle Income Housing" as one of their critical priorities. At the February 2015 Council retreat, a four- pronged, five year work plan was adopted which included Regulatory Tools as one of the program categories. In July 2015, Council approved a contract with EPS to complete a number of reviews and analysis, including: a thorough regulatory review to identify potential barriers to affordable housing development; comparative analysis of the best approach to mitigating the impact of both new construction as well as redevelopment on affordable housing needs within the community; assessment of the true employee generation formulas for Park City's primary employers; examination of the most effective formula for in-lieu fee calculation; most balanced and equitable trigger mechanism for housing obligations; and assessment of the connection between the impacts generated by development and the housing mitigation required.

EPS worked from September 2015 to March 2016. They included several interactions and work sessions with the Blue Ribbon Housing Commission to guide the final draft report which was presented to a joint session of City Council and Planning Commission on April 28. In a subsequent joint Study Session, City Council and Planning Commission members on June 30, the discussion focused on the following:

1. ***BHAG – Big Hairy Audacious Goal for new affordable units.*** Staff has completed an analysis of developable property as well as purchase potential of existing units resulting in a recommendation that the BHAG goal for new for-sale units by 2026 be 600. Staff has taken the following factors into consideration in analyzing capacity and potential for unit purchase or development:
    a. Potential purchases and development projects that are currently in various stages of negotiation total to 90 units over the next three years.
    b. The approximate number of units that will be produced through regulatory means over the next five to 15 years (depending on the timeframe for the developers) is 332.
    c. Other projects that are assessed with moderate potential total to a rough projection of 200 units (likely timing of five to 10 years).
    d. Much more difficult-to-develop projects with high levels of unlikelihood add another 127 units (timing difficult to project).

    If additional capacity can be identified and procured, staff recommends

increasing the goal to 800 units by 2030.

The greatest challenge will be to identify funding for units beyond the $40 Million allocated. Current affordable housing projects are projected to require a City subsidy of $150,000 to $400,000 per unit.

- With a goal of 600 units, if the City participates in all but the 332 units produced through regulatory means – City participates in 268 units – this would require between $40 million and $107 million.
- With a goal of 800 units, if the City participates in all but the 332 units produced through regulatory means – City participates in 468 units – this would require between $70 million and $187 million.

If Council would like to have a separate goal for rental housing, staff would recommend coming back to Council with further analysis – as the financial model for the City creating rental housing is completely different from the financial model for selling units to qualified buyers. One notable difference is that monies spent to build or acquire the rental housing are repaid at a much lower level than for-sale units. The revenue from rental units is based on rental income over many years (after expenses). Therefore monies used are not available to create additional housing in the timeframe being discussed.

2. ***Amendments to Housing Resolution 13-15 –*** a redlined document is attached as Exhibit A.
    - ***a. Modify in-lieu fee calculation:*** Staff is recommending that current standard construction costs be used as the basis for in-lieu fee calculations. An average of residential and mixed use construction costs for the prior calendar year will be used based on permits issued by the PCMC Building Department, plus 50 percent to account for land and soft costs. Using this calculation, the current in-lieu fee would be $229,500 as compared to the existing fee of $142,465.
    - b. ***Update commercial employee generation numbers:*** Based on the survey conducted by EPS in the Fall and Winter of 2015-2016, although not dramatically different, there are some changes to the base employee generation numbers. The overall average will change from 4.4 employees per 1,000 square feet of commercial space to 3.6 employees.
    - ***c. Amend the income limits/targets:*** Staff is recommending that rather than a target, the Housing Resolution provide a range for the income targets. This allows for specific income targets to be set in accordance with current need identified by the Park City Housing Assessment and Plan (updated every five years) in affect at the time of placing units in service. Income limits will be included in the recorded deed-restriction for the specific units. Staff recommends the following targeting:
        - ***i.*** Rental units to households earning 30 to 60 percent of Summit County AMI ($26,500 to $53,130; rents of $834 to $1,328); and

ii. For Sale units to households earning 60 to100 percent of Summit County AMI ($53,130 to $88,560; mortgage payments of $1,107 to $2,214; sale prices of $202,084 to $353,956).

Department Review

The report has been reviewed by the offices of Community Development, City Attorney and Executive.

Funding Source

No funding is needed beyond the funding committed to Affordable Housing programs for the next four years.

Summary Recommendation

Staff recommends that City Council review and discuss proposed amendments to Housing Resolution 13-15 as well as new housing goals.

Attachments

Exhibit A – Redlined Housing Resolution 13-15

Resolution ___-~~15~~16

RESOLUTION ADOPTING AFFORDABLE HOUSING GUIDELINES AND STANDARDS FOR PARK CITY, UTAH

WHEREAS, the livability and viability of Park City is directly affected by the availability of a sufficient amount of housing affordable to all residents; and

WHEREAS, the City Council desires to establish policies to ensure a reasonable opportunity for a variety of housing and which bears an essential nexus to maintaining the social, economic and political fabric of the community; and

WHEREAS, the 2012 Park City Housing Assessment and Plan concluded that housing costs continue to outpace wages in the service sector areas of the resort-based economy and has resulted in making housing unaffordable to working residents of the City; and

WHEREAS, the 2012 Park City Housing Assessment and Plan projects that the Leisure and Hospitality employment sector will continue to drive the demand for additional workforce housing in Park City; and

WHEREAS, it is in the best interest of the community and a legitimate government interest to formulate guidelines and standards to establish a consistent criteria for review of Master Planned Development applications and annexation petitions and other development actions where affordable housing is needed to mitigate the impact of the project on the community; and

WHEREAS, the cost of providing affordable housing and any solutions should equitably apportion the cost based on impact generation, growth inducement and the underlying goal to provide a diversity of housing types and prices in our community in order to maintain a healthy economy and diverse population.

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

SECTION 1. ADOPTED HOUSING STANDARDS AND GUIDELINES. The following housing standards and guidelines are hereby adopted. Unless otherwise defined separately herein, all words and terms shall have the same meaning as defined in the Land Management Code, as amended.

SECTION 2. APPLICABILITY. These standards shall apply to all new Housing and Commercial Development created under Title 15, Chapter 6 Master Planned Developments and Title 15, Chapter 8 Annexations of the Park City Land Management Code. These standards shall apply to prior agreements on density or configuration unless specifically addressed within Development Agreements.

SECTION 3. PURPOSE. The purpose of this Resolution is to ensure that new development does not adversely affect the supply of affordable housing in the City and to maintain the social, economic and political fabric of Park City's community character. It is intended that the requirements imposed herein are roughly proportionate and reasonably related to the impacts of the Development.

SECTION 4. REVIEW. This Resolution shall be reviewed by the City Council at least biennially to ensure that these standards are meeting the housing goals and objectives.

SECTION 5. DEFINITIONS.

- **Affordable Housing:** Housing costs – rent plus basic utilities or mortgage, tax, insurance and/or Homeowners Association payments – that consume no more than 30 percent of a household's income.
- **Affordable Housing Unit:** Dwelling units that are deed restricted to the housing size and type for individuals meeting occupancy guidelines approved by the Park City Council.
- **Affordable Unit Equivalent:** A two-bedroom unit with 900 square feet of Net Livable Space shall be considered one Affordable Unit Equivalent.
-
- **Bedroom:** Designed to be used for sleeping purposes and which contains closets and meets all applicable City Building Code requirements for light, ventilation, sanitation and egress.
- **Deed Restriction:** A contract entered into between Park City Municipal Corporation and the owner or purchaser of real property identifying the conditions for occupancy and resale.
- **Household:** All related and unrelated individuals occupying a unit.
- **Household Income:** Combined gross income of all individuals who will be occupying the unit regardless of legal status. Adjustments to the gross for business expenses can be made for persons who are self-employed.
- **Net Livable Square Footage:** Is calculated on interior living area and is measured interior wall to interior wall, including all interior partitions. Also included, but not limited to, habitable basements and interior storage areas, closets and laundry areas. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.
- ~~**Park City Workforce Wage:** The median wage of the core Park City workforce as determined annually by the City Council. See Section 17.G. for calculation method.~~
- **Studio Unit:** Living quarters designed around a relatively large single room incorporating the features of a living room, bedroom, dining room/kitchen and bathroom.
- **Target Income:** The specific household income to be served by affordable units which is determined based on current need (identified by the Park City Housing Assessment and Plan in affect) at the time units are placed in service.

SECTION 6. EXEMPTIONS. The development of affordable housing units as defined by the Land Management Code is exempt from the requirements of this Resolution. This may include projects developed by or sponsored by nonprofit organizations and projects for which agreements have been executed that provided affordable housing or land for said purpose.

SECTION 7. FEE WAIVERS. Title 11, Chapter12-13 of the Municipal Code provides that "any part of the fees included in this Title may be waived by the City Council upon recommendation of the City Manager, for those projects which are deemed to serve a beneficial public purpose that would be harmed by the City requiring the payment of such fees, such as low income housing projects." Pursuant to Title 11, Chapter 13-4(A) of the Municipal Code, the City Council can waive impact fees for construction of affordable housing ~~up to $5,000 per unit~~.

SECTION 8. CALCULATION OF MINIMUM AFFORDABLE HOUSING REQUIREMENTS

A. Residential Development.

For projects where units are offered for sale or rent, the Developer shall provide affordable housing units in an amount equal to fifteen percent (15%) of the total residential units

constructed. Affordable units developed on-site in fulfillment of this requirement are not included in the density calculation for the project.

RESIDENTIAL GENERATION CALCULATION EXAMPLE

An Applicant has received approval for a 128 unit Master Planned Development.

1. 128 units (total units approved) multiplied by .15 (residential mitigation rate) equals 19.2 Affordable Unit Equivalents.
2. One Affordable Unit Equivalent equals 900 square feet of net livable space.
3. The total approved units for this MPD is 128 market rate units plus 19.2 affordable unit equivalents which equals 17,280 total net square feet of additional livable space.

B. Commercial Development

The Developer shall be required to mitigate 20 percent of the employees generated. For projects with a commercial component, the minimum affordable housing requirements shall be determined according to the following formulas:

Table 1: Employee Generation by Type of Use.

Type of Use	**Full Time Equivalents (2080 hours) per 1,000 net leasable square feet**
Restaurant/Bar	~~6.5~~ 7.7
Education	~~2.3~~ 2.2
Finance/Banking	~~3.3~~ 2.8
Medical Profession	~~2.9~~ 2.6
Other professional services	~~3.7~~ 2.7
Personal services	1.3
Real Estate/Property management	5.9
Commercial/Retail	~~3.3~~ 6.3
Recreation/amusements	~~5.3~~ 1.9
Utilities	2.9
Lodging/hotel	0.6/room
Condominium Hotel	Greater of lodging/hotel calculation or residential mitigation rate
Overall/General	~~4.4~~ 3.6

The Overall/General Type of Use shall apply to any use not listed in the Employee Generation Table if an Independent Calculation is not performed.

EMPLOYEE GENERATION CALCULATION EXAMPLE

An application for a Master Planned Development of 20,000 square feet of commercial space and 100 hotel rooms has been submitted. The commercial uses include:

- 10,000 square feet of retail space
- 5,000 square feet of restaurant/bar space
- 5,000 square feet of professional services

1. Using the above Employee Generation Table, the project will generate 144 employees.
   - *Retail* at ~~3.3~~ 6.3 employees per 1,000 square feet equals ~~33~~ 63 employees
   - *Restaurant/Bar* at ~~6.5~~7.7 employees per 1,000 square feet equals ~~32.5~~38.5 employees
   - *Professional Services* at ~~3.7~~2.7 employees per 1,000 square feet equals ~~18.5~~13.5 employees

- *Hotel* at .6 employees per unit equals 60 employees.

2. ~~144~~175 (total number of employees) multiplied by .20 (mitigation rate) equals ~~28.8~~35 employees.
3. ~~28.8~~35 employees divided by 1.5 (workers per household) equals ~~19.2~~23.3 employee unit equivalents required.
4. The Developer is required to provide ~~19.2~~23.3 Affordable Unit Equivalents or a total of ~~17,280~~ 20,970 net square feet of additional livable space in addition to approved commercial and hotel density.

C. Reduction of Employee Generation for Institutional/Nonprofit Use. The City Council may reduce the base employee generation rate by up to fifty percent for uses that are "non-commercial or non-residential in nature, which provide educational, social or related services to the community and which are proposed by public agencies, nonprofit agencies, foundations and other similar organizations "upon finding that the benefits/impacts of such Development as they relate to other general plan goals and/or action items outweigh the housing impacts.

D. Independent Calculation. An applicant may submit an independent calculation of the number of employees to be generated by a proposed development, to be used in place of the Employee Generation Table. The independent calculation shall be accepted by the City Council if the Council determines the calculation constitutes compelling evidence of a more accurate calculation of employee generation than Table 1: Employee Generation Table. Should the independent calculation not be accepted, then the applicable employee generation factor from the Employee Generation Table shall be applied to the proposed Development. Any acceptance of an Independent Calculation shall be site and use specific, non-transferable and be memorialized in a Development Agreement between the property owner and the City. Such Agreement shall be executed prior to the issuance of any building permit.

E. Redevelopment: Additions and Conversions of Use. Redevelopment or remodeling in an existing use or the change in use from one use to another is exempt from the requirements of this Resolution, provided such activity does not create additional employment generation as determined in *Table 1: Employee Generation by Type of Use*. Only the uses and areas that existed prior to the redevelopment or remodeling shall be exempt from the requirements of this Resolution. Any new area or unit or any change in use which creates additional Employee Generation as determined in *Table 1: Employee Generation by Type of Use* shall be subject to this provisions of this Resolution. Mitigation shall be required for the employees generated by the proposed total square footage (including addition) minus the employment generation of the total structure. If the developer converts one land use to another with higher employment generation rates, the mitigation will be based on the increase in FTEs. For example, a conversion of a 1,000 sq. ft. retail establishment with an employee generation rate of 3.3 FTEs per 1,000 square feet to a private club with a generation rate of 6.5 FTEs per 1,000 square feet results in a net increase in 3.2 FTE and would require additional mitigation.

F. Final Unit Requirement Calculations. The final calculations for the number of inclusionary units and the rental or sales price for these units shall be made prior to the issuance of building permits for the covered project.

SECTION 9. METHODS OF HOUSING REQUIREMENT COMPLIANCE

A. Unit Types: The distribution of on-site dwelling unit types that meet the deed restricted affordable unit requirements of this section shall be as follows:

- Single-Family: In developments where only single-family detached dwelling units are being produced, the required on-site Affordable Unit Equivalents shall also be single-family detached dwelling units.
- Multi-Family: In developments where only multi-family buildings are being produced, the required on-site Affordable Unit Equivalents shall also be within the multi-family building or buildings.
- Mixed: In developments where there is a mix of dwelling unit types such as: detached single-family, townhomes, duplexes or attached single-family, or multi-family condominium or apartment buildings, or other types of units, the required on-site Affordable Unit Equivalents shall also be a mix in the same proportion as the market rate dwelling units.
- Alternative Distribution Ratios: Different unit distribution among the Affordable Unit Equivalents may be permitted on a case-by-case basis if doing so would accomplish additional benefits or result in a better design than not using the distribution of units provided for in this section.

B. Minimum Square Footage Standards: In order to assure livability, the standard net livable square footage for affordable units shall be as follows:

Dormitory	150 square feet
Single Room Occupancy	275 square feet
Studio	400 square feet
One Bedroom	650 square feet
Two Bedroom	900 square feet
Three Bedroom	1,150 square feet
Four Bedroom	1,400 square feet

Any deviation from these standards shall be approved by Park City Housing Authority as part of the applicable Affordable Housing Mitigation Plan.

The Building Department prior to the issuance of any building permits for either the free market or employee housing component of the project must verify square footage. The Building Department may check the actual construction of the Affordable Unit Equivalents.

3. Winter Seasonal Units. Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy the employee housing requirements by provision of dormitory/lodge units designed for occupancy by seasonal employees. The dormitory/lodge units must satisfy all requirements of the applicable Guidelines and shall be required to meet the following minimum standards:

- Occupancy of a dormitory unit shall be limited to no more than 8 persons.
- There shall be at least 150 square feet of net livable square footage per person, including sleeping and bathroom uses.
- At least one bathroom shall be provided for shared use by no more than four persons. The bathroom shall contain at least one toilet, one wash basin, one bathtub with a shower and a total area of at least 60 net livable square feet.

- A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Building Department's approval and determination that the facilities are adequate in size to service the number of people using the facility.
- Use of 20 net leasable square feet per person of enclosed storage area located within, or adjacent to, the unit.
- Rents for dormitory units will be set by Special Review on a case-by-case basis, given the unique and varying characteristics of dormitory units, with affordability as the key issue.
- Seasonal Lodge Developments may be required to house qualified employees of the community at large.

4. Special Needs Emergency/Transitional Housing. Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy a portion of its employee housing requirements by provision of special needs emergency/ transitional housing units through either direct construction, land donation or the donation of existing units. There must be a quantified, demonstrated need for the emergency/transitional housing within the Park City boundaries. The housing must be developed in collaboration with a federally recognized, 501(c)(3) nonprofit organization. The housing must satisfy all requirements of the applicable Housing Guidelines and Standards as well as comply with all applicable local, state and federal requirements. Given the unique and varying characteristics of the population to be served, the rents for emergency/transitional housing must be approved in advance by the City Council.

5. Minimum Green Building Requirements. All new construction or substantial rehabilitation projects developed in fulfillment of the affordable housing obligation must demonstrate that it meets the NAHB Green Standards or a LEED Certification level. All appliances and products including light bulbs shall be Energy Star qualified products for all new construction or substantial rehabilitation.

6. Affordable Unit Amenities. Inclusionary units may differ from the market units with regard to interior amenities and gross floor area provided that:

- These differences, excluding differences related to size differentials are not apparent in the general exterior appearances of the project's units; and
- These differences do not include insulation, windows, heating systems and other improvements related to the energy efficiency of the project's units.
- The gross floor area of the inclusionary units is not less than the following minimum requirements, unless waived by the City.

C. Methods of Meeting Minimum Requirements.

The following methods, in order of priority, may be used to meet the minimum affordable housing mitigation requirements. Proposed methods of housing mitigation must be approved by the Planning Commission and City Council and priority is given to items 1, 2, 3, and 4 below.

1. **Construction of unit(s) on the site on which the development is proposed.**
   Affordable housing units shall be constructed on the project site, unless the developer can demonstrate compelling evidence that an alternative method would result in a better design, enhanced level of affordability or that the construction on-site would adversely affect the design of the project.

2. **Construction of the unit(s) within the Park City corporate limits provided such land, site or structure had not been previously deed-restricted for affordability.**

3. **Dedication of existing units within Park City corporate limits provided such units have not been previously deed-restricted for affordability.** Units must be of equivalent value, quality and size of the deed restricted units that would have been constructed on-site. Existing units must be in move-in condition with appliances, windows, heating, plumbing, electrical systems, fixtures and equipment in good working condition. The value of dedicated existing units will be determined, at the expense of the developer, by an appraiser selected by the developer from a list of certified appraisers provide by the City of by such alternative means of valuation as to which a developer and the City may agree. All units shall be inspected and shall meet applicable Park City building codes. Applicant shall bear the costs and expenses of any required upgrades to meet the above standards as well as any reports required to assess the suitability for occupancy and compliance with the standards of the proposed units. All appliances and products including light bulbs shall be Energy Star qualified products.

4. **Conveyance of land within the Park City corporate limits.** The developer may elect to (a) convey land to the City or its designee that is of equivalent value to the cash in lieu contributions that would be required under this Resolution, plus an additional 25 percent to cover costs associated with holding, developing, improving or conveying such land; or (b) convey land to the City or its designee that is of equivalent value (as of the date of conveyance) to that land upon which required units would otherwise have been constructed and properly zoned such as to allow construction of at least that number of units for which the obligation of construction is being satisfied by the dedication of the land. Land conveyance shall occur prior to the issuance of any building permit for the free market portion of the development. Should the City Council later elect to sell the land, all proceeds from the sale of the land shall be placed in a dedicated housing fund.

~~3.~~5. **Construction of units outside Park City, but within the Park City School District boundary as it stands on January 1, 2015.**

~~4.~~6. **Conveyance of land within the Park City School District boundary as it stands on January 1, 2015 provided such land has not been previously deed-restricted for affordability.** The developer may elect to (a) convey land to the City or its designee that is of equivalent value to the cash in lieu contributions that would be required under this Resolution, plus an additional 25 percent to cover costs associated with holding, developing, improving or conveying such land; or (b) convey land to the City or its designee that is of equivalent value (as of the date of conveyance) to that land upon which required units would otherwise have been constructed and properly zoned such as to allow construction of at least that number of units for which the obligation of construction is being satisfied by the dedication of the land. Land conveyance shall occur prior to the issuance of any building permit for the free market portion of the development. Should the City Council later elect to sell the land, all proceeds from the sale of the land shall be placed in a dedicated housing fund.

~~5.~~7. **Payment of Fees in Lieu of Development**. If the City determines that (1) no other alternative is feasible, or (2) such a payment would result in more immediate development of housing or (3) such a payment would leverage additional resources, then a Payment of Fees in Lieu of Development may be accepted. The collected funds

may only be expended for projects located within the corporate limits of Park City or within the Park City School District boundary as it stands on January 1, 2015. The Payment in Lieu Fee shall be calculated and published annually in ~~April~~ June on the City's affordable housing webpage. Updates may occur more frequently at the request of the City Council to reflect changing real estate conditions. Any Fees in Lieu collected and any interest accrued, shall be used only for the purpose of planning for, subsidizing or developing affordable and employee housing.

SECTION 10. DEED RESTRICTION. Prior to the plat recordation provisions to ensure continued affordability of inclusionary units shall be embodied in legally binding agreements and/or deed restrictions, which shall be prepared by the developer, but which shall not be recorded or filed until reviewed and approved by the City Attorney with such modifications as it may deem necessary to carryout the purpose of this Resolution. No building permit application shall be accepted in the absence of proof of the execution of requirement agreements and covenants. In the event such restrictions are voided by bankruptcy or other legal action, the City may revoke the Certificate(s) of Occupancy until such time as subsequent owner complies with the standards herein.

SECTION 11. TIMING OF OCCUPANCY. The affordable units shall be ready for occupancy no later than the date of the initial or temporary occupancy of the free market portion of the project. If the free market units are to be developed in phases, then the affordable housing can be developed in proportion to the phasing of the free market units as approved in the Housing Mitigation plan.

SECTION 12. APPLICABILITY OF RESOLUTION TO PRIOR APPROVALS OR PENDING APPLICATIONS.

A. Prior Development Agreements. Developments, which received development plan approvals prior to the adoption of this housing resolution, shall conform to the provisions of the resolution in place at the time of applicable complete application. Any modifications to an existing Development Agreement that results in an increase in housing units or employee generation shall be subject to the provisions of this Resolution.

B. Prior Annexation. Unless otherwise provided in Conditions of Approval or a Development Agreement, Developments subject to affordable housing requirements imposed by annexation agreements entered into prior to the effective date of this Resolution may develop in conformity with the Resolution in place at the time the Annexation Agreement was approved.

C. Pending Project Approval Actions. Developments for which complete applications were filed prior to the effective date of this Resolution, but have not been reviewed by the appropriate body, must conform to the Resolution in place at time of application.

SECTION 13. HOUSING MITIGATION PLAN. The Applicant shall submit a Housing Mitigation Plan. The Housing Mitigation Plan shall be reviewed by the Planning Commission as part of the application to the City for the Annexations or Master Planned Development with a recommendation forwarded to the City Council. The Housing Mitigation Plan shall include the following:

A. Calculation and Method. The calculation of, and method by which housing is to be provided, in compliance with Section 8 "Calculation of Minimum Affordable Housing Requirement" and Section 9 "Method of Housing Requirement Compliance."

B. Unit Descriptions. If affordable housing units are to be developed, a site plan and building floor plans (if applicable), illustrating the number of units proposed, their location, the number of bedrooms in and square foot of each unit, and the rental/sale mix of the development. The proposed sale prices and rent levels shall also be included.

SECTION 14. CONSTRUCTION TIMING.

A. Construction of Market Units. Affordable units shall be made available for occupancy on approximately the same schedule as a project's market units; except that Certificates of Occupancy (temporary or permanent) for the last ten percent of the market units shall be withheld until Certificates of Occupancy have been issued for all of the inclusionary units. Other phasing agreements may be accepted, if doing so would accomplish additional benefits fro the City consistent with the purposes of this Resolution. A schedule setting forth the phasing of the total number of units in a covered project, along with a schedule setting forth the phasing of the required inclusionary units shall be approved prior to the issuance of a building permit.

B. **Fulfillment in Advance of Obligation.** Affordable units may be completed in advance of development that triggers an affordable housing obligation. In instances where a residential or commercial developer wants to build and deed restrict units in advance of incurring an affordable housing obligation, the units will be valued as to number of AUEs under the Housing Resolution in existence at the time the market development occurs. The future development shall be identified within the recorded deed restriction document. The units shall be built in accordance with prevailing Land Management Code and deed restricted at the time of approval. The total square footage of deed restricted units will be converted to Affordable Unit Equivalents in compliance with the Housing Resolution in effect at the time a plat is approved for the development that triggers the housing obligation. If for some unforeseen reason, the development triggering the obligation is not completed, the City will entertain a request that the recorded deed restriction(s) on the affordable units be removed.

SECTION 15. GOOD FAITH MARKETING REQUIRED. All sellers or owners of deed restricted affordable units shall engage in good faith marketing efforts each time a deed restricted unit is rented or sold such that members of the public who are qualified to rent or purchase such units have a fair chance of becoming informed of the availability of such units. A public marketing plan shall be submitted by the developer for the initial sale or lease of the units.

SECTION 16. LOCAL PREFERENCE OPTION. In order to address the City's local preference options, any deed restricted affordable housing project shall give preference to full-time employees (a minimum of 30 hours per week) of businesses within the Park City School District boundaries. Preference is also given to Senior Citizens (62 & older) and persons who are physically and/or mentally challenged.

SECTION 17. MAXIMUM RENTS AND SALES PRICES. The following provision shall apply to the calculation of rents, selling prices and/or carrying charges of deed restricted affordable units.

The Housing Authority shall approve target incomes in accordance with specific needs identified by the Park City Housing Assessment and Plan (updated every five years) in affect at the time units are placed in service.

A. Occupancy. In calculating the rents or carrying charges of inclusionary units, the following relationship between unit size and household size shall apply:

- Dormitory/Single Room Occupancy: 1 person per 150 net livable square feet.
- Studio/Efficiency: 1 person per household
- One-bedroom: 1.5 person household
- Two-bedrooms: 2.5 person household
- Three-bedroom: 4 person household
- Four-bedroom: 6 person household.

B. Rental Units. In general, i~~I~~nclusionary rental units in any one development shall be rented at a price~~, which, on average, is~~ affordable to a household with an annual income of 30% to 60~~100~~% of ~~the Park City Workforce Wage~~Summit County AMI. Specific income targets will be identified in the Housing Mitigation Plan and approved by the Housing Authority and based on specific needs identified by the Park City Housing Assessment and Plan (updated every five years) in affect at the time units are placed in service.

C. For Sale Units. ~~The~~ In general, the initial sales price for an affordable unit in any one development shall average a price affordable to a household earning 60% to 100% of Summit County AMI ~~150 percent of Park City Workforce Wage (~~"Target Household Income"). Specific income targets will be identified in the Housing Mitigation Plan and approved by the Housing Authority and based on specific needs identified by the Park City Housing Assessment and Plan (updated every five years) in affect at the time units are placed in service. Sale Price shall be calculated according to the following guidelines: utilities plus mortgage payment for the Owner Occupied Unit, including principal, interest, taxes and insurance ("PITI"), shall not exceed 30% of the Target Household Income. The assumptions used to calculate the sales price shall be: (i) a 5% down payment; (ii) a 30-year term; and (iii) an interest rate equal to the prevailing FirstHome rate, or its program equivalent, of the Utah Housing Corporation (www.utahousingcorp.org) at the time of the offer.

D. Appreciation Limits. Provisions to ensure continued affordability of inclusionary units offered for sale shall include a formula limiting equity appreciation to either a shared percentage of the equity appreciation or a cap on the equity appreciation, with such adjustments for improvements made by the seller and necessary costs of sale as may be approved by the City. The form of the resale restriction shall be determined by the City at the time of approval of the Housing Mitigation Plan.

E. Limitation on Rental Rates and Terms. The rate at which an Owner shall rent the Units shall not exceed the Maximum Rent as established by the City. The Maximum Rent shall be ~~set as affordable to households earning 100% of Park City Workforce Wage and~~ adjusted annually by the percentage increase in the Consumer Price Index for the western region. Allowable increase will be published in April of each year on the City's affordable housing webpage. Unless otherwise approved, the minimum lease term shall be six months.

F. Income Limits. The City reserves the right to place an income/asset limitation for prospective owners or renters as needed to further the goals of this Resolution.

~~**G. Park City Workforce Wage.** Park City Workforce Wage for a family of three shall be calculated in April of each year and published on the City's affordable housing webpage. It is based on the prior year's wages as reported by the Utah Division of Workforce Services. Workforce Wage is calculated as follows:~~

- ~~Summit County median wage for prior year;~~
- ~~Add six percent for additional earnings such as tips, incentives, bonuses, and overtime as well as other income such as investments and non-cash benefits; and~~
- ~~Multiply total by 1.5 to account for the average household in Park City having 1.5 workers.~~

SECTION 18. TERM OF AFFORDABILITY. The Term of Affordability shall be for a period of not less than forty (40) years. At the expiration of the initial forty (40) year term, this Agreement shall be reviewed for additional consecutive ten (10) year terms, unless the City shall determine, based an independent housing needs assessment, that the Unit is no longer necessary to satisfy the affordable/employee housing needs in Park City.

SECTION 19. WAIVERS. The City Council may waive all or part of the requirements of this Resolution in exchange for enhanced project affordability or livability including but not limited to the incorporation of sustainable building practices and systems in the unit design and development.

SECTION 20. ADMINISTRATIVE RELIEF. The City Council may waive all or part of the requirements of this Resolution where the applicant can establish by clear and convincing financial data and other evidence relating to the character of the development or surroundings that the imposition of the requirements set forth in this article shall create an economic hardship. The Council shall use the same standards that it applies to historic properties in making a determination of economic hardship. A waiver under this section shall be granted only to the extent necessary to relieve the hardship or difficulty that serves as the basis for the requested waiver and shall not be considered precedent for future requests for administrative relief.

SECTION 21. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions of the Resolution.

SECTION 22. EFFECTIVE DATE. This Resolution shall take effect upon adoption by the City Council. All prior Housing Resolutions and parts of Resolutions in conflict with the provisions of this Resolution are hereby repealed. This Resolution repeals and replaces all prior housing resolutions including Resolution s 37-91, 8-93, 6-94, 7-95, 17-99,10-2006, 20-07, ~~and~~ 25-12, 02-15, and 13-15.

PASSED AND ADOPTED this __ th day of July, 2016.

PARK CITY MUNICIPAL CORPORATION

_____
Mayor Jack Thomas

Attest:

_____
Michelle Kellogg, City Recorder

Approved as to form:

_____
Mark Harrington, City Attorney

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

Park City has been aware of the development pressure on Bonanza Flats for decades. There is also long-standing public support for the idea of preserving Bonanza Flats for recreation and open space. As a result of the recent foreclosure and sheriff's sale, a partnership of lenders now owns Bonanza Flats. Given this change in circumstances, PCMC feels that it is well worth being prepared to make an offer on Bonanza Flats should it become available. We do not have a deal with the current property owner. If and when this property owner or a subsequent owner should approach Park City, we want to be in a position to make an offer.

Accordingly, the City Council should consider putting a resolution on the August 11, 2016, regular City Council meeting agenda. The adoption of a resolution to put a $25,000,000 general obligation bond on the November 8, 2016 ballot would give voters the opportunity to put PCMC in the position of making a financial contribution to the purchase and/or preservation of Bonanza Flats.

Utah state laws require City Council approval of such a resolution no later than August 18, 2016, in order to put the bond before voters on the November 8, 2016 ballot. If voters approve the bond on November 8, 2016, PCMC would be authorized to sell the bond(s) as early as March, 2017, which would make funds *up to $25,000,000* available at that time. PCMC would publish notice of the bond issuance and there would be a public hearing prior to any bond(s) being sold. The authorization to issue the bond(s) will remain effective for up to ten years.

Respectfully:

Michelle Kellogg, City Recorder

City Council
Staff Report

Subject: Open Space Bond Resolution
Author: Tom Daley, Deputy City Attorney
Department: City Attorney's Office
Date: August 4, 2016
Type of Item: Discussion

Summary Recommendation

City Council should discuss placing a resolution on the August 11, 2016 regular City Council meeting agenda the approval of which would give Park City voters the opportunity to vote on November 8, 2016, in favor of a $25,000,000 general obligation bond. All or some of the general obligation bond proceeds would be used to purchase and/or preserve Bonanza Flats should the owner of that property present the opportunity.

Executive Summary

Park City has been aware of the development pressure on Bonanza Flats for decades. There is also long-standing public support for the idea of preserving Bonanza Flats for recreation and open space. As a result of the recent foreclosure and sheriff's sale, a partnership of lenders now owns Bonanza Flats. Given this change in circumstances, PCMC feels that it is well worth being prepared to make an offer on Bonanza Flats should it become available. We do not have a deal with the current property owner. If and when this property owner or a subsequent owner should approach Park City, we want to be in a position to make an offer.

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Acronyms

PCMC Park City Municipal Corporation

The Opportunity

Without a general obligation bond, PCMC does not have funds available to make a meaningful contribution to the preservation of Bonanza Flats. If the City Council were to approve the resolution to put a general obligation bond on the November 8, 2016 ballot, Park City voters would be able to vote for or against authorizing PCMC to issue and sell a bond in order to fund PCMC's contribution to the preservation of Bonanza Flats.

Background

The purpose of this open space bond would be specific to the potential purchase and preservation of Bonanza Flats. Bonanza Flats is comprised of approximately 1,400 acres of undeveloped and pristine ground situated along Guardsman Pass Road in unincorporated Wasatch County at the upper elevations of the Wasatch Mountains. It is contiguous to Park City's southern boundary which is also the Summit and Wasatch County line. Bonanza Flats is bordered to the west generally by the ridge line of Clayton's Peak and 10420' which is also the Wasatch and Salt Lake County line. Bonanza Flats is a scenic mountain land parcel with alpine terrain of dramatic stands of conifers, large aspen groves, steep cliff areas, and open meadows.

Park City's long held legacy of successful open space purchases has been the result of voter approved open space bond measures. If approved by voters, this authorization would enable PCMC to partner in the protection of Bonanza Flats if the opportunity to do so arises. Bonanza Flat's location and unique conservation character present a valuable conservation resource which merits protection.

Redus, LLC currently owns Bonanza Flats along with other property as a result of Wells Fargo's foreclosure on Talisker's loan. Redus, LLC is owned by Wells Fargo and its lending partner Midtown Acquisitions.

Alternatives for City Council to Consider

1. **Recommended Alternative:** Consider putting a resolution for a $25,000,000 general obligation bond on the August 11, 2016 regular meeting agenda.

Pros

a. This would give council the opportunity to take the first step toward giving voters the opportunity to express support for a general obligation bond to be used to preserve Bonanza Flats.
b. The approval of the resolution on August 11, 2016 would meet the August 18, 2016 deadline proscribed by Utah law.
c. A general obligation bond for the purposes of funding open space preservation is consistent with Council's Priorities and Desired Outcomes and fulfills the General Plan goal of protecting open space whenever feasible.

Cons

a. There are no immediate impacts from considering the resolution on August 4, 2016. Council may decide not to put the resolution on the ballot, in which case the *status quo* is preserved. If council does put the resolution on the August 11, 2016 regular meeting agenda, it may decide not to approve the resolution, thus preserving the *status quo*. Finally, even if voters approve the bond, council could have as long as ten years to decide to sell a bond for the purpose of purchasing and/or preserving Bonanza Flats.

2. **Null Alternative:** This would preserve the *status quo*, as stated above.
3. **Other Alternatives:** Council could consider putting a resolution on the August 11, 2016 regular meeting agenda which, if approved, would put a bond for an amount different than $25,000,000 on the November 8, 2016 ballot. Staff would address the impacts of that decision in its staff report for the August 11, 2016 meeting.

Analysis

Park City's approach to open space preservation has always included a willing seller and a willing buyer and the same would need to occur to make the preservation of Bonanza Flats possible.

In the event Redus, LLC or its successor-in-interest discusses with PCMC the availability of Bonanza Flats, PCMC would need funds readily available to make an offer at that time. Staff has determined that a meaningful offer would need to be supported by the proceeds from a general obligation bond. In other words, staff feels that a general obligation bond may be the only means by which PCMC could achieve the preservation and protection of Bonanza Flats. The next opportunity to place a general obligation bond on the ballot would not arise until November, 2017, and the availability of funds would be pushed back twelve months at a minimum.

Though similar to past open space bonds this bond would be different in one respect: Voters in Park City have historically approved by high margins open space bonds without knowing what property might be purchased with those bond funds. For this ballot measure, we would be asking the voters to authorize funding only if PCMC is able to reach an agreement to purchase a specific piece of property – namely Bonanza Flats. So while voters will have the opportunity to vote to preserve a specific piece of property, they will be voting without certainty that PCMC will reach an agreement to buy and preserve that property or that the bond will be issued.

In order to put a general obligation bond before voters on the November 8, 2016 general election ballot, Utah state laws require city council approval of a resolution no later than August 18, 2016. No purchase price has been identified for the Bonanza Flats property.

If PCMC were to issue and sell the full amount of the authorization, or $25,000,000, it is estimated that a full-time residents with primary resident tax status would pay annually $15.15 for every $100,000 of the home's assessed market value. It is estimated that a second homeowners/part time residents would pay $27.54 per year per $100,000 of the home's assessed market value. A business would also pay $27.54 per $100,000 of assessed market value. The repayment life of the bond is anticipated to be 15 years.

If city council approves the authorization on August 11, and the voters approve the bond on November 8, up to $25,000,000 in bond(s) could be sold as early as March, 2017. PCMC may sell a bond for less than $25,000,000 depending on an agreed purchase price and/or contributions from other funding sources both public and private.

The authorization to issue the bond will remain effective for up to ten years, and prior to any issuance of a bond, there will be notice and a public hearing. The long-term viability of the authorization will give PCMC latitude well into the future to make an offer should the opportunity present itself.

In the event an agreement to acquire and preserve Bonanza Flats is not reached, PCMC would not sell a bond. The resolution the city council will consider on August 11, 2016 is limited to the possible purchase and protection of Bonanza Flats and it will not allow a bond to be sold for the purpose of acquiring any property other than Bonanza Flats.

Department Review

This report has been reviewed by the Executive Department, Budget and Finance Department, and the City Attorney's Office.

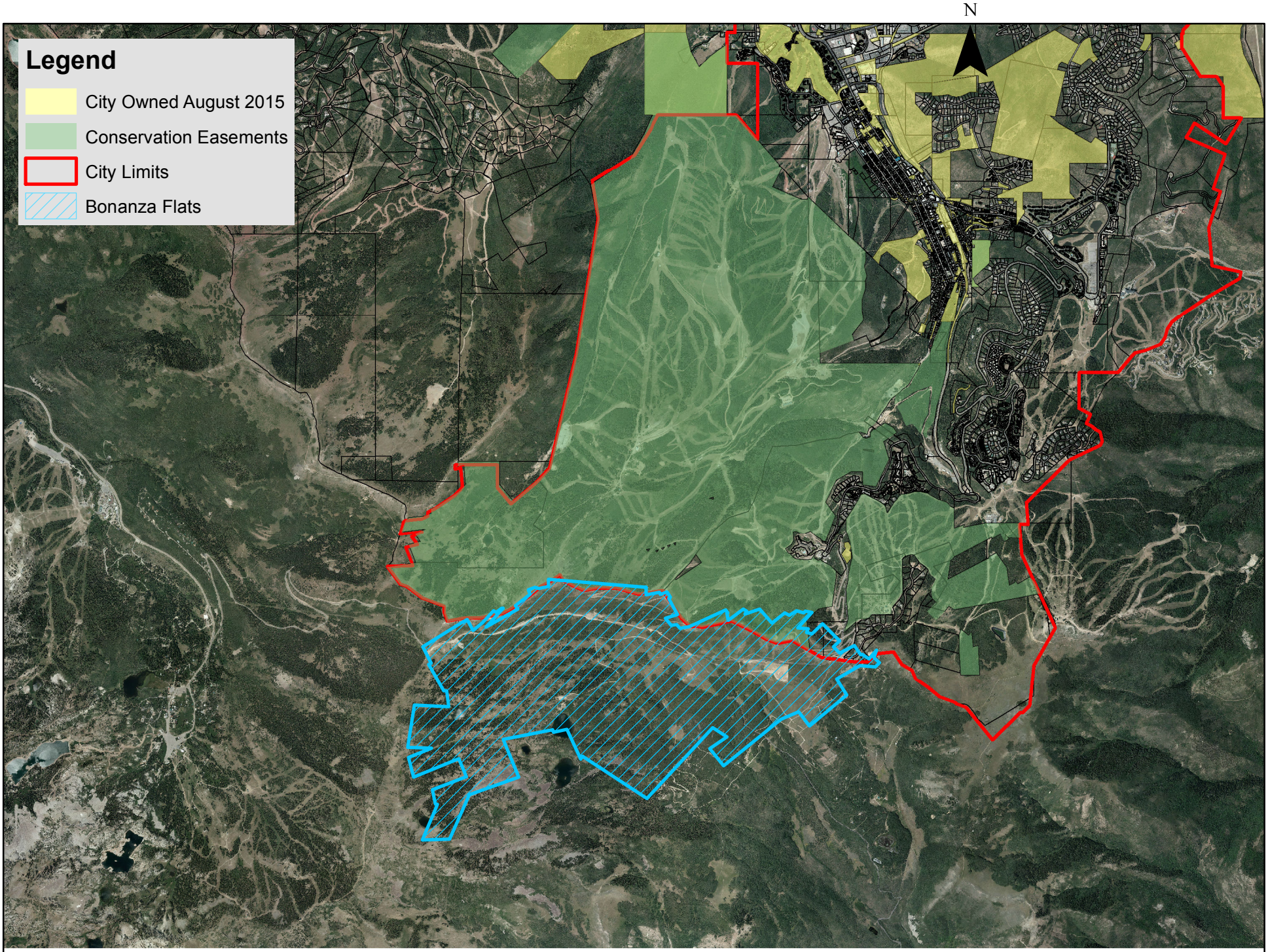
Funding Source

There is no funding source associated with council's consideration of whether a resolution would appear on the August 11, 2016 meeting agenda.

Attachments

A Bonanza Flats Image

Bonanza Flats Area- PROTECTED



DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

A NTMP Phase 2 petition was received by neighbors near Rossi Hill Drive concerned with parking issues on Rossi Hill Drive between Echo Spur and Ontario Avenue. Staff hired Parametrix (a traffic consultant) to study and analyze the issue. Their analysis provided four alternatives. Staff selected Alternative 3 - to widen Rossi Hill Drive between Echo Spur and Ontario Avenue.

As presented in the analysis section below, this petition has made it through the NTMP Phase 2 process and is at the appeal stage. Residents have requested a discussion with Council prior to their appeal.

Respectfully:

Matthew Cassel, City Engineer

City Council
Staff Report

Subject:	**Rossi Hill Drive Parking Analysis** **NTMP Update to Council**
Author:	**Matthew Cassel, City Engineer**
Date:	**August 4, 2016**
Type of Item:	**Informational**

Summary Recommendations:
Staff requests that Council review the attached Rossi Hill Drive Parking Analysis as prepared by Parametrix and discuss staff's recommendation to implement alternative #3 as outlined in the technical memorandum.

Executive Summary:
A NTMP Phase 2 petition was received by neighbors near Rossi Hill Drive concerned with parking issues on Rossi Hill Drive between Echo Spur and Ontario Avenue. Staff hired Parametrix* (a traffic consultant) to study and analyze the issue. Their analysis provided four alternatives. Staff selected Alternative 3 – to widen Rossi Hill Drive between Echo Spur and Ontario Avenue. This widening will occur during the re-construction of Rossi Hill Drive in 2018.

As presented in the analysis section below, this petition has made it through the NTMP Phase 2 process and is at the appeal stage. Residents have requested a discussion with Council prior to the resident's appeal.

* InterPlan started the analysis but was purchased by Parametrix during the study period.

Acronyms:
NTMP – Neighborhood Traffic Management Program
OTIS – Old Town Improvement Study
ROW – Right-of-Way
TMC – Traffic Management Committee

The Problem:
Staff's focus has been to address the specific concern outlined in the neighbor's petition. This concern is stated verbatim from the petition:

> "The seasonal parking ban (Nov. 15th – Apr. 15th) has worked reasonably well on Rossi Hill. It is the spring, summer and fall when the problem is most acute. We don't believe the current arrangement improves conditions for pedestrians or reduces accidents, and is a safety issue for fire and ambulance emergencies".

As it often happens, when a specific issue is being analyzed by NTMP, other concern and issues are usually thrown into the mix. In this case, the neighbors have moved

from a safety issue on Rossi Hill Drive to it being an Ontario Avenue parking problem and needs to be addressed on Ontario Avenue.

Background:

- Before the Echo Spur development, the residents of 390, 402, 410 and 416 Ontario parked their cars on a gravel road that was accessed from Rossi Hill Drive. These cars parked on the property owned by the Echo Spur Development. Once the Echo Spur construction started in the summer of 2008, this off-street parking was displaced. These residents then started to park along Rossi Hill Drive. This is the approximate time period where the neighbors started to complain about the parking along Rossi Hill Drive between Echo Spur and Ontario Avenue. Over the last seven (7) years, the occupants of 390, 402, 410 and 416 Ontario have moved out, passed away and/or sold their properties. The problem is not nearly as severe as it was during the 2008-2009 time period,
- Prior to the fall of 2011, a resident in the neighborhood requested to modify the parking along Rossi Hill Drive between Echo Spur and Ontario Avenue. Working with the neighbors, staff initiated a seasonal parking restriction for this section of road, which included no parking on the north side of the road from November 15 until April 15 of each year. This request was processed through Phase 1 of the NTMP program but was never closed out because staff continued to monitor the parking and address additional requests to modify the seasonal parking restrictions,
- On August 5, 2014, a petition was received by the NTMP to address parking problems on Rossi Hill Drive during the spring, summer and fall when the problem was most “acute”. The petition noted that the seasonal parking restriction did not improve conditions for pedestrians, did not reduce accidents and is a safety issue for fire and ambulance emergencies,
- On November 20, 2014, InterPlan/Parametrix contracted with the City to study the parking issues along Rossi Hill Drive,
- On December 8, 2014, a neighborhood meeting was held to gather input from the neighbors,
- On March 30, 2015, another neighborhood meeting was held to present the completed analysis and present the alternatives. At this meeting, it was discussed that staff would monitor Rossi Hill Drive during the summer of 2015. Recognizing that McHenry was being reconstructed during the summer of 2015, all acknowledged that the monitoring would not start until late August and last through the fall. The monitoring mostly found construction vehicles associated with the construction of the homes on Echo Spur,
- On March 8, 2016, the NTMP committee met and agreed to forward the recommendation to follow alternative #3 in the Parametrix parking analysis to City Council,
- On May 20, 2016, staff met with residents from the Rossi Hill neighborhood to discuss staff’s recommendation.

Analysis:
A summary of the NTMP Process is provided below:
Phase 1

- Phase 1 consists of the TMC receiving an inquiry or complaint relating to traffic, parking, signage, sidewalks, pedestrian, bicycles, lighting or other issues concerning activity within the city's street rights of way or UDOT rights of way within the city limit,
- The item may be handled directly by the TMC representative or discussed at the monthly meeting of the TMC,
- Evaluation of Phase 1 actions should not exceed three (3) months. If the applicant is not satisfied, they may enter into Phase 2 of the process.

Phase 2

- Initiation/Eligibility - Neighborhood complaint must include petition signed by at least 5 residents or businesses in the area to initiate Phase 2 of traffic calming process,
- Review of petition by Traffic Management Committee to determine if the issue(s) can be resolved through existing ordinances or programs and/or if more information needs to be collected,
- Phase 2 First Meeting - Neighborhood meeting is hosted by Park City to gain an understanding of issues and determine goals of traffic calming petition,
- Phase 2 Implementation,
- Phase 2 Evaluation,
- Phase 2 Neighborhood Evaluation Meeting,
- Manager's Report to City Council, and
- Appeal Process- A citizen(s) within the effected neighborhood may appeal a staff recommendation within 30 days of the Council's review of the Manager's Report. The Council may request a future work session to make a determination and take action, Council could make their own decision or Council can direct staff to enter into Phase 3 of the program. If the residents do not agree with the decision/direction determined as part of Phase 2, they can petition to go to Phase 3 as outlined below.

Phase 3

- Phase 3 Initiation-Twenty-five percent (25%) of the residents within the proposed neighborhood area may request in writing a request to initiate the Phase 3,
- Define Neighborhood Boundary- At a minimum; a neighborhood will include all residents or businesses with direct access on streets to be evaluated by Phase 3 implementation,
- Phase 3 Data Collection and Ranking- Staff perform data collection to evaluate and rank neighborhood problems and the ability to solve problems,
- Phase 3 Consensus Meeting- A neighborhood meeting is held to present Phase 3 implementation proposal including project budget, possible time frame, discuss temporary installation, etc.
- Phase 3 Petition- Residents and businesses in neighborhood boundary are mailed/or hand delivered a petition by the City identifying Phase 3 actions, cost,

and explanation of implications of vote. The petition provides the residents the ability to vote yes, no or not return petition (counts as a no vote). 67% of the residents must support the traffic calming measures,

- Phase 3 Implementation- Permanent installation will be implemented after the approval of funding by the City Council. Implemented actions will be continually monitored based on visual observation and accident data,
- Post Project Evaluation- City staff will review impacts on traffic to determine if goals were met. Neighborhoods will have an opportunity to review data and provide comment,
- Removal (if required) - Staff will authorize removal of improvements upon receiving a petition showing 75% support of the neighborhood.

Steps in the Appeal Process

The following is a timeline so Council can see where this petition is in the NTMP process:

Phase 1

- Phase 1 was closed when the resident's petition was received for Phase 2 on August 5, 2014,

Phase 2

1. Initiation/Eligibility – Residents submitted a petition on August 5, 2014 to enter Phase 2 of the process. The petitioners included Ernie Campo, Leeto Tlou, Angelo and Susan Intile, Mitchell and Karen Bryars, and Scott and Beth Cummings,
2. Review of petition – Petition was reviewed by the TMC on October 21, 2014 and it was determined to hire InterPlan/Parametrix to provide a parking analysis,
3. Phase 2 First Meeting – The first neighborhood meeting was held on December 8, 2014,
4. Phase 2 Implementation – Because no installation/construction will transpire until Rossi Hill Drive is re-constructed in 2018, this step could not occur,
5. Phase 2 Evaluation – Again, because no installation/construction will transpire until Rossi Hill Drive is re-constructed in 2018, this step also could not occur,
6. Phase 2 Neighborhood Evaluation Meeting – A second neighborhood meeting was held on March 30, 2015 to discuss the direction of the analysis. A third meeting was held on May 20, 2016 after further analysis,
7. Manager's Report to City Council – A manager's report went to City Council on July 14, 2016. Staff does want to qualify this step. This submitted manager's report did include other project updates and was not specific to this Rossi Hill parking issue, and
8. Appeal Process- A citizen(s) within the effected neighborhood may appeal a staff recommendation within 30 days of the Council's review of the Manager's Report. The Council may request a future work session to make a determination and take action. – This is currently where staff is in the process.

Small parking studies are difficult to analyze because there is not a software program you can plug information into to create and provide quantitative results. This study was a qualitative analysis using engineering judgment and a matrix of pros and cons to try to disseminate the four alternatives. The four alternatives included doing nothing, narrowing the road and eliminate all parking, widen the road and allow year round parking and find parking alternatives along Ontario Avenue. The alternatives analysis is provided below:

Alternative Analysis

Through Parametrix's parking analysis, four (4) alternatives were developed. These alternatives are provided below with additional comments from staff;

- Alternative 1 – Increase enforcement but maintain the road section in its current configuration. The pros and cons for this alternative are;
  - Pros – Low cost and maintains existing summer month off-street parking,
  - Cons – maintains current road configuration, which is the complaint of the residents and may still be a snow removal issue,
  - **Staff's comments – The resident's raised a concern that Rossi Hill Drive is a substandard street and is a safety issue. Staff agrees with this concern. Fire Code requires the road to be over 26 feet wide if parking is allowed on the street. City standard for Old Town is a 27 feet wide cross section. This section of Rossi Hill Drive is only 23 feet wide. Staff does not support rebuilding a road to a substandard level when the ROW width is available to build it to at least minimum Fire Code standards. It should be noted that the neighbors Phase 2 petition indicated that the current arrangement (this alternative 1) is a safety problem and needs to be corrected.**
- Alternative 2 – Narrow Rossi Hill Drive between Echo Spur and Ontario Avenue and eliminate on-street parking year round. The pros and cons for this alternative are;
  - Pros – Preserves winter maintenance access and emergency vehicle access,
  - Cons – Decrease overall parking in the area, may shift parking issues to neighboring streets and will require increased enforcement in the area,
  - **Staff's comments – If alternative 3 does not come to fruition, staff feels this alternative 2 is the next best option. The only concern is that there are parking needs in the spring, summer and fall and if we eliminate this small area of public parking, the owners will find another place to park, which may not necessarily be legal parking. Council banned parking on Echo Spur when the road was dedicated but for a time, there were numerous vehicles illegally parking along this road section and it became an enforcement issue for the City. The**

illegal parking has fallen off once the homes on Echo Spur started to be constructed.

- Alternative 3 – Widen Rossi Hill Drive to better accommodate on-street parking during the re-construction of Rossi Hill Drive. The pros and cons for this alternative are;
  - Pros – Better accommodate winter maintenance access and emergency vehicle access, increase overall parking supply improves safety by providing adequate room for parked vehicles,
  - Cons – Cost of widening, winter on-street parking can conflict with snow storage,
  - **Staff's comments – This is staff's recommendation for three reasons. 1.) This road section would meet our Old Town street standard as defined in the 2011 Traffic and Transportation Master Plan, 2.) Staff has confidence that our Public Utilities Department can better remove the snow and ice with a wider section of road, and 3.) With the City allowing parking on this section of road for 7 months out of a year, staff does not believe we are increasing the parking inventory in the area. Based on passed history, staff anticipates the use of this parking area to be primarily used by residents near the Ontario Avenue/Rossi Hill Drive intersection followed by residents on Rossi Hill Drive and then, to a lesser extent, used by the future residents on Echo Spur. It should be noted that as part of the Rossi Hill Drive re-construction, staff will attempt to improve the intersection of Rossi Hill Drive and Ontario Avenue.**
- Alternative 4 – Construct small, off-street parking near the corner of Rossi Hill Drive and Ontario Avenue or farther south of the intersection. The pros and cons for this alternative are;
  - Pros – Increase overall year round parking supply in the neighborhood,
  - Cons – Parking areas limited to just a few cars, likely increase in parking demand, not likely to influence illegal winter parking behavior, requires the purchase of private property,
  - **Staff's comments – This alternative does not address the safety and emergency concerns expressed by the residents in their petition and after walking Ontario Avenue, staff could only identify two or three possible locations for parking and none of them were close to the intersection of Rossi Hill Drive and Ontario Avenue.**

Response to Resident's Concern

Mr. Campo sent an e-mail to Council on 5/29/2016 listing the SilverPointe Development and Echo Spur resident's concerns with the Parametrix parking analysis. In the following section, staff wanted to clarify the points provided in the e-mail.

1. Resident's Concern - The report appeared to indicate that the Rossi Hill Drive re-construction in 2017 was driving the results of the report rather than what the neighborhood feedback was. The real problem is Ontario Avenue.
    - Staff's Response - Staff wanted to have this issue resolved before the design for the Rossi Hill Drive re-construction project started. Old Town roads are built to City standards as adopted in the 2011 Traffic and Transportation Master Plan and alternative 3 does align best with our standards. The reason for this parking analysis was to make sure we were not missing an opportunity. The do-nothing alternative (alternative 1) is always an option, but in this case, staff does not recommend re-building an existing substandard street substandard. Alternative 4 was complex and does not address the immediate concern of this section of Rossi Hill Drive being substandard when cars are park on it during the spring, summer and fall. Additionally, the recommendations to make Ontario Avenue one way, move a power pole, widen the backside of Ontario and modify the turning radius onto Marsac are all complex ideas that would be difficult to achieve due to the physical limitations of Ontario Avenue and would not correct the safety concern for this section of Rossi Hill Drive. That leaves alternatives 2 and 3 as acceptable alternatives. Staff is supportive of both alternatives but pushed alternative 3 higher because it does meet our standard road section for Old Town and does preserve a stretch of road that is used for public parking seven (7) months out of a year.
2. Resident's Concern - Report is silent on road conditions for Ontario Avenue and the impacts from widening Rossi Hill at the top, which may not improve safety considerations on Ontario.
    - Staff's Response - At the request of neighbors, alternative 4 was added to the study. Alternative 4 looks to add parking along Ontario Avenue. Ontario Avenue is physically limited due to the road section south of Rossi Hill Drive being outside of its ROW and the road section north of the Rossi Hill Drive being narrow and steep. Staff's focus was on alternative solutions on Rossi Hill Drive specifically the substandard road section. Staff would attempt to address the problems on Ontario Avenue if the residents on Ontario Avenue made a request to the NTMP.
3. Resident's Concern - The neighborhood concern section is the most egregious.
    - Staff's Response - Staff does agree that one of the neighbor's concerns was the illegal parking along Echo Spur, but there was also a discussion concerning the parking along Rossi Hill Drive during the winter months. This parking during the winter months was eliminated with the current seasonal parking ban. Staff does

agree that the seasonal parking ban has worked well. This section of the Parametrix analysis could be beefed up to further elaborate that the residents had a concern with the illegal parking along Echo Spur. It should be noted that the illegal parking along Echo Spur has pretty much stopped once the construction started on the homes along Echo Spur.

4. Resident's Concern - Report states that permitted on-street parking in summer months could bleed over into the winter months.
    - Staff's Response - this is a statement made by staff. Every November 15, staff (engineering and police) spends time along this road section notifying residents that this section of Rossi Hill Drive is no parking until April 15. The last few years, there have been fewer issues and is not a big issue at this point in time.
5. Resident's Concern - Parametrix talks about the "chicken and egg" relationship.
    - Staff's Response - The concern staff has is; if we establish this parking area all year instead of seven (7) months out of a year, are we encouraging more cars into the area or are we just satisfying current parking needs? Staff believes that because the parking is allowed for seven (7) months that we are not creating traffic by extending the allowed parking through the winter, rather the parking will be used to satisfy the status quo.
6. Resident's Concern - Monitoring during the summer found the parking to be construction worker and is temporary. Why widen the road?
    - Staff's Response - Staff's recommendation to widen the road is so this road section meets our Master Plan's typical road section for Old Town and to eliminate the safety and emergency concerns of a substandard road as stated in the neighborhood petition.
7. Resident's Concern - Discussion concerning the Rossi Hill Parking Alternatives.
    - Staff's Response - This discussion concerning the alternatives is in the Analysis section above this paragraph.
8. Resident's Concern - It is noted that the recommendation implies that alternative 3 addresses neighborhood concerns.
    - Staff's Response - Staff notes that the recommendation does not address the resident's current concerns but does address the concern as stated in the original petition.

- Other Resident's Concerns - The e-mail concludes questioning why Rossi Hill Drive is going to be re-constructed and Ontario Avenue, in its poor shape, is left as is.
    - Staff's Response - There are numerous parts to the answer to this question;
        - Ontario Avenue was resurfaced this summer and is currently in much better shape,

- Ontario Avenue was one of the first OTIS projects and was completed 15 years or so ago,
- Rossi Hill Drive is also an OTIS project and was scheduled for the summer of 2017 but has been pushed back to the summer of 2018,
- Ontario Avenue has a long list of problems that will be extremely difficult to correct, the road section south of Rossi Hill Drive is not in the ROW, the road section north of Rossi Hill Drive is steep and narrow with housing built immediate to the road. If Ontario Avenue was re-constructed, there are very few improvements that staff would be able to accomplish, and
- The original petition was to improve safety along a stretch of Rossi Hill Drive; it was never a goal to improve Ontario Avenue.

Department Review:
This report has been reviewed by City Manager, Legal, Police, Public Works, Public Utilities, Community Development and Budget. All concerns raised by these departments have been incorporated herein.

Funding Sources:
There are no immediate funding impacts caused by this decision. Any costs for modifying the road section will occur during the re-construction of Rossi Hill Drive. Staff does not anticipate this cost to be significant. Rossi Hill Drive is an OTIS project and is slated to be re-constructed in the summer of 2018.

Recommendation:
Staff requests that Council review the attached Rossi Hill Drive Parking Analysis as prepared by Parametrix and discuss staff's recommendation to implement alternative #3 as outlined in the technical memorandum.

Attachments: Parametrix Technical Memorandum dated March 28, 2016
August 5, 2014 Request to enter Phase 2 of NTMP
Resident's Critique of Parametrix Parking Analysis

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

7719 SOUTH MAIN STREET | MIDVALE, UT 84047 | P 801.307.3400

TECHNICAL MEMORANDUM

DATE: March 28, 2016

TO: Matt Cassel PE, Park City Municipal Corporation
Steven Arhart EIT, Park City Municipal Corporation

FROM: Michael Baker, Parametrix
Andrea Olson AICP, Parametrix
Charles Allen PE, PTOE, Parametrix

SUBJECT: Rossie Hill Drive Parking Analysis Update

PROJECT NUMBER: 344-7395-001

PROJECT NAME: Rossie Hill Phase 2

INTRODUCTION

Park City Municipal Corporation (PCMC) hired Parametrix (formerly InterPlan) in February 2015 to perform an analysis of on-street parking conditions on Rossie Hill Drive near the intersection with Ontario Avenue. Local residents have expressed concerns to PCMC regarding illegal on-street parking activity on Rossie Hill Drive and the resulting negative impact to emergency services and winter street maintenance access. Additionally, PCMC has plans for a pavement reconstruction of Rossie Hill Drive in 2017. The planned reconstruction presents an opportunity for PCMC to define the long-term function of Rossie Hill Drive and develop a plan for addressing the competing demands of neighborhood access and parking. The February 2015 analysis concluded that widening Rossie Hill Drive and permitting year-round parking was the alternative that offered the most benefits: improve emergency vehicle access, improve overall safety, and increase overall year-round parking supply in Park City.

Following the 2015 study, it was determined that any study of parking issues in the project area needed a more holistic perspective to account for the shifting nature of the issue with the changing seasons. While the previous analysis focused on parking conditions during winter months, this update incorporates observations and data acquired during the summer months.

EXISTING CONDITIONS

Rossie Hill Drive is a narrow roadway just east of downtown Park City connecting Ontario Avenue to Deer Valley Drive. The roadway provides access to some residences, but much of the roadway's frontage features no driveways due to the steep terrain in the area. The roadway generally ranges from 18 feet to 25 feet in pavement width. Figure 1 displays the project area. The parking area in question is marked on the northwest side of the street.

On-street parking is prohibited on Rossie Hill Drive except for the west end of the roadway, between Ontario Avenue and Echo Spur Drive. East of Echo Spur, parking is prohibited due to steep grades and because new development in the area has been required to provide sufficient off-street parking. West of Echo Spur, on-street parking is permitted only on the northwest side of the roadway during non-winter months. During the winter months (November 15 through April 15) the shoulders on Rossie Hill Drive accommodate snow storage and parking is expressly prohibited. This portion of Rossie Hill Drive features mountable curb and gutter design.

Figure 1. Project Area Map

At its western terminus, Rossie Hill Drive connects to Ontario Avenue, another narrow and steep residential roadway. Ontario Avenue terminates at Marsac Avenue (SR-224) and thus provides access to downtown Park City and other major destinations. Like Rossie Hill Drive, on-street parking opportunities are very limited on Ontario Avenue. While parking is permitted on the east side of the road, the steep terrain and narrow width offer few locations where parked vehicles can physically fit.

The Rossie Hill Drive/Ontario Avenue intersection is a narrow intersection with a severe skew angle and tight turning radii. Additionally, the grades on the intersecting roadways create challenges for vehicle braking and acceleration, particularly during times of inclement weather or slick pavement conditions. The Ontario Avenue approaches to the intersection are free-flow while the Rossie Hill Drive approach is stop-controlled.

Neighborhood Outreach

In December of 2014, InterPlan (now Parametrix) hosted a neighborhood meeting to gather input on area concerns. The meeting was held the evening of Monday, December 8, 2014 at the Park City Municipal Offices just west of the study area. PCMC provided notice of the meeting to property owners in the vicinity. Those attending the meeting included PCMC staff and residents and developers of the Echo Spur properties adjacent to Rossie Hill Drive. A follow-up meeting in March 2015 was hosted to present our analysis and present alternatives.

Neighborhood Concerns

At the December neighborhood meeting, several concerns were voiced by residents regarding parking conditions, safety, and maintenance for roadways in the Rossie Hill Drive area. The primary concern arising from the meeting was illegal on-street parking activity on Rossie Hill Drive during winter months. Residents stated that illegal parking on the shoulders of Rossie Hill Drive during the winter season is inhibiting snow removal efforts near the intersection with Ontario Avenue. The slick pavement, combined with the steep grades and the tight geometry at the Ontario Drive intersection, lead to hazardous driving conditions. Additionally, residents noted that the constrained roadway width caused by the illegal parking activity and the unmaintained pavement potentially interfere with winter emergency vehicle access for residences on Rossie Hill Drive. Residents believed the illegal parking was mainly caused by residents of Ontario Avenue as well as some out-of-town employees of downtown Park City businesses.

The primary concerns voiced by residents and developers at the neighborhood meeting are summarized below:

- Illegal on-street parking on Rossie Hill Drive in winter months interferes with winter snow removal and constrains emergency vehicle access
- The alignment of the Rossie Hill Drive/Ontario Avenue intersection offers tight turning radii and limited sight distance
- Permitted on-street parking in summer months establishes a habit of parking on Rossie Hill Drive that bleeds over into the winter months when parking is prohibited
- The number and origin of vehicles legally parked during summer months required further analysis and data gathering
- If the road is widened to accommodate year-round parking, could the use of the parking spaces be regulated through a parking permit program?

Parking Behavior Patterns

Park City experiences the parking concerns typical of mountainous resort towns due to its narrow roadway widths, challenging topography and abundance of historic homes. For many neighborhoods, modern auto ownership rates lead to severe parking shortfalls, as many older homes were not designed to provide multiple spaces for off-street parking. Much of the newer development in Park City is required to provide at least two off-street parking opportunities. This is true of many of the existing residences on Rossie Hill Drive and the forthcoming new units on Echo Spur Drive. Since these new units will adhere to the off-street parking requirement, it is not anticipated that development along Echo Spur Drive will exacerbate the on-street parking shortage in the area.

Ontario Avenue, however, is a classic example of a parking-constrained area. Residential development along Ontario Avenue is tightly spaced and is often historic and therefore exempted from newer off-street parking requirements. Combined with an extremely narrow right-of-way and steep grades, there is a limited amount of on-street and off-street parking available in the area. Some of this parking limitation may be contributing to the illegal winter off-street parking activity on Rossie Hill Drive.

Parking issues in resort towns often present a "chicken and egg" relationship. Parking availability (whether surplus or constrained) influences auto mode choice. At the same time, parking behavior and patterns can spur changes in parking policies and parking supply. The solutions to parking issues can also present a similar paradox. For example, providing more parking is often followed by an increase in auto use. Hence, the increase in supply is often followed by a corresponding increase in demand. Essentially, parking demand can mimic an "if you build it they will come" pattern. On the other hand, reducing parking can encourage lower auto usage rates, but also can simply move parking problems elsewhere. Like squeezing a balloon, parking constraints can just shift to an adjacent area.

Summertime Parking Observations

Much of the conversation regarding the scale and origin of the vehicles parking in the study area was based on anecdotal observations and suspicions. Nearby property owners who attended the public outreach meeting suspected that it was a result of a lack of parking on Ontario Avenue, Main Street employees, or construction crews for the numerous nearby development projects. PCMC staff inventoried the license plates of vehicles parked on Rossie Hill Drive 11 times from May to November 2015. The observations were made on weekdays as well as weekends. To address the question of the origin of the vehicles, the registered address tied to the license plates was searched with the assistance of the Park City Police Department. It is worth noting that at the time of these observations, nearby McHenry Avenue was being reconstructed. Potentially, the number of vehicles observed parking on Rossie Hill and surrounding streets could have been artificially increased due to the temporary displacement of on-street parking spaces on McHenry Avenue.

Observations recorded an average of one to two parking on Rossie Hill Drive at any given time. (The legal parking area can fit up to five vehicles.) No vehicles were observed during the first four observations from late March to mid-April. None of the vehicles observed parking in the study area were registered to an address on Rossie Hill or Ontario. Instead, almost every vehicle observed parking on Rossie Hill Drive was associated with employees of the various nearby home construction projects. The highest number of vehicles observed was four in mid-October and were associated with construction employees.

ALTERNATIVES

Taking into consideration the resident input and suggestions voiced at the neighborhood meeting, PCMC plans for 2017 roadway reconstruction, and parking idiosyncrasies of mountainous resort towns, the following alternatives are presented to address resident concerns regarding illegal winter parking activity on Rossie Hill Drive:

1. Maintain existing roadway width and parking policies, increase winter parking enforcement
2. Decrease roadway width and eliminate all on-street parking year round
3. Increase roadway width and allow for year round on-street parking on the north side between Ontario and Echo Spur
4. Construct small, city-maintained off-street parking lots on Ontario Avenue

The alternatives are discussed in detail below, followed by a summary table of pros and cons. It should be noted that each alternative is assumed to include intersection realignment improvements to the Rossie Hill Drive/Ontario Avenue intersection.

Alternative 1: Increased Enforcement

Alternative 1 offers the least amount of disruption to existing conditions. The alternative maintains current roadway widths and parking conditions and policies on Rossie Hill Drive. In order to address the disruption to winter street maintenance and emergency access, Alternative 1 proposes increased enforcement of existing winter parking restrictions. Alternative 1 has the lowest cost of all alternatives in this study and maintains summer month parking availability on Rossie Hill Drive. However, if increased winter parking enforcement proves to be ineffective, the alternative would not address the primary concerns voiced by residents.

Alternative 2: Narrow Rossie Hill Drive

Alternative 2 proposes narrowing Rossie Hill Drive within the project area and prohibiting on-street parking year round. By physically eliminating any opportunity for on-street parking, Alternative 2 would help reduce the conflicts for winter street treatment and emergency access. However, Alternative 2 would reduce the overall parking supply in the local neighborhood and would further exacerbate the existing parking shortage along Ontario Avenue, which could just shift problems elsewhere. There are some costs associated with this alternative related to relocating the curb and gutter as well as increased enforcement needed for the expanded parking prohibitions so that illegally parked cars don't make snow removal and emergency access difficult or unsafe.

Alternative 3: Widen Rossie Hill Drive

Alternative 3 would help facilitate winter street maintenance and emergency vehicle access by widening Rossie Hill Drive in order to fit both on-street parking and maintenance and emergency vehicle access. This alternative would formalize current on-street parking conditions on Rossie Hill Drive between Echo Spur Drive and Ontario Avenue but maintain year-round parking restrictions elsewhere on Rossie Hill Drive. Alternative 3 would enable year-round parking on Rossie Hill Drive's north side between Ontario and Echo Spur, thus increasing the overall parking supply in the local neighborhood and Park City, in general. Alternative 3 would include some additional costs depending on the extent of the widening on Rossie Hill Drive. Finally, formalizing the on-street parking spaces helps improve safety by further distancing parked cars from travel lanes, but also creates the usual issues associated with snow storage and parked cars during snowstorms.

Alternative 4: Additional Off-Street Parking Lots

Alternative 4 does not encompass any changes on Rossie Hill Drive, but proposes constructing one or more small, off-street parking areas either adjacent to Ontario Avenue or at the corner of the Rossie Hill Drive/Ontario Avenue intersections. The concept behind this alternative is that off-street parking availability would attract use from those thought to engage in illegal winter parking on Rossie Hill Drive. However, it is likely these off-street lots would be very limited in size and the increase in parking supply could be offset by a corresponding increase in demand.

Table 1. Rossie Hill Drive Parking Alternatives

	Details[1]	Pros	Cons
Alternative 1	Maintain current roadway width and parking on Rossie Hill Drive. Increase winter parking enforcement.	Low cost. Maintains existing summer month off-street parking.	Maintains current street cross-section configuration with which residents have concerns. May still contribute to snowplow access issues if enforcement is ineffective.
Alternative 2	Narrow Rossie Hill Drive to physically eliminate on-street parking opportunities. Prohibit on-street parking year round on Rossie Hill Drive.	Preserves winter maintenance access and emergency vehicle access.	Decreases overall parking supply in Park City. May shift parking issues to neighboring streets. Requires increased enforcement.
Alternative 3	Widen Rossie Hill Drive to better accommodate on-street parking. Allow year-round on-street parking in the current summer-only parking area of Rossie Hill Drive.	Better accommodates winter maintenance access and emergency vehicle access. Increases overall year-round parking supply in Park City. Improves safety by providing adequate room for parked vehicles.	Cost of widening. Winter on-street parking can conflict with snow storage.
Alternative 4	Construct small, off-street parking lots either on corner of Rossie Hill Drive & Ontario Avenue or to the south on Ontario Avenue.	Increases overall year-round parking supply in Park City.	Parking lots likely limited to just a few spaces. Likely increase in parking demand to match increase in supply. Not likely to influence illegal winter parking behavior. Requires purchase of private property.

[1] Each alternative assumes geometric improvements to the Rossie Hill Drive/ Ontario Avenue intersection

CONCLUSION AND RECOMMENDATION

There are valid arguments for narrowing or widening Rossie Hill Drive between Echo Spur Drive and Ontario Avenue. Emergency vehicle access and snow removal are the key issues that should be addressed in the future reconstruction of Rossie Hill Drive. Only Alternatives 1-3 address emergency vehicle access, so it is recommended that Alternative 4 be dropped from further consideration. Further, Alternative 2, narrowing the street and banning parking year round would decrease overall parking supply in the area and likely shift parking issues to neighboring streets. Additionally, increased enforcement would be required to minimize/eliminate illegally parked cars as they would potentially make snow removal and emergency vehicle access difficult and/or unsafe, precisely the issues this alternative is attempting to alleviate.

It is the recommendation of Parametrix staff that Alternative 3—widen the street adequately to safely accommodate year-round parking between Ontario and Echo Spur—be pursued by PCMC. This alternative most fully addresses residents' expressed concerns and city-wide parking issues as it improves emergency vehicle access, improves overall safety, and increases the overall year-round parking supply in Park City. Additionally, the alternative can be implemented in tandem with the planned reconstruction of Rossie Hill Drive in 2017. Increased enforcement of illegal parking elsewhere along Rossie Hill Drive may be an additional measure worth consideration. It should be noted, however, that any increased enforcement would also apply to guests of property owners when a private event exceeds the off-street parking supply.

The Rossie Hill neighborhood is growing and increasing in density. The presence of parking for non-residents—as underlined by the fact that almost every parked vehicle observed was construction related—will become increasingly valuable. Given the limited efficacy of parking permit programs elsewhere in Park City, the associated administrative costs, and the limited number of parking spaces in question, we do not recommend a parking permit program be utilized in this instance.

August 5, 2014

Nick Grave
Park City Engineering
(435) 615-5077
nick.grave@parkcity.org

Re: Request for Elevated Level of Service for Rossi Hill/ Traffic Management Committee

The following SilverPointe residents and other interested neighbors would like the parking issue on Rossi Hill resolved. With the 5 year evolution of the Echo Spur development, the parking has been getting progressively worse. In addition, with the development of 7-9 more homes being planned for Echo Spur, we also can not see the traffic problem getting any better on Rossi Hill.

The seasonal parking ban (Nov.15th-Apr-15) has worked reasonably well on Rossi Hill. It is the Spring, Summer, and Fall when the problem is most acute. We don't believe the current arrangement improves conditions for pedestrians nor reduces accidents, and is a safety issue for Fire and Ambulance emergencies.

No residents of the SilverPointe HOA have ever parked on Rossi Hill. Our driveways are very deep and garages were designed not to face Rossi Hill. The SilverPointe development was planned has a no parking subdivision and we believe it should remain so.

Name: ERNIE CAMPO Ernie Campo
519 ROSSIE HILL, PARK CITY, UTAH 84060

Address: William Tew
525 Rossie Hill Drive, Park City, UT 84060

Name: MICHAEL J. SHEA
515 ROSSIE HILL DR.
P.C. UT. 84060

Address:

** INBOUND NOTIFICATION : FAX RECEIVED SUCCESSFULLY **

TIME RECEIVED	REMOTE CSID	DURATION	PAGES	STATUS
May 16, 2016 10:46:31 AM MDT		261	12	Received

FAX TRANSMISSION: 435 658-8903

TO: Jennifer Byrd

FROM: Ernie Campo

RE: Pamametrix Report Critique

NUMBER OF PAGES INCLUDING COVER PAGE: 12

Date: May 7,2015

To: Matt Cassel
Steven Arhart
Anne Laurent
Sean Kelleher
Leeto Tlou

Subject: Critique of Parametrix Report on Rossie Hill 3/28/2016

Matt:

Per your request, below are the SilverPointe and Echo Spur residents' concerns and the misrepresentations we feel are in the Parametrix Report. I have identified those sections in the report where we have major objections with a numbering system 1 through 8 and cross referenced it to the actual Parametrix Report.

1. There was an initial draft by InterPlan 2/11/2015 and the final Parametrix Report 3/28/2016. There also were two neighborhood meeting with residents from SilverPointe and Echo Spur on 12/8/2014 and 3/30/2015. At the 3/30/2015 meeting, the neighborhood residents attempted to clarify some of the points of disagreements we had with the initial 2/11/2015 InterPlan draft.

It seems with the ownership change at the consulting company none of the neighborhood concerns were addressed in the final Parametrix Report. The report gives the impression that the neighborhood is behind the recommendations which is not the case. It is acceptable for the consultants to disagree with the SilverPointe and Echo Spur residents but state that in the report and be accurate in framing the neighborhood comments.

It seems in the Introduction section of the report that the planned pavement reconstruction of Rossie Hill in 2017 drove the Alternative 3 recommendation rather than what the neighborhood feedback was. Ontario Avenue is the real problem and no discussion on that subject.

There were recommendations by the neighborhood (making Ontario Avenue one-way, repositioning the telephone pole at the top of Shorty stairs, widening the backside of Ontario and modifying the turning radius onto Marsac) were all reasonable improvements. These suggestions were not even discussed in the final report. They certainly would be improvements to Ontario and to the safety of the total neighborhood.

The local residents expressed concern to the consultants regarding illegal on-street parking activity on Echo Spur, not Rossie Hill. Rossie Hill parking is not the problem yet the Parametrix report inaccurately draws that conclusion. You can currently park legally on Rossie Hill much of the year with the exception of the seasonal parking ban from Nov. 15-Apr.15. There were residents' concerns that the illegal parking on Echo Spur might grow and become a problem on Rossie Hill. That was why the parking study was suggested to find out who was parking on Rossie Hill once the seasonal parking ban was lifted.

2. Existing Conditions section of the Parametrix Report is silent on the road conditions of Ontario and any parking analysis for the Ontario neighborhood. Parametrix talks about a holistic approach to the problem but leaves Ontario out of the discussion. Widening Rossie Hill at the top does not improve safety considerations on Ontario. We believe that widening Rossie Hill might make conditions worse. More traffic and parking congestion does not suggest a better outcome. The only problem currently on Rossie Hill is the intersection with Ontario which needs to be widen to improve sight lines for drivers turning onto either Rossie Hill or Ontario.

3. The Neighborhood Concerns section is the most egregious. The first paragraph where identified in brackets is totally false. Local residents expressed concern to the consultants regarding illegal on-street parking activity on Echo Spur not Rossie Hill. They also confuse the winter conditions that occurred on Rossie Hill before the seasonal parking ban went into effect and gives the impression that this is the current situation which is not true. The seasonal parking ban has worked out to be a great solution for safety and snow removal concerns.

The residents did mentioned that historically the road conditions were terrible on Rossie Hill with the parking, icing, and safety concerns for emergency vehicles that occurred before the seasonal parking ban went into effect 3 years ago. The residents attempted at the 3/30/ 2015 meeting to correct this misconception. We left the meeting feeling that we got this misconception corrected which did not happen. The consultants failed to understand that this is not the situation currently on Rossie Hill which drives them to faulty conclusions in Table 1.

4. The report also states that permitted on-street parking in summer months establishes a habit of parking on Rossie Hill that bleeds over into the winter months when parking is prohibited is not a statement we believe was made by any resident. It also is a statement that is not supported with the facts since the winter parking ban went into effect. There are very few parking problems on Rossie Hill that have occurred since the seasonal ban was instituted.

5 In the Parking Behavior Patterns section of the report, Parametrix talks about the "chicken and the egg" relationship. If this is true, why would we want to drive more parking and congestion onto Rossie Hill? What benefit does this offer to the residents who live on Echo Spur or SilverPointe? The answer is..... none.

6. In the Summertime Parking Observations section, the PCMC findings support the conclusion that there is very little parking on Rossie Hill with the exception of construction

workers which is a temporary situation. The analysis I did independently also supports this conclusion which begs the question to why are we widening Rossie Hill ? We can understand the need to widen the intersection but no data currently supports widening Rossie Hill. Why doesn't Parametrix see this?

7. Table 1 Rossie Hill Parking Alternatives:

Alternative 1 has no downside. It is low cost and less disruptive to the neighborhood. We don't understand the Cons as identified by Parametrix. The residents want the intersection of Rossie Hill and Ontario widened to improve sight lines. Don't understand the enforcement issue. Don't invent a problem if one doesn't exist.

Alternative 2 is a throw away unless you want to consider Rossie Hill a no parking street as what the City Planners recommended when SilverPointe was originally approved. You would never want to narrow Rossie Hill and state that narrowing the street preserves winter maintenance access and emergency vehicle access. This whole Pro statement is factually flawed.

Alternative 3 assumes better winter maintenance access and emergency vehicle access. Past history suggests when parking was allowed in the winter months produced icy conditions every year except when the seasonal parking ban was in effect. Cannot see how on-street parking in the winter months will do anything but create conflict with snow storage and adequate snow plowing. In addition, not sure creating space for parked cars in the winter is a better safety outcome than restricting cars with the seasonal parking ban.

Alternative 4 was never given serious consideration by the consultants. You could tell by their body language that this was not a subject they wanted to discuss. How many spaces are actually being added to Rossie Hill as compared to Ontario when you take into effect widening the intersection of Rossie Hill?

8. Conclusion by Parametrix suggests that Alternative 3 addresses residents expressed concerns for the neighborhood. This is not the case at all. None of the 13 residents in SilverPointe or Echo Spur are in favor of this recommendation. Parametrix also doesn't recognize the merits of the winter parking ban and keeping cars off of Rossie Hill. They seem to feel parking cars in the winter on Rossie Hill is a good thing when history supports the opposite.

In two places in the report they talk of implementing Alternative 3 in tandem with the planned reconstruction of Rossie Hill in 2017. What are they planning for Rossie Hill? We have been in a constant construction mode for the last 5-6 years and quite frankly the neighborhood needs a break. Why is Rossie Hill being planned for reconstruction and not Ontario? Should we not

address the roads inside Park City with the most serious defects? We can't image that Ontario is not at the top of the list for reconstruction.

We realize there are limits to what can be done on Ontario, but it is a hazard to the neighborhood and the residents living nearby. There is no silver bullet here but a combination of actions that will make Ontario a safer place.

Alternative 1 is clearly the best option for Rossie Hill and Alternative 4 is the best option for the neighborhood.

Thank you for giving us the opportunity to respond.

Ernie Campo

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

7719 SOUTH MAIN STREET | MIDVALE, UT 84047 | P 801.307.3400

TECHNICAL MEMORANDUM

DATE: March 28, 2016

TO: Matt Cassel PE, Park City Municipal Corporation
Steven Arhart EIT, Park City Municipal Corporation

FROM: Michael Baker, Parametrix
Andrea Olson AICP, Parametrix
Charles Allen PE, PTOE, Parametrix

SUBJECT: Rossie Hill Drive Parking Analysis Update

PROJECT NUMBER: 344-7395-001

PROJECT NAME: Rossie Hill Phase 2

INTRODUCTION 1.

Park City Municipal Corporation (PCMC) hired Parametrix (formerly InterPlan) in February 2015 to perform an analysis of on-street parking conditions on Rossie Hill Drive near the intersection with Ontario Avenue. Local residents have expressed concerns to PCMC regarding illegal on-street parking activity on Rossie Hill Drive and the resulting negative impact to emergency services and winter street maintenance access. Additionally, PCMC has plans for a pavement reconstruction of Rossie Hill Drive in 2017. The planned reconstruction presents an opportunity for PCMC to define the long-term function of Rossie Hill Drive and develop a plan for addressing the competing demands of neighborhood access and parking. The February 2015 analysis concluded that widening Rossie Hill Drive and permitting year-round parking was the alternative that offered the most benefits: improve emergency vehicle access, improve overall safety, and increase overall year-round parking supply in Park City.

Following the 2015 study, it was determined that any study of parking issues in the project area needed a more holistic perspective to account for the shifting nature of the issue with the changing seasons. While the previous analysis focused on parking conditions during winter months, this update incorporates observations and data acquired during the summer months.

EXISTING CONDITIONS 2.

Rossie Hill Drive is a narrow roadway just east of downtown Park City connecting Ontario Avenue to Deer Valley Drive. The roadway provides access to some residences, but much of the roadway's frontage features no driveways due to the steep terrain in the area. The roadway generally ranges from 18 feet to 25 feet in pavement width. Figure 1 displays the project area. The parking area in question is marked on the northwest side of the street.

On-street parking is prohibited on Rossie Hill Drive except for the west end of the roadway, between Ontario Avenue and Echo Spur Drive. East of Echo Spur, parking is prohibited due to steep grades and because new development in the area has been required to provide sufficient off-street parking. West of Echo Spur, on-street parking is permitted only on the northwest side of the roadway during non-winter months. During the winter months (November 15 through April 15) the shoulders on Rossie Hill Drive accommodate snow storage and parking is expressly prohibited. This portion of Rossie Hill Drive features mountable curb and gutter design.

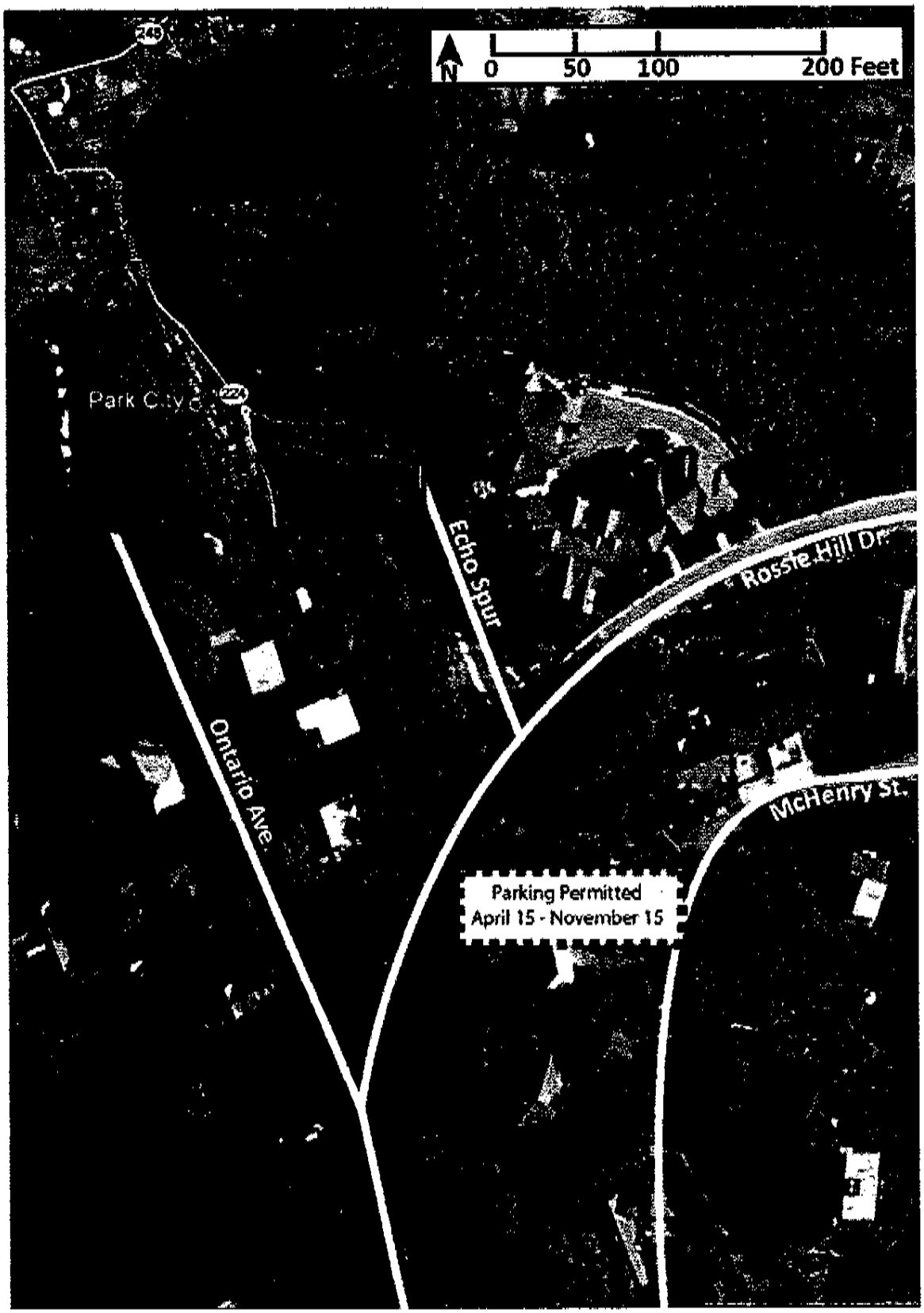


Figure 1. Project Area Map

At its western terminus, Rossie Hill Drive connects to Ontario Avenue, another narrow and steep residential roadway. Ontario Avenue terminates at Marsac Avenue (SR-224) and thus provides access to downtown Park City and other major destinations. Like Rossie Hill Drive, on-street parking opportunities are very limited on Ontario Avenue. While parking is permitted on the east side of the road, the steep terrain and narrow width offer few locations where parked vehicles can physically fit.

The Rossie Hill Drive/Ontario Avenue intersection is a narrow intersection with a severe skew angle and tight turning radii. Additionally, the grades on the intersecting roadways create challenges for vehicle braking and acceleration, particularly during times of inclement weather or slick pavement conditions. The Ontario Avenue approaches to the intersection are free-flow while the Rossie Hill Drive approach is stop-controlled.

Neighborhood Outreach

In December of 2014, InterPlan (now Parametrix) hosted a neighborhood meeting to gather input on area concerns. The meeting was held the evening of Monday, December 8, 2014 at the Park City Municipal Offices just west of the study area. PCMC provided notice of the meeting to property owners in the vicinity. Those attending the meeting included PCMC staff and residents and developers of the Echo Spur properties adjacent to Rossie Hill Drive. A follow-up meeting in March 2015 was hosted to present our analysis and present alternatives.

Neighborhood Concerns

3.

At the December neighborhood meeting, several concerns were voiced by residents regarding parking conditions, safety, and maintenance for roadways in the Rossie Hill Drive area. The primary concern arising from the meeting was illegal on-street parking activity on Rossie Hill Drive during winter months. Residents stated that illegal parking on the shoulders of Rossie Hill Drive during the winter season is inhibiting snow removal efforts near the intersection with Ontario Avenue. The slick pavement, combined with the steep grades and the tight geometry at the Ontario Drive intersection, lead to hazardous driving conditions. Additionally, residents noted that the constrained roadway width caused by the illegal parking activity and the unmaintained pavement potentially interfere with winter emergency vehicle access for residences on Rossie Hill Drive. Residents believed the illegal parking was mainly caused by residents of Ontario Avenue as well as some out-of-town employees of downtown Park City businesses.

The primary concerns voiced by residents and developers at the neighborhood meeting are summarized below:

4.

- Illegal on-street parking on Rossie Hill Drive in winter months interferes with winter snow removal and constrains emergency vehicle access
- The alignment of the Rossie Hill Drive/Ontario Avenue intersection offers tight turning radii and limited sight distance
- Permitted on-street parking in summer months establishes a habit of parking on Rossie Hill Drive that bleeds over into the winter months when parking is prohibited
- The number and origin of vehicles legally parked during summer months required further analysis and data gathering
- If the road is widened to accommodate year-round parking, could the use of the parking spaces be regulated through a parking permit program?

Parking Behavior Patterns 5.

Park City experiences the parking concerns typical of mountainous resort towns due to its narrow roadway widths, challenging topography and abundance of historic homes. For many neighborhoods, modern auto ownership rates lead to severe parking shortfalls, as many older homes were not designed to provide multiple spaces for off-street parking. Much of the newer development in Park City is required to provide at least two off-street parking opportunities. This is true of many of the existing residences on Rossie Hill Drive and the forthcoming new units on Echo Spur Drive. Since these new units will adhere to the off-street parking requirement, it is not anticipated that development along Echo Spur Drive will exacerbate the on-street parking shortage in the area.

Ontario Avenue, however, is a classic example of a parking-constrained area. Residential development along Ontario Avenue is tightly spaced and is often historic and therefore exempted from newer off-street parking requirements. Combined with an extremely narrow right-of-way and steep grades, there is a limited amount of on-street and off-street parking available in the area. Some of this parking limitation may be contributing to the illegal winter off-street parking activity on Rossie Hill Drive.

Parking issues in resort towns often present a "chicken and egg" relationship. Parking availability (whether surplus or constrained) influences auto mode choice. At the same time, parking behavior and patterns can spur changes in parking policies and parking supply. The solutions to parking issues can also present a similar paradox. For example, providing more parking is often followed by an increase in auto use. Hence, the increase in supply is often followed by a corresponding increase in demand. Essentially, parking demand can mimic an "if you build it they will come" pattern. On the other hand, reducing parking can encourage lower auto usage rates, but also can simply move parking problems elsewhere. Like squeezing a balloon, parking constraints can just shift to an adjacent area.

Summertime Parking Observations 6.

Much of the conversation regarding the scale and origin of the vehicles parking in the study area was based on anecdotal observations and suspicions. Nearby property owners who attended the public outreach meeting suspected that it was a result of a lack of parking on Ontario Avenue, Main Street employees, or construction crews for the numerous nearby development projects. PCMC staff inventoried the license plates of vehicles parked on Rossie Hill Drive 11 times from May to November 2015. The observations were made on weekdays as well as weekends. To address the question of the origin of the vehicles, the registered address tied to the license plates was searched with the assistance of the Park City Police Department. It is worth noting that at the time of these observations, nearby McHenry Avenue was being reconstructed. Potentially, the number of vehicles observed parking on Rossie Hill and surrounding streets could have been artificially increased due to the temporary displacement of on-street parking spaces on McHenry Avenue.

Observations recorded an average of one to two parking on Rossie Hill Drive at any given time. (The legal parking area can fit up to five vehicles.) No vehicles were observed during the first four observations from late March to mid-April. None of the vehicles observed parking in the study area were registered to an address on Rossie Hill or Ontario. Instead, almost every vehicle observed parking on Rossie Hill Drive was associated with employees of the various nearby home construction projects. The highest number of vehicles observed was four in mid-October and were associated with construction employees.

ALTERNATIVES

Taking into consideration the resident input and suggestions voiced at the neighborhood meeting, PCMC plans for 2017 roadway reconstruction, and parking idiosyncrasies of mountainous resort towns, the following alternatives are presented to address resident concerns regarding illegal winter parking activity on Rossie Hill Drive:

1. Maintain existing roadway width and parking policies, increase winter parking enforcement
2. Decrease roadway width and eliminate all on-street parking year round
3. Increase roadway width and allow for year round on-street parking on the north side between Ontario and Echo Spur
4. Construct small, city-maintained off-street parking lots on Ontario Avenue

The alternatives are discussed in detail below, followed by a summary table of pros and cons. It should be noted that each alternative is assumed to include intersection realignment improvements to the Rossie Hill Drive/Ontario Avenue intersection.

Alternative 1: Increased Enforcement

Alternative 1 offers the least amount of disruption to existing conditions. The alternative maintains current roadway widths and parking conditions and policies on Rossie Hill Drive. In order to address the disruption to winter street maintenance and emergency access, Alternative 1 proposes increased enforcement of existing winter parking restrictions. Alternative 1 has the lowest cost of all alternatives in this study and maintains summer month parking availability on Rossie Hill Drive. However, if increased winter parking enforcement proves to be ineffective, the alternative would not address the primary concerns voiced by residents.

Alternative 2: Narrow Rossie Hill Drive

Alternative 2 proposes narrowing Rossie Hill Drive within the project area and prohibiting on-street parking year round. By physically eliminating any opportunity for on-street parking, Alternative 2 would help reduce the conflicts for winter street treatment and emergency access. However, Alternative 2 would reduce the overall parking supply in the local neighborhood and would further exacerbate the existing parking shortage along Ontario Avenue, which could just shift problems elsewhere. There are some costs associated with this alternative related to relocating the curb and gutter as well as increased enforcement needed for the expanded parking prohibitions so that illegally parked cars don't make snow removal and emergency access difficult or unsafe.

Alternative 3: Widen Rossie Hill Drive

Alternative 3 would help facilitate winter street maintenance and emergency vehicle access by widening Rossie Hill Drive in order to fit both on-street parking and maintenance and emergency vehicle access. This alternative would formalize current on-street parking conditions on Rossie Hill Drive between Echo Spur Drive and Ontario Avenue but maintain year-round parking restrictions elsewhere on Rossie Hill Drive. Alternative 3 would enable year-round parking on Rossie Hill Drive's north side between Ontario and Echo Spur, thus increasing the overall parking supply in the local neighborhood and Park City, in general. Alternative 3 would include some additional costs depending on the extent of the widening on Rossie Hill Drive. Finally, formalizing the on-street parking spaces helps improve safety by further distancing parked cars from travel lanes, but also creates the usual issues associated with snow storage and parked cars during snowstorms.

Alternative 4: Additional Off-Street Parking Lots

Alternative 4 does not encompass any changes on Rossie Hill Drive, but proposes constructing one or more small, off-street parking areas either adjacent to Ontario Avenue or at the corner of the Rossie Hill Drive/Ontario Avenue intersections. The concept behind this alternative is that off-street parking availability would attract use from those thought to engage in illegal winter parking on Rossie Hill Drive. However, it is likely these off-street lots would be very limited in size and the increase in parking supply could be offset by a corresponding increase in demand.

7.

Table 1. Rossie Hill Drive Parking Alternatives

	Details[1]	Pros	Cons
Alternative 1	Maintain current roadway width and parking on Rossie Hill Drive. Increase winter parking enforcement.	Low cost. Maintains existing summer month off-street parking.	Maintains current street cross-section configuration with which residents have concerns. May still contribute to snowplow access issues if enforcement is ineffective.
Alternative 2	Narrow Rossie Hill Drive to physically eliminate on-street parking opportunities. Prohibit on-street parking year round on Rossie Hill Drive.	Preserves winter maintenance access and emergency vehicle access.	Decreases overall parking supply in Park City. May shift parking issues to neighboring streets. Requires increased enforcement.
Alternative 3	Widen Rossie Hill Drive to better accommodate on-street parking. Allow year-round on-street parking in the current summer-only parking area of Rossie Hill Drive.	Better accommodates winter maintenance access and emergency vehicle access. Increases overall year-round parking supply in Park City. Improves safety by providing adequate room for parked vehicles.	Cost of widening. Winter on-street parking can conflict with snow storage.
Alternative 4	Construct small, off-street parking lots either on corner of Rossie Hill Drive & Ontario Avenue or to the south on Ontario Avenue.	Increases overall year-round parking supply in Park City.	Parking lots likely limited to just a few spaces. Likely increase in parking demand to match increase in supply. Not likely to influence illegal winter parking behavior. Requires purchase of private property.

[1] Each alternative assumes geometric improvements to the Rossie Hill Drive/ Ontario Avenue intersection

CONCLUSION AND RECOMMENDATION 8,

There are valid arguments for narrowing or widening Rossie Hill Drive between Echo Spur Drive and Ontario Avenue. Emergency vehicle access and snow removal are the key issues that should be addressed in the future reconstruction of Rossie Hill Drive. Only Alternatives 1-3 address emergency vehicle access, so it is recommended that Alternative 4 be dropped from further consideration. Further, Alternative 2, narrowing the street and banning parking year round would decrease overall parking supply in the area and likely shift parking issues to neighboring streets. Additionally, increased enforcement would be required to minimize/eliminate illegally parked cars as they would potentially make snow removal and emergency vehicle access difficult and/or unsafe, precisely the issues this alternative is attempting to alleviate.

It is the recommendation of Parametrix staff that Alternative 3—widen the street adequately to safely accommodate year-round parking between Ontario and Echo Spur—be pursued by PCMC. This alternative most fully addresses residents' expressed concerns and city-wide parking issues as it improves emergency vehicle access, improves overall safety, and increases the overall year-round parking supply in Park City. Additionally, the alternative can be implemented in tandem with the planned reconstruction of Rossie Hill Drive in 2017. Increased enforcement of illegal parking elsewhere along Rossie Hill Drive may be an additional measure worth consideration. It should be noted, however, that any increased enforcement would also apply to guests of property owners when a private event exceeds the off-street parking supply.

The Rossie Hill neighborhood is growing and increasing in density. The presence of parking for non-residents—as underlined by the fact that almost every parked vehicle observed was construction related—will become increasingly valuable. Given the limited efficacy of parking permit programs elsewhere in Park City, the associated administrative costs, and the limited number of parking spaces in question, we do not recommend a parking permit program be utilized in this instance.

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

The City Council should approve the appointment of Beth Armstrong, Alex Butwinski, Jenny Dorsey and Jocelyn Scudder to serve on the Park City Public Art Advisory Board (PAAB) for a three-year term that is contingent on anticipated amendments to the Board's by-laws in August 2016 that will allow three years. Should the policy amendments not be adopted the term will revert to two years.

Respectfully:

Jennifer Diersen,

City Council
Staff Communications Report

Subject: **Public Art Advisory Board (PAAB) Interviews**
Author: **Jenny Diersen, Staff Liaison Public Art Advisory Board**
Department: **Economic Development**
Date: **Thursday, August 4, 2016**
Type of Item: **Administrative**

Summary Recommendation

The City Council should approve the appointment of Beth Armstrong, Alex Butwinski, Jenny Dorsey and Jocelyn Scudder to serve on the Park City Public Art Advisory Board (PAAB) for a three-year term that is contingent on anticipated amendments to the Board's by-laws in August 2016 that will allow three years. Should the policy amendments not be adopted the term will revert to two years.

Acronyms

PAAB –Public Art Advisory Board

Executive Summary

Four member's terms on the PAAB have expired. Staff recommends the appointment of four members listed below to the PAAB to serve a three-year term:

Beth Armstrong
Alex Butwinski
Jenny Dorsey
Jocelyn Scudder

Background

City Council Reports

June 30, 2016	Public Art Policy Update Work Session Report Pages 89 through 187
June 30, 2016	Public Art Policy Update Work Session Minutes

In 2003, the City established the Park City Public Art Advisory Board, Public Art Plan and Policy. In 2013, PAAB developed a strategic plan designed to coincide with the quality and purpose of public art. PAAB continues to review its policies and strategic plans on a yearly basis, and focuses their efforts on programs and projects that related to specific goals.

PAAB is comprised of seven (7) community members who reside in the City Limits of Park City appointed by the City Council. Currently the PAAB is appointed to two year terms, but staff anticipates amendments to the Board's by-laws in August 2016 that will allow three year terms.

PAAB's role is to help promote and cultivate the Public Art Plan, Policy and Public Art

Collection by expending funds on and facilitating works in order to:

- Stimulate the economic vitality of the City.
- Enhance Park City's standing as a leading cultural destination.
- Advance public understanding of visual art.
- Enhance the aesthetic quality of daily life and provide a sense of place.

It is important to remember that PAAB's recommendations will impact the:

- Community, arts and culture groups, and local businesses;
- Involvement and coordination with other City Departments; and
- Goal in the General Plan of promoting a *sense of community* (page 28 through 31) *by continuing to grow as an arts and culture hub encouraging creative expression.*

Analysis

Staff noticed PAAB vacancies on the City's website from April through June, through the Park City Summit County Arts Council and by sending out notice to contact lists, as well as posting the vacancies at local coffee shops. Though the vacancy was noticed for two year terms, all applicants were informed of the pending policy amendments and possibilities of serving three year terms.

We received six applications for the PAAB vacancies, one from a current member (Jocelyn Scudder) who was fulfilling a vacant term and is eligible to begin serving her first term. One of the applicants did not qualify to serve on the PAAB as the applicant was a Summit County resident.

The five applicants who are eligible to serve on the PAAB have not applied to the Park City Public Art Board before. Applicant Alex Butwinski did serve as City Council Liaison, with non-voting rights, to the PAAB during his term on City Council.

The PAAB Policy highly encourages student involvement with the PAAB. Students do not have voting rights. After reaching out to the Kimball Art Center and the Park City School District, we received one student application but the student did not live within City Limits and therefore was not eligible to serve on the board.

Staff wanted to inform City Council that the Park City Summit County Arts Council will continue to have a non-voting seat on the PAAB. A representative from both the Park City PAAB and Summit County PAAB continue to attend each group's meetings, with non-voting rights, monthly to encourage collaboration and share information between the Public Art Advisory Boards.

Department Review

The Special Events, Economic Development, Executive and Legal Departments have reviewed this report.

Funding Source

No funding is needed for appointment, as members are not compensated. Public Art Projects are funded both through one percent (1%) of City Improvement Projects, as well as, through additional allocations from the Capital Improvement Project Funding (CIP).

Alternatives for City Council to Consider

1. Recommended Alternative:

Appointment of Alex Butwinski, Jocelyn Scudder, Jenny Dorsey, and Beth Armstrong to serve on the PAAB for a three-year term beginning August 2016, ending in 2019.

Pros

a. PAAB's work positively impacts the City's Council's goals for creating a world class, multi-seasonal resort destination, and creating an inclusive community of diverse economic and cultural offerings.

2. Null Alternative:

Make alternative appointments or reopen the recruitment process.

Cons

a. PAAB positions would remain unfilled and future meetings may be postponed until the positions are filled.

3. Other Alternatives:

City Council could choose to provide no direction regarding the appointment of PAAB.

Cons

a. PAAB positions would remain unfilled and future meetings may not be able to occur until the positions are filled.

b. Staff would lack direction on how to precede with the PAAB vacancies.

Attachments

A PAAB Vacancy Advertisement 2016

Public Art Advisory Board (PAAB) Vacancies

Park City Municipal is accepting applications to fulfill four (4) vacancies for the Park City Public Art Advisory Board. Those interested in applying must reside within the city limits of Park City. Four (4) seats are available for appointment. Board members shall be appointed to serve two-year terms, and may serve no more than two consecutive terms. The Board generally meets on the second Monday of every month at 5:00 p.m. Board members are not compensated and serve as representatives of the citizens of Park City.

PAAB makes recommendations to City Council regarding Public Art planning, expenditures and maintains the City's public art inventory. The seven-member board focuses on project identification, requests for proposals, selection process (including reviewing artists' proposals for each project), and making recommendations to City Council.

Application deadline is 5:00 p.m. on Monday, June 20, 2016. Applications may be submitted by email to jenny.diersen@parkcity.org or in person to Jenny Diersen, Special Events Office, Park City Municipal Corporation/City Hall, 445 Marsac Avenue – 3rd Floor, PO Box 1480, Park City UT 84060.

To receive an application or for questions, please contact Jenny Diersen at jenny.diersen@parkcity.org / 435.615.5188 or Kathy Hunter at director@pcscarts.org.

Mural by Trent Call – Deer Valley Drive Tunnel, 2012

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for July 21, 2016. Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder

PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, UTAH 84060

July 21, 2016

The Council of Park City, Summit County, Utah, met in open meeting on July 21, 2016, at 1:15 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property, personnel, security and litigation at 1:15 p.m. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Worel moved to adjourn from Closed Meeting. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

WORK SESSION

Council Questions and Comments:

Council Member Henney indicated he went to the Historic Park City Alliance (HPCA) meeting where they talked about parking. He also attended the Police Department Quarterly Meeting, and noted he was very impressed with the City's police force.

Council Member Beerman stated he went to a presentation by the Citizens Climate Lobby, held at the Santy Auditorium. A local scientist, Ron Davies, spoke on climate change. He attended a Central Wasatch Commission strategic meeting and noted the legislation would be going to hearing in September. A letter in support of the legislation was being drafted, which he hoped the City would sign, that would be sent to Representative Chaffetz. He also indicated he had been invited to be a part of the EPA Local Government Advisory Council, and he would be going to Washington, D.C. next week to discuss how the EPA could better interact with local government with regard to soils, water, environmental cleanup and climate change. He thanked Council Member Worel for hosting a great council dinner.

Council Member Worel stated she and Council Member Matsumoto went to Park Silly Sunday Market (PSSM). She met with Peace House and looked at the plans for their new facility. She also attended the Library Board meeting which focused on strategic planning.

Council Member Matsumoto indicated the PSSM was very crowded. She advised event goers to not bring their dogs because of the hot pavement. She stated she connected with Recycle Utah, and also attended the Sewer Board meeting. She went to the Historic Preservation Board meeting, where they forwarded a recommendation that they review all buildings in the historic Downtown.

Council Member Gerber stated she went to the opening of the summer series of the Sundance Institute Film Series. She attended the Deer Valley Wednesday Night Concert Series and was happy to see many bike riders and others using different forms of transportation to get around town. She also thanked Council Member Worel for the nice dinner.

Mayor Thomas thanked the Vail associates for backing away from the Trademark application and their willingness to clean up any confusion in the community. He hoped to assess the branding in the community in the future with staff. Harrington stated the City attorneys would be monitoring branding and returning to Council for a full discussion shortly.

Blake Fonnesbeck Transportation Manager indicated that as part of the 40th Anniversary of Transit, they were going to have live musicians on the buses singing 70s songs every other Sunday throughout the rest of the summer season.

WORK SESSION

2016 Sundance Film Festival Debrief:

Jason Glidden, Economic Development Project Manager, and Sarah Pearce, Sundance Institute, presented this item. Pearce stated 46,660 people attended the 2016 festival. Sixty seven percent came from out-of-state and 17 different countries. The return on investment: $143,302,000 overall economic activity; and $72,539,000 was the state gross domestic product. She stated lodging numbers were down and felt those numbers might be underreported. The survey was performed in person and many people had others booking the rooms and events for them and didn't know the answers to the questions asked. This event supported 7,360 jobs and $8 million was submitted for state and local taxes. She noted the publicity around the world for this event and how Park City and Utah were promoted. She also discussed the highlights of the festival including the locals program, the festival basecamp at Bob Wells Plaza, and the exceptional safety and security from the Park City Police Department. Some challenges she observed was transportation and parking, lodging and venue costs, and protecting the official festival sponsors. Mayor Thomas stated the festival brings up so many interesting ideas and has become a part of Park City.

Glidden indicated that the event was a success from the City's perspective as well. He mentioned that there were daily debriefs, the traffic flow was managed and the new bag check requirement at the theatres went well. He displayed the statistics of staff hours involved and number of event permits issued during this festival period. Some

challenges for the City staff included lack of sufficient staff and late application submittals (see attached PowerPoint).

Council Member Matsumoto asked if there were new ideas with regard to limiting events on Main Street. With security issues, she indicated that the City couldn't handle everyone coming here at the same time. Glidden stated his team was looking at festivals around the country to see how other events were handled. Pearce stated she received calls from other festival planners because they looked to Park City as a leader in this area. Glidden hoped that the deadlines for applications would be adhered to.

Council Member Worel congratulated them on a successful festival. She asked about the lack of staff. Glidden stated this affected the level of service since with shortage of staff, the services were not being rendered in a timely manner. Foster stated staff was added for the duration of Sundance. Harrington asserted having a hard deadline for applications could be problematic because it needed to be tied to public safety. He suggested that limiting the number of alcohol permits could be effective in managing some of the late applications.

Council Member Beerman stated the 2016 Sundance Festival was great. He felt it was well attended and things were very orderly. He asked if business licensing permits could be moved so that this rush would not coincide with the Sundance crunch. Polly Samuels McLean stated this suggestion had been discussed previously and the question could be raised again.

Water and Energy Conservation Program Update:

Nick Graue, Public Utilities Engineer, and Bina Skordas, Sustainable Energy Project Manager, presented this item. Skordas indicated there were three phases to the Water and Energy Conservation Program: Phase One was having a program roadmap, which had been accomplished. Phase Two would be the program development, in which they would implement the high return/low cost energy savings projects in the short term. The longer term plan would be focusing on building efficiency, and Phase Three included the implementation of the short term and long term programs. She explained the strategies to reduce the water and energy impacts within the department, including economizing operations, using renewables and program management.

Graue stated he was looking at the efficiency of every drop of water as it moved through the system. The Spiro Water Treatment Plant was modified to increase efficiency by 36%. In the Water Department, water purchased from Jordanelle Special Service District (JSSD) would also be modified to reduce the energy footprint by 11%. He hoped to have this project built by next summer. He also noted that the new Public Works facility was being looked at to be an energy conserving facility. Skordas stated communication of changes in operations was key. She noted the goal was to have all the City buildings be net zero energy buildings.

Council Member Henney asked if the operators were able to use SCADA and understand the system. Graue stated the operators had full access to SCADA and they were being trained to work independently to reduce energy consumption. Council Member Henney noted the Water Department was the biggest energy user and anything that could be done in the next few months to conserve energy would help towards winning the Georgetown Energy Prize. Clint McAffee stated the SCADA project was replaced by Graue over the past year, which was the key to energy conservation.

Discuss Gravel Mulch and Parking on Landscaped Areas in All Zoning Districts:
Bruce Erickson, Planning Director, explained there were many second homes that stored RVs and motorcycles on the property all summer. He stated his department looked at this problem in relation to the City's priorities and the General Plan. As far as water conservation in development was concerned, the more natural vegetation that is kept, the less water would be required. The code restricted the amount of bluegrass that could be used in landscaping. Xeriscaping was also looked at, but gravel has a thermal effect. The conclusions from multiple departments were that there needed to be clear distinctions made between gravel and rock, appropriate use of gravel and mulch in front and side yards, the need to clarify what constitutes hard surfaces, the need to clarify between yard and setbacks, the need to define the amount of gravel that can be used in yards, etc.

Council Member Henney stated he liked the idea of defining parking versus storage, noting he favored parking but not storage, and also favored defining hard surfaces. Council Member Worel agreed with Council Member Henney and asked if the storage of RVs was more of an HOA issue. Erickson stated two thirds of the neighborhoods had inactive HOAs or no HOAs at all. With regard to neighborhood protection, it was the responsibility of his department to address these issues. Council Member Matsumoto thought people should conserve water, but might turn to rock for landscaping, which concerned her. Anne Laurent stated there were shaded areas of properties that would be fine for rock.

Council Member Gerber was also in favor of defining parking versus storage and thought seasonality should be considered when evaluating this. She requested that a list of landscape options be drafted, ranking items good, better and best. She understood gravel retained heat, but felt asphalt also retained heat and asked about those who would choose to asphalt their driveways. Erickson stated this was part of the difficulty in defining parking areas on properties. He indicated he preferred not to turn neighborhoods into storage yards. Council Member Beerman stated the City was concerned about the carbon footprint, so like Council Member Gerber's comment on considering the season (would the homeowner be using the watercraft weekly), the time of year and length of stay would be important factors to consider.

Mayor Thomas stated he would take public comment on this item during the Public Input portion of the regular meeting.

REGULAR MEETING

I. ROLL CALL

I. Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Polly Samuels McLean	Asst. City Attorney	Present
Michelle Kellogg	City Recorder	Present

II. NEW BUSINESS

1. Swearing-In Ceremony - Park City Police Sergeant Rob McKinney and Officers Kacey Comer and Franco Libertini:

Mayor Thomas stated he appreciated the police for all they do for the community. Chief Carpenter indicated the Police Department and City went through a transition in values. The Police Department had a new logo that would be on all new vehicles and new badges, which was the acronym PAIR: Professionalism, Accountability, Integrity, and Respect. He presented samples of the new badges to the Council and City Manager.

Chief Carpenter presented three officers for Mayor Thomas to swear in. He stated Kasey Comer had worked with the Police Department for the past 10 years and was now being sworn in as a fulltime officer.

Franco Libertini used to work for the West Valley Police Department. He came to the U.S. in 2001 from Argentina and didn't speak English, but had a strong desire to be a part of this country. He was sworn in as a fulltime officer.

Sergeant Rob McKinney grew up in Orem. He came to Park City after working for the Highway Patrol. He was sworn in as a sergeant.

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Member Henney disclosed he purchased tickets for an event at Deer Valley, which was on tonight's agenda for discussion.

Park Silly Sunday Market Mid-Season Update:

Council Member Matsumoto asked if water misting devices could be used to cool things off at the market on hot days. Diersen stated some booths had these devices and indicated she could make some inquiries.

Council Member Gerber asked if this was the second year that the number of cars had been counted. Diersen responded in the affirmative.

IV. PUBLIC INPUT *(ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)*

Scott Maizlish, Park Meadows, stated he appreciated what the Council's position was on the gravel issue. He had gravel laid 10 years ago, and there were several storage vehicles that were on the property. He hoped when the issue was settled some leeway could be given for those who had been doing this for a long time.

Marianne Cone thanked the Council for the trails system, and for the connections made in front of Park Meadows. She asserted she had an RV and she didn't see derelict vehicles stored on properties. She felt small RVs in front of properties were an indication of signs of life in the community. She proposed the code be changed for RVs to be stored April-October of the year.

John Nuffes stated he was here on behalf of his clients who wanted to continue xeriscaping. He tried to remove as much sod as possible from homes and add drip systems in landscaping. In speaking with Matt Cassel, City Engineer, he heard a City concern was that the gravel would migrate into the road. He knew river cobble and gravel were used throughout the west, and he felt they were effective tools in landscaping. He encouraged Council to change the landscaping rules to include these methods of landscaping.

Sally Elliott stated she had a motorhome in her driveway since 1998. She stated no other comparable vacation destination town prohibited RVs. She called eight cities and Salt Lake was the only City of those eight that prohibited RVs. She also asked if those with RVs could keep them at their properties until this issue was resolved.

Tim Govin stated he was surprised to hear about this law. He had a trailer on the side of his home for years and hoped the code could be changed.

Foster reminded Council that code enforcement only acts on complaints and doesn't go out looking for violations. Cone asked if she would have to pay the $100 per day fine. Polly Samuels-McLean stated residents could not ignore the rules. Council could ask staff for an ordinance to change the code.

Council Member Beerman stated it should not be punitive if only a few people with RVS were being cited. He suggested a stay on the law until this issue was resolved. The Council agreed with the stay. McLean noted the rules would be enforced until the next meeting when Council could pass a stay on the enforcement of this law.

Bruce Erickson updated the Council on the California Comstock Mill Building at the California Comstock Mine. He stated Hannah Turpin and Anya Grahn were involved

with overseeing a $50,000 grant to restore this building. He showed a PowerPoint presentation on the progress of the restoration.

Sally Elliott stated Marianne Cone designed the logo for the Mine Preservation group and they would have a fundraiser in August that would help with the restoration of more of these buildings.

V. CONSENT AGENDA

1. Consideration to Approve a Request from the Property Owner of 1114 Park Avenue to Enter into an Encroachment Agreement for Their Existing Garage, Which Encroaches on City Property, in a Form Approved by the City Attorney:

2. Request to Authorize the City Manager to Enter into a Two-Year Service Provider Agreement with Morrison & Morrison, LC, for Public Defender Services in the Amount of $125.00 Per Hour, in a Form Approved by the City Attorney:

Council Member Worel asked if the public defender was bilingual. Foster stated this firm had worked as the City's public defender in the past. She thought there was probably somebody on the staff that was bilingual. Council Member Worel thought having a Spanish speaking public defender was a must.

3. Request to Authorize the City Manager to Enter into a Three-Year Contract, with Indefinite, One-Year Optional Renewals, Subject to City Discretion and Approval with James C. Barker, PC, Federal Legislative Consultant, for a Base Amount of $97,748 ($92,748 Plus a $5,000 Annual Expense Retainer):

Council Member Worel moved to pull Consent Item Two off the agenda. Council Member Henney made the second.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

Council Member Council Member Beerman moved to approve Consent Items One and Three and to continue Item Two until the next meeting. Council Member Worel seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VI. NEW BUSINESS (CONTINUED)

2. Consideration to Approve Level Three Special Event for the State Room Presents Concert Series at Deer Valley Resort:

Council Member Henney disclosed his ticket purchase to one of the events held at Deer Valley.

Mayor Thomas opened the meeting for public input. No comments were given. Mayor Thomas closed the public input portion of the meeting.

Council Member Henney asked why the Council was considering this item at this point in the process. Jenny Diersen, Special Events, stated the transportation plan was just set and now the application could proceed to Council. The application was submitted later than normal and this was a quick turnaround.

Council Member Henney moved to approve Level Three Special Event for the State Room Presents Concert Series at Deer Valley Resort. Council Member Beerman seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

3. Consideration to Approve Ordinance 2016-34, an Ordinance Approving the Third Amended Subdivision Plat for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Bruce Erickson, Planning Director, stated this nine acre lot would be subdivided to accommodate the Peace House. The Planning Commission forwarded a positive recommendation.

Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Henney moved to approve Ordinance 2016-34, an ordinance approving the Third Amended Subdivision Plat for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility pursuant to the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

4. Consideration to Approve Ordinance 2016-35, an Ordinance Approving the National Ability Center Subdivision, Located at 1000 Ability Way, Park City, Utah, Pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Bruce Erickson, Planning Director, stated this item would approve a single lot in the National Ability Center Subdivision. Council Member Worel asked how the project was built without a subdivision. Erickson stated the County approved it and the City brought it all in with the annexation.

Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Matsumoto moved to approve Ordinance 2016-35, an ordinance approving the National Ability Center Subdivision, located at 1000 Ability Way, Park City, Utah, pursuant to the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

5. Consideration to Approve Ordinance 2016-36, an Ordinance Adopting Municipal Code Title 11, Building and Building Regulations, Chapter 9, Fire Code, Section 3, Hazardous Environmental Conditions and Section 3.1 Delegation, in Order to Permit City Council Delegation of Authority to the Fire Code Official to Determine When Hazardous Environmental Conditions Exist Within Park City Necessitating Restrictions on Ignition Source:

Hugh Daniels, Emergency Manager, and Kirk Simister, Fire Marshall, presented this item. Daniels stated the City had always been conservative with fireworks restrictions. This ordinance would allow the Fire Code Official to be able to decide if restrictions would be implemented each year instead of taking this to Council each time restrictions were needed. An administrative policy was being written so the Fire Code Official would have guidelines to help him/her in making those determinations. He asked that Council adopt this ordinance and include the wording that this would go into effect immediately.

Council Member Beerman asked if the City would consult with the Fire Chief. Daniels stated the Fire Chief would always be consulted prior to making any decisions. Council Member Henney asked if the Council would be an appellate body. Samuels-McLean stated there was no appeal authority on this item, but the Council could rescind the

policy. She indicated this policy would include how the public was notified. Council Member Matsumoto stated the Council relied on staff's expertise and she supported this ordinance.

Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Worel moved to approve Ordinance 2016-36, an ordinance adopting Municipal Code Title 11, Building and Building Regulations, Chapter 9, Fire Code, Section 3, Hazardous Environmental Conditions and Section 3.1 Delegation, with the amendment that it would take effect immediately. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

6. Consideration to Approve Ordinance 2016-37, an Ordinance Adopting Municipal Code Title 6, Chapter 5 Adopting a Process for Recovery of Costs for Responding to Emergencies Resulting from Fires Caused by Negligence of Property Owners/Occupiers or Negligent Use of Fireworks:
Hugh Daniels, Emergency Manager, presented this item. He stated in the past the City went under the ruling of the County ordinance. The City now wanted its own ordinance that contained verbiage that the party responsible for starting a fire would be responsible to pay for any damages.

Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Matsumoto moved to approve Ordinance 2016-37, an ordinance adopting Municipal Code Title 6, Chapter 5 Adopting a Process for Recovery of Costs, with the amendment that it would take effect immediately. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VII. ADJOURNMENT

With no further business, the meeting was adjourned.

_____
Michelle Kellogg, City Recorder

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

Consider to authorize the City Manager to enter into a two-year service provider agreement with Morrison & Morrison, LC, for public defender services in the amount of $125.00 per hour, in a form approved by the City Attorney.

The city desires to have legal services and tasks performed requiring specialized skills and other supportive capabilities by a qualified public defender. He or she will provide legal defense to adults and juveniles charged with misdemeanors by the Park City Prosecutor, and who have been found eligible for appointment of legal counsel by the Summit County Justice Court or by the Third District Court, Park City Department. The public defender will be available in the courtroom at the Summit County Justice Center, 6300 North Silver Creek Road, Park City, Utah, on regularly scheduled Summit County Justice Center or Third District Court Park City Department sessions during the weekly arraignment calendar.

This report contains updated information addressing City Council's question about English as a second language clientele.

Staff determined that Utah State Court-certified interpreters are a standard industry practice and commonplace for a variety of second languages typically experienced within the Utah Court system. For example, some of the most common non-English languages that our existing public defender utilizes while providing services to Park City are, in order of use, Spanish, Tongan, German, Italian, French, and some Russian.

In addition, staff contacted Morrison & Morrison to confirm that they will continue to utilize Utah State court-certified translators. Morrison confirmed that they will continue industry standard practices and, by utilizing Utah court-certified translators, ensure that language is not a barrier to receiving quality legal services. In addition, staff is unaware of any complaints over the past six years during our previous contractual engagement during which time these services have been utilized.

Respectfully:

Karen Anderson, Deputy City Recorder

City Council Staff Report

Subject: Public defender professional service provider contract
Author: Karen Anderson
Department: Executive
Date: July 26, 2016
Type of Item: Administrative – award of contract

Summary Recommendation

Consider to authorize the City Manager to enter into a two-year service provider agreement with Morrison & Morrison, LC, for public defender services in the amount of $125.00 per hour, in a form approved by the City Attorney.

This report contains updated information addressing City Council's question about English as a second language clientele. (Additions in bold.)

Staff determined that Utah State Court-certified interpreters are a standard industry practice and commonplace for a variety of second languages typically experienced within the Utah Court system. For example, some of the most common non-English languages for which our existing public defender utilizes translation services while providing services to Park City are, in order of use, Spanish, Tongan, German, Italian, French, and some Russian.

In addition, staff contacted Morrison & Morison to confirm that they will continue to utilize Utah State court-certified translators in all aspects of working with clients both inside and outside of court hearings. Morrison confirmed that they will continue industry standard practices and, by utilizing Utah court-certified translators, ensure that language is not a barrier to receiving quality legal services. In addition, staff has not received any complaints over the past six years during our previous contractual engagement during which time these services have been utilized.

Executive Summary

The city desires to have legal services and tasks performed requiring specialized skills and other supportive capabilities by a qualified public defender. He or she will provide legal defense to adults and juveniles charged with misdemeanors by the Park City Prosecutor, and who have been found eligible for appointment of legal counsel by the Summit County Justice Court or by the Third District Court, Park City Department. The public defender will be available in the courtroom at the Summit County Justice Center, 6300 North Silver Creek Road, Park City, Utah, on regularly scheduled Summit County Justice Center or Third District Court Park City Department sessions during the weekly arraignment calendar.

Analysis

Scope of Services

Briefly, the scope of services outlined in the RFP includes the following:

- Provide legal defense to adults and juveniles charged with misdemeanors by the Park City Prosecutor
- Be appointed as the public defender only on those cases which are to be prosecuted by the Park City Prosecutor in the capacity as the Park City
- The City will contract out and arrange for any case for which Public Defender cannot represent indigent Defendants due to a conflict of interest. Public Defender is required to immediately inform City Attorney of any such conflict.
- The term of this agreement shall be for two years, with the City's sole option to renew for one additional year.

Proposal requirements

Briefly, the proposal requirements outlined in the RFP include the following:

- Applicant is a member in good standing of the Utah Bar and will maintain active membership in the bar throughout the term of the contract.
- Applicant is competent in the practice of criminal law, with a minimum of three to five years' experience as a criminal defense attorney.
- Attorney shall be available to meet clients in Park City or western Summit County outside of the weekly arraignment calendar and this information shall be made known to the clients served under this agreement.
- Attorney will maintain sufficient continuing professional education credits while serving as Public Defender to keep abreast of all current legal trends.
- While serving as public defender, applicant will be available and accessible to indigent clients reasonably in advance of any hearing or trial, make reasonable efforts to visit indigent defendants who are incarcerated in the Summit County jail, admitted to a hospital or otherwise confined, at the earliest moment possible, return phone calls as soon as reasonably possible or otherwise be reasonably accessible to all indigent defendants.
- Attorney will confer will clients, attend all matters before the court including scheduling conferences, all hearings and trials, and all other matters required to ensure adequate representation
- Attorney will maintain adequate and proper records of the representation for each assigned indigent defendant.
- Attorney will provide the Park City Council an annual report of the number and types of cases or matters handled, specifying the types and classes of offenses and any such other factors or statistical information as may be reasonably requested by the City that do not violate attorney-client privilege.

Submittals/Review/Selection

Three law firms submitted a formal proposal by the July 8th deadline. A three-person selection committee consisting of the following participants reviewed the proposals:

1. Matt Dias, Assistant City Manager
2. Karen Anderson, Deputy City Recorder and project manager
3. Katie Madsen, Deputy City Recorder

Selection of the law firm was based on the following criteria outlined in the (RFP):

1. Demonstrated experience and legal qualifications.
2. Ability and willingness of the applicant to fulfill all required duties.
3. Acceptance of the terms of Park City Municipal Corporation's Public Defender Agreement.
4. Positive recommendations from references who have worked with the firm in the past in various capacities as legal counsel.
5. Park City Municipal Corporation's knowledge of the firm's ability to perform needed services from having retained them as a public defender since 2008.

Fee proposal
Morrison & Morrison, LC, proposed the following fee: "Our firm proposes to represent indigent clients as the public defender in all facets of the judicial process, including initial appearance through trial. We bid this contract for either $125 per hour or a flat rate to be mutually agreed upon."

After reviewing the proposal, the selection committee agreed that Morrison & Morrison, LC, was well qualified to provide the required legal services.

Alternatives

A. Approve the request, and authorize the City Manager to execute the service provider agreement (attached)
B. Modify the request. Council could choose to modify the agreement, which would delay the scheduled terms of the agreement.
C. Deny the request. Council may disagree with Staff's recommended choise as public defender.
D. Continue the item. Council may wish to look at other firms or take a closer look at the qualifications of Staff's chosen firm.
E. Do Nothing: Same effect as continuance.

Consequences of not taking the recommended action:
If Council chooses to deny the contract award, the impact on individuals in the community who are in need of public defender services will significant.

Staff Recommendation:
Staff recommends Council authorize the City Manager to enter into a two-year service provider agreement with Morrison & Morrison, LC, for public defender services in an amount not to exceed $125.00 per hour in a form approved by the City Attorney.

Department Review
Executive department

Attachment
Public defender contract agreement

PARK CITY MUNICIPAL CORPORATION MINOR SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into in duplicate this 1st day of June, 2016, by and between **PARK CITY MUNICIPAL CORPORATION**, a Utah municipal corporation, ("City"), and _____ ("Public Defender").

WITNESSETH:

WHEREAS, the City desires to have certain services and tasks performed as set forth below requiring specialized skills and other supportive capabilities; and

WHEREAS, the City is required to provide legal services for indigent Defendants charges with criminal acts and eligible for appointment of counsel by the Third District Court, Park City Department, Park City, Utah, as provided by law; and

WHEREAS, sufficient City resources are not available to provide such legal services; and

WHEREAS, the Public Defender, contracted by the City to perform the above-described legal services, represents that he is qualified and possesses sufficient skills and the necessary capabilities, including legal and professional expertise, where required to perform the services and/or tasks set forth in the Agreement.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, the parties hereto agree as follows:

1. <u>SCOPE OF SERVICES</u>.

A. The Public Defender will provide legal defense to adults and juveniles charged with misdemeanors by the Park City Prosecutor, and who have been found eligible for appointment of legal counsel by the Summit County Justice Court or by the Third District Court, Park City Department. The Public Defender agrees to be available in the courtroom at the Summit County Justice Center, 6300 North Silver Creek Road, Park City, Utah, on regularly scheduled Summit County Justice Center or Third District Court Park City Department sessions during the weekly arraignment calendar.

B. Public Defender will be appointed as the Public Defender only on those cases which are to be prosecuted by the Park City Prosecutor in the capacity as the Park City Prosecutor.

C. The City will contract out and arrange for any case for which Public Defender cannot

represent indigent Defendants due to a conflict of interest. Public Defender is required to immediately inform City Attorney of any such conflict.

2. REQUIREMENT FOR BAR MEMBERSHIP.

Throughout the term of this Agreement, Public Defender will maintain active membership in the Utah State Bar. In the event that Public Defender fails to maintain Utah State Bar membership, this Agreement will be rendered null and void, and no further payment under this Agreement will be made to Public Defender unless and until his/her has remedied any defect in the licensure.

3. TERM.

The term of this Agreement shall commence on the **June 1, 2016,** of execution on this Agreement and shall terminate on **May 31, 2017,** unless extended by mutual written agreement of the Parties.

4. COMPENSATION AND METHOD OF PAYMENT.

A. Payments for services provided hereunder shall be made monthly following the performance of such services.

B. The City will pay Public Defender at a rate of **One Hundred Dollars ($100.00)** per hour. City will compensate Public Defender for his/her actual time in providing legal service to Defendants pursuant to this Agreement.

C. The City will reimburse Public Defender for out-of-pocket expenses, such as extraordinary investigations, subpoenas, or expert witnesses. The City will not reimburse Public Defender for costs of doing business, e.g. secretarial/legal assistant support, insurance, phone, travel, and/or copying costs.

D. The Public Defender shall submit to the City Attorney or his designee on forms approved by the City Attorney, a monthly invoice for Public Defender services rendered during each month of the term of service. The monthly invoice shall include an itemization of Public Defender cases/case number, court date, accounting of time for court appearance and preparation, and any out-of-pocket expenses. Invoices shall be submitted to: Park City Municipal Corporation, City Attorney, P.O. Box 1480, Park City, Utah 84060.

5. REPORTS AND INSPECTIONS.

A. The Public Defender, at such times and in such forms as the City may require, shall furnish the City such statements, records, reports, data, and information as the City may request pertaining to matters covered by this Agreement.

B. The Public Defender shall at any time during normal business hours and as often as the City may deem necessary, make available for examination of all its records and data with respect to all matters covered, directly or indirectly, by this Agreement and shall permit the City or its designated authorized representative to audit and inspect other date relating to all matters covered by this Agreement. The City may, at its discretion, conduct an audit at is expense, using its own or outside auditors, of the Public Defender's activities, which relate directly or indirectly, to this Agreement.

C. Nothing herein shall apply to any records or matters protected by attorney-client privilege.

6. INDEPENDENT CONTRACTOR RELATIONSHIP.

The parties intend that an independent Public Defender/City relationship will be created by this Agreement. No agent, employee, or representative of the Public Defender shall be deemed to be an employee, agent, or representative of the City for any purpose, and the employees of the Public Defender are not entitled to any of the benefits the City provides for its employees. The public Defender will solely and entirely responsible for its acts and for the acts of its agents, employees, or representatives during the performance of this Agreement.

7. HOLD HARMLESS INDEMNIFICATION.

A. The Public Defender shall indemnify and hold the City and its agents, employees, and officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the City arising out of, in connection with, or incident to the execution of this Agreement and/or the Public Defender's defective performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the City, its agents, employees, and officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Public Defender; and provided further, that nothing herein shall require the Public Defender to hold harmless or defend the City, its agents, employees and/or officers from any claims arising from the sole negligence of the City, its agents, employees and/or officers.

The Public Defender expressly agrees that the indemnification provided herein constitutes the Public Defender's limited waiver of immunity as an employer under Utah Code Section 34A-2-105; provided, however, this waiver shall apply only to the extent an employee of Public Defender claims or recovers compensation from the City for a loss or injury that Public Defender would be obligated to indemnify the City for under this Agreement. This limited waiver has been mutually negotiated by the parties, and is expressly made effective only for the purposes of this Agreement. The provisions of this section shall survive the expiration or termination of this Agreement.

B. No liability shall attach to the City by reason of entering into this Agreement except as expressly provided herein. The Public Defender shall maintain its own malpractice/professional liability insurance. Nothing herein shall waive any defense or limit of liability of the Utah Government Immunity Act.

8. <u>COMPLIANCE WITH LAWS</u>.

The Public Defender, in the performance of this Agreement, shall comply with all applicable federal, state, and local laws and ordinances, and any other standards or criteria as described in this Agreement to assure quality of services.

A. **Dissemination:** In lieu of requesting and signing for individual defendant(s) discovery reports and criminal histories separately, the Public Defender will sign an annual acknowledgement receiving criminal histories for all Defendants that are being represented by him/her in Summit County Justice Court/District Court pursuant to state laws. Any dissemination to any unauthorized person or agency may result in both civil and criminal liability (attached hereto as **Exhibit "A"**).

Dissemination of criminal histories in the custody of the Park City Attorney's Office shall be forwarded to respective individuals pursuant to Motions for Discovery which have been filed with a respective court in Summit County, Utah. Each defendant's criminal history report will be stamped (attached hereto as **Exhibit "B"**) before dissemination will be forwarded to the Public Defender. Said Public Defender agrees to maintain criminal history files in their possession with the highest possible confidentiality and security in pursuant to the State of Utah's Bureau of Criminal Identification regulations. If any files are lost under the Public Defender's possession, he/she will report it immediately to the Park City Attorney's Office - Terminal Agency Coordinator (TAC) to disclose to the Field Representative for the State of Utah's Bureau of Criminal Identification.

9. NONDISCRIMINATION.

A. The City is an equal opportunity employer.

B. In the performance of this Agreement, the Public Defender will not discriminate against any Defendant or recipient of any services or benefits provided for in this Agreement on the grounds of race, creed, color, national origin, sex, marital status, age or the presence of any sensory, mental or physical handicap.

C. If any assignment or subcontracting has been authorized by the City, said assignment or subcontract shall include appropriate safeguards against discrimination. The Public Defender shall take such action as may be required to ensure full compliance with provisions in the immediately preceding paragraphs herein.

10. ASSIGNMENTS/SUBCONTRACTING.

A. The Public Defender shall not assign its performance under this Agreement or any portion of this Agreement without the written consent of the City, and it is further agreed that said consent must be sought in writing by the Public Defender not less than thirty (30) days prior to the date of any proposed assignment. The City reserves the right to reject without cause any such assignment.

B. Any legal/professional service subcontract not listed in the Agreement, must have express advance approval by the City.

11. CHANGES.

Either party may request changes to the scope of services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon either party unless such change or addition be in writing and signed by both parties. Such amendments shall be attached to and made part of this Agreement.

12. POLITICAL ACTIVITY PROHIBITED.

None of the funds, materials, property or services provided directly or indirectly under the Agreement shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.

13. PROHIBITED INTEREST.

No member, officer, or employee of the City shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

14. TERMINATION.

A. Either party may terminate this Agreement, in whole or in part, at any time, by at least thirty (30) days written notice to the other party. The Public Defender shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The Public Defender shall promptly submit a termination claim to the City. If the Public Defender has any property in its possession belonging to the City, the Public Defender will account for the same, and dispose of it in a manner directed by the City.

B. If the Public Defender fails to perform in the manner called for in this Agreement, or if the Public Defender fail to comply with any other provisions of the Agreement and fails to correct such noncompliance with three (3) days written notice thereof, the City may immediately terminate this Agreement for cause. Termination shall be effected by serving a notice of termination on the Public Defender setting forth the manner in which the Public Defender is in default. The Public Defender will only be paid for services performed in accordance with the manner of performance set forth in this Agreement.

15. NOTICE.

Notice provided for in this Agreement shall be sent by certified U.S. Mail to the addresses designated for the parties on the last page of this Agreement.

16. ATTORNEYS FEES AND COSTS.

If any legal proceeding is brought for the enforcement of this Agreement, or because of a dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled, reasonable attorney's fees and other costs incurred in that action or proceeding.

17. JURISDICTION AND VENUE.

A. This Agreement has been and shall be construed as having been made and delivered with the state of Utah, and it is agreed by each party hereto that this Agreement shall be governed by laws of the state of Utah, both as to interpretation and performance.

B. Any action of law, suit in equity, or judicial proceeding for the enforcement of this Agreement, or any provisions thereof, shall be instituted and maintained only in any of the courts of competent jurisdiction in Summit County, Utah.

18. SEVERABILITY.

A. If, for any reason, any part, term, or provision of this Agreement is held by a court of the United States to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

B. If it should appear that any provision hereof is in conflict with any statutory provision of the state of Utah, said provision, which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform in such statutory provisions.

19. <u>ENTIRE AGREEMENT</u>.

The parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both parties recognize time is of the essence in the performance of the provisions of this Agreement. It is also agreed by the parties that the forgiveness of the nonperformance of any provision of this Agreement does not constitute a waiver of the provisions of this Agreement.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

PARK CITY MUNICIPAL CORPORATION
445 Marsac Avenue
Post Office Box 1480
Park City, UT 84060-1480

_____
Diane Foster, City Manager

Attest:

_____
City Recorder's Office

Approved as to form:

_____
City Attorney's Office

PUBLIC DEFENDER
(Name) _____

(Address) _____

(City, State, Zip)

Tax ID#: _____

Utah State Bar#:_____

_____
Name / Title

_____
Signature

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this ____ day of _____, 2016, personally appeared before me _____, whose identity is personally known to me/or proved to me on the basis of satisfactory evidence and who by me duly sworn/affirmed, did say that he is the (title) _____ of _____, and acknowledged that he/she signed it voluntarily for its stated purpose as _____ *(title)* for _____, a _____ corporation.

_____
Notary Public

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

Achieving a net-zero Park City Municipality by 2022 and community by 2032 is a Critical City Council goal. In addition to realizing efficiencies in our facilities and water delivery systems, and adding renewables to our energy portfolio, pursuit of the Georgetown University Energy Prize is one of the highest prioritized items within the Environmental work plan. Pursuit of the Georgetown Prize has not only resulted in increased community awareness of the net zero goals and efforts, but even more critically, resulted in direct implementation and progress of programs towards reaching the net zero goals.

Park City Municipal staff has been supporting Summit Community Power Works as the lead organization in the Park City-Summit County entry into the Georgetown University Energy Prize through in-kind staff support. Park City Municipal's two environmental sustainability full time positions have been vacant for the past two months and we are at risk of losing momentum on this critical goal.

Where the Georgetown University Energy Prize concludes in December 2016 and success could be paramount to achieving our 2022/32 goals, City Council directed staff to undertake the state-defined process which allows a Municipal Legislative Body to appropriate money for any purpose that, in the judgment of the municipal legislative body, provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality.

Respectfully:

Jonathan Weidenhamer, Economic Development Manager

City Council Staff Report

Subject:	**Appropriation of $45,000 to Summit Community Power Works through Their Fiscal Sponsor, the Park City Community Foundation, to Help Achieve City Council's Net Zero Goals**
Author:	**Jonathan Weidenhamer, Economic Development Manager**
Department:	**Sustainability**
Date:	**August 4, 2016**
Type of Item:	**Administrative Action**

Summary Recommendation

City Council should direct staff to execute a contract with the Park City Foundation with the intent of providing $45,000 to Summit Community Power Works to pursue the Georgetown University Energy Prize which will support City Council's ongoing efforts to becoming a net-zero community.

Executive Summary

Achieving a net-zero Park City Municipality by 2022 and community by 2032 is a Critical City Council goal. In addition to realizing efficiencies in our facilities and water delivery systems, and adding renewables to our energy portfolio, pursuit of the Georgetown University Energy Prize is one of the highest prioritized items within the Environmental work plan. Pursuit of the Georgetown Prize has not only resulted in increased community awareness of the net zero goals and efforts, but even more critically, resulted in direct implementation and progress of programs towards reaching the net zero goals.

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Where the Georgetown University Energy Prize concludes in December 2016 and success could be paramount to achieving our 2022/32 goals, City Council directed staff to undertake the state-defined process which allows a Municipal Legislative Body to appropriate money for any purpose that, in the judgment of the municipal legislative body, provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality.

Acronyms

GUEP	Georgetown University Energy Prize
PCMC	Park City Municipal Corporation
SCPW	Summit Community Power Works

The Problem

Park City Municipal Corporation (PCMC) staff has been supporting SCPW as the lead organization in the Park City-Summit County entry into the Georgetown University Energy Prize (GUEP) through in-kind staff support. Specifically, the Environmental Sustainability Coordinator has been dedicating an estimated two days a month of Park City Municipal time to SCPW. The individual filling this role resigned at the end of May 2016. Staff believes it could be some months until this position is rehired and that it is unreasonable to assume that a new staff member, starting work in September or thereafter, could provide impactful support before the end of the competition.

Background

- **City's Environmental Work Plan:** The City's environmental work plan is focused on addressing the City Council's Critical Priority of Energy and achieving the City's Net Zero goals. On September 24, 2015 City Council elevated Energy to a Critical Priority and set a goal of net zero carbon emissions for municipal operations by 2022 and citywide by 2032. The history of the Critical Priority Energy is summarized below:

Date	Item
September 3, 2015	City Council requested that staff return to discuss the possibility of elevating Carbon Reduction and/or Energy Conservation to a Critical Priority
September 24, 2015	City Council Critical Priorities: Should carbon reduction and/or energy conservation be added as a third Critical Priority? (pg. 33)
October 29, 2015	Monthly Update: Carbon Reduction & Energy Conservation
November 19, 2015	(pg. 141)
December 17, 2015	Monthly Energy Update: Background Discussion (pg. 4)
January 28, 2016	Monthly Energy Update: Road Map (pg.37)
March 3, 2016	Monthly Energy Update: Utilities (pg. 23)
	Monthly Energy Update: Georgetown University Energy Prize (pg. 62)
March 24, 2016	Monthly Energy Update: 2022/2032 Net Zero Resolution (pg.59)

An overview and history of the Water & Energy Conservation Program is summarized below:

Date	Item
May 28, 2015	Council requested that staff discuss a potential water rate surcharge that captures the carbon cost of our water delivery system
July 16, 2015	Update provided to Council which can be found at the following link: Water Surcharge- Energy (pg.20)
September 22,2015	Request for Qualifications: Park City Water Department Energy Management and System Optimization Study
October 22, 2015	Update provided to Council which can be found at the following link: Utility Mitigation Surcharge: Strategy (pg. 155)
December 3, 2015	Contract Executed with The Brendle Group
February 28, 2016	Final Deliverable for Phase 1 from The Brendle Group,

March 21, 2016	Bina hired as full time Sustainable Energy Project Manager for The Public Utilities Department and Nick Graue now dedicating a large portion of his time to the Water and Energy Program

Attachment D is a 16-year Gantt chart summarizing staff's current, big picture, strategy to implement 2022/2032 net zero carbon emissions goals. The intent of the Gantt chart is to show:

- Opportunities;
- Anticipated start dates;
- In most cases, end dates aren't yet clear;
- Carbon reduction potential.

- **The Georgetown University Energy Prize:** GUEP is a two year competition of 50 communities selected from across the US to see which community can achieve the greatest energy efficiency. At a high level, the winner, and the recipient of the $5 million prize, will be the community that achieves the greatest energy savings performance in the period of January 2015 through December 2016. For more information: https://guep.org/about-the-prize/. All of the energy savings realized through the GUEP within PCMC boundaries can be counted towards the City's Net Zero community goal. SCPW, a nonprofit organization, has been the lead organization in leading the charge towards meeting this goal. http://scpw.org/. Park City-Summit County is currently in 4th place in the competition and Park City School District's recent commitment to switch to LED light bulbs has the potential to improve that position.
- **City Council Request to Discuss Potential for Additional Funding for Summit Community Power Works:** On June 2 City Council requested additional consideration of providing additional funding to SCPW through the end of the GUEP competition period, specifically to offset the staff time the City was dedicating to SCPW in pursuit of the GUEP. On June 9, 2016 the City Council asked staff to reject the 2 year, $30,000 total Special Service award and instead return with a method to fund SCPW $45,000 outside the Special Service process.
- **Donating to nonprofits outside of the Special Service Contract process:** From a donation to local non-profit standpoint, it is not possible to simply allocate additional funds to a nonprofit organization over and above the 1% state law limit. The funding must be authorized for a corporate [municipal] purpose. A process specified by state code must be followed. Per Utah Code 10-8-2(3), a Municipal Legislative Body may appropriate money for any purpose that, in the judgment of the municipal legislative body, provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality. That process includes a two week noticing period and completion of a Study that justifies said expenditure (Exhibit C).

Alternatives for City Council to Consider

1. **Recommended Alternative:** Council should direct staff to execute a contract to provide to provide $45,000 to SCPW through their fiscal sponsor Park City Community Foundation.

- Summit County has executed a two year contract with SCPW to provide support in the areas of anti-idling, air quality and energy conservation outreach for $22,500 per year.
- The funding is justified as a supplement for PCMC staff time that will not exist in pursuit of the GUEP, by providing the following services:
  a) Administer LED bulk purchase program;
  b) Administer LED installation for low income residents;
  c) Mountain Town Community Solar marketing;
  d) Coordinating with stakeholder groups to continue driving efficiencies – businesses, resorts, schools and residents;
  e) Continued development of partnerships with Rocky Mountain Power and Questar Gas to provide energy efficiency education and services to Park City residents; and
  f) Writing the final report to Georgetown University.

<u>Pros</u>

- Park City Municipal is still supporting GUEP even with staff vacancies.
- Pursuit of the GUEP contribute to the City's Net Zero goals.
- Preserving and enhancing the natural environment is one of the City's goals. A key strategy is to "enhance municipal and community carbon mitigation, energy reduction and conservation." The scope of services supports this strategy.
- Reduces personnel funds that the City has to spend on achieving Net Zero goals.
- Prioritizes existing funds in the Environmental Sustainability budget.

<u>Cons</u>

- Award of financial assistance outside the special service contract process.
- It will take staff resources to track and audit SCPW's use of resources as SCPW's efforts are throughout Summit County and the rest of the region.
- Will reduce consulting resources in the Environmental Sustainability budget.

2. **Alternative Recommendation:** Issue an RFP to secure professional services to pursue the GUEP.

<u>Pros</u>

- Consistency with City and State procurement policies.
- Maintains consistency with the SSC process.

<u>Cons</u>

- Could take as much as 45-90 days to finalize procurement.

3. **Null Alternative:** No incremental funding to pursue the Georgetown Prize outside of the new $15,000 per year Special Service Contract with Summit Community Power Works for FY2017 & FY2018.

<u>Pros</u>

- More dollars available to new Environmental Sustainability staff to address the City's Net Zero goals.

<u>Cons</u>

- SCPW will experience a reduction in in-kind support from PCMC and no mechanism provided by PCMC to potentially offset incremental funding to offset that in-kind support.
- Would diminish our goal of winning the GUEP.

Department Review

Budget, Sustainability, Legal, Executive.

Funding Source

FY2017 funding currently proposed for the Environmental Sustainability operating budget.

Attachments

A Scope of Services/Deliverable
B Contract
C Study
D Environmental Work Plan

Exhibit A - Scope of Services/Deliverables

Summit Community Power Works, through their fiscal sponsor will use funds in the following manner:

- Administer LED bulk purchase program
- Administer LED installation for low income residents
- Mountain Town Community Solar marketing
- Coordinating with stakeholder groups to continue driving efficiencies – businesses, resorts, schools and residents
- Continued development of partnerships with Rocky Mountain Power and Questar Gas to provide energy efficiency education and services to Park City residents
- Writing the final report to Georgetown University

Exhibit B – Draft Contract

SERVICE CONTRACT
BETWEEN PARK CITY THE PARK CITY FOUNDATION AND
PARK CITY MUNICIPAL CORPORATION

THIS AGREEMENT is made and entered into this 4th day of August, 2016, by and between the **THE PARK CITY FOUNDATION (d/b/a Park City Community Foundation, a Utah nonprofit corporation,** (hereinafter "Foundation") and **PARK CITY MUNICIPAL CORPORATION, a municipal corporation of the State of Utah,** (hereinafter "City") for support of Summit Community Power Works' pursuit of the Georgetown University energy prize..

WITNESSETH:

WHEREAS, as part of the budget process, the City Council appropriates funds to contract with organizations offering services consistent with the needs and goals of the City; and

WHEREAS, organizations must meet certain criteria in order to be eligible for a special service contract – accountability and sustainability of organization, program need and specific City benefit, fiscal stability and other financial support, and fair market value of the service; and

WHEREAS, sufficient City resources are not available to provide such services; and

WHEREAS, pursuant to Sections 10-8-2 and 10-7-84 of the Utah Code Annotated, and after a public hearing and completion of a study, the City Council hereby finds that the provision of City funds herein is consistent with the Park City General Plan, and provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City; and

WHEREAS, notwithstanding the recitals above, the City desires to provide funds in exchange for services that support and promote becoming a net-zero community which is a critical City Council goal that will improve the health and moral well-being of the entire community that is at least equal to the current fair market value to the City's contribution; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, the sufficiency of which is hereby acknowledged, that parties agree as follows:

ARTICLE I
TERM AND ALLOCATION

Foundation, as the sponsor of Summit Community Power Works, shall have a contract with a term of six (6) months. The City will allocate the full grant amount upon execution by both parties. The scope of work shall be completed by December 31, 2016, unless otherwise extended by the parties.

TOTAL amount available for allocation: $45,000

ARTICLE II
SERVICES TO THE COMMUNITY

In exchange for the City's contribution, Foundation (and its fiscally sponsored project Summit Community Power Works) agree to:

- Provide the following services through the award of the Georgetown University Energy Prize:

  (a) Administer LED bulk purchase program;
  (b) Administer LED installation for low income residents;
  (c) Mountain Town Community Solar marketing;
  (d) Coordinating with stakeholder groups to continue driving efficiencies – businesses, resorts, schools and residents;
  (e) Continued development of partnerships with Rocky Mountain Power and Questar Gas to provide energy efficiency education and services to Park City residents; and
  (f) Writing the final report to Georgetown University.

- Provide the City Economic Development Manager with monthly reporting of hours spent per task and detailed use of any other use of City resources.

Both parties agree that the above service provided to the community represents a good faith exchange of current fair market value for the City's contribution.

ARTICLE III
HOLD HARMLESS/NO AGENCY

Foundation (and its fiscally sponsored project Summit Community Power Works) and their officers, agents, and employees agree to defend, indemnify, and hold harmless City, its officers, agents, and employees, from and against all losses and expenses, including costs and attorney's fees, resulting from any injury, including death, to any person or damages to property of others arising out of the acts or omissions of Foundation (and its fiscally sponsored project Summit Community Power Works) and their officers, agents, and employees, in the performance of work under this agreement.. Foundation (and its fiscally sponsored project Summit Community Power Works) is an independent entity and nothing herein shall be construed to create any agency, nor employee relationship with the City.

ARTICLE IV
DISSOLUTION

On dissolution of the organization or project prior to December 31, 2016, any remaining funds attributable to the City shall revert to the City in a prorated amount.

ARTICLE V
RECORD KEEPING/AUDIT

Foundation (and its fiscally sponsored project Summit Community Power Works) agree to keep accurate books and records of expenditures related to its operation. The City or its independent auditor reserves the right to conduct its own audit of books and records at reasonable times and places during ordinary business hours. If the grant money has not been used as agreed herein, the City shall be entitled to a full or partial refund of the grant.

ARTICLE VI
AMENDMENT

This Agreement may be amended with the approval of the City Council and Foundation. This Agreement may not be amended, except by an instrument in writing signed on behalf of each of the parties hereto.

ARTICLE VII
EFFECTIVE DATE

The effective date of this Agreement is the date first written above.

PARK CITY MUNICIPAL CORPORATION

_____
Diane Foster, City Manager

Attest:

_____
Michelle Kellogg, City Recorder

Approved as to form:

_____
Mark Harrington, City Attorney

THE PARK CITY FOUNDATION (d/b/a Park City Community Foundation), a Utah nonprofit corporation

By: _____
Oliver L. Wilder, Interim Executive Director

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this _____th day of _____, 2016, before me, the undersigned notary, personally appeared – OLLIE WILDER, as Interim Executive Director for The Park City Foundation, a Utah nonprofit corporation, allowed by law, to be the person whose name is signed on the preceding or attached document, and he acknowledged before me that he signed it voluntarily for its stated purpose as Interim Executive Director of The Park City Foundation.

_____
Notary Public

Exhibit C - Appropriation Study to Award $45,000 to Summit Community Power Works through their fiscal sponsor the Park City Community Foundation.

Prepared by:

Jonathan Weidenhamer, Economic Development Manager
Nate Rockwood, Capital Budget, Debt and Grants Manager
Elizabeth Quinn-Fregulia, Community Affairs Associate

Date: **July 18, 2016**

Pursuant to Sections 10-8-2 of the Utah Code Annotated, the following factors and analysis were considered in award of this contract and are the basis for its consideration:

(i) Park City received the following benefits in return for any money or resources appropriated:

Summit Community Power Works (SCPW) History of Past Performance:

a. LED Switch competition at South Summit School District, North Summit School District, Weilenmann School of Discovery, Park City Day School, and Jeremy Ranch Elementary. 7,000 bulbs were converted to LEDs, resulting in approximately 400,000 kWh saved annually, and $1,555,000 in estimated lifetime savings in the cost of energy and bulbs.

b. LED upgrade at North Summit School District and Park City School District. Result: 32,000 LED bulbs will be installed summer 2016, equating to annual savings of $240,000 in the cost of bulbs, energy, and maintenance.

c. Ski Town Showdown with Aspen in October 2015. Result: social media reach greatly expanded, and an additional 2,700 bulbs switched to LED, equating to$610,200 lifetime savings in the cost of energy and bulbs.

SCPW Continued Community Benefits (over the term of the contract (March 2017)):

1. Quantitative Goals

a. Impact of switch of 10,000 bulbs to LED – The average lifetime savings per LED bulb is $266 (https://www.guep.org/docs/GUEP_IndEEGuide2014_Lighting.pdf). $266 x 10,000 = $2,660,000 or $266,000/year assuming a 10-year bulb life. Assuming a bulb has up to

50,000 hours of life and considering the avoided cost of replacement bulbs (not including maintenance and operations cost, which increase lifetime savings), this effort could keep as much as $425,722 dollars/year in the local economy.

b. Smart thermostat impact - The average residential property in Utah spends $79.49/month on electricity (http://www.eia.gov/electricity/sales_revenue_price/pdf/table5_a.pdf) or $953.88 and $496.28/year on natural gas. (68.6 thousand cubic feet) (https://www.eia.gov/pub/oil_gas/natural_gas/feature_articles/2010/ngtrendsresidcon/ngtrendsresidcon.pdf), 68.6 decatherms (Dth), (https://www.questargas.com/Tariffs/uttariff.pdf) = $496.28/yr). This amounts to $1,450.16 per year in combined utility costs (Park City's homes tend to be significantly larger than average.) A smart thermostat is proven to save at least 15% of combined utility costs per year. $1,450.16 X 0.15 X 500 = $108,762/year in savings.

c. Impact of installation of solar on 130+ homes. The average solar system costs $14,000 to install, assuming $3.50/watt and a 4kW install. SCPW has secured an install price of $2.85/Watt, saving residents almost 20%. 130 installations X $14,000 = $1,820,000 in community value. 130 installations X $2,600 in savings per home = $338,000 in immediate savings. 5,600 kWh per year/per installation X $0.07/kWh = $50,960/year in avoided utility expenses.

d. Impact of writing and electronic distribution of SCPW's Switch eBook to 300 residents: This effort facilitated passive, increased uptake of LEDs, Smart Controls, and Solar PV (multiplier for 1.A., 1.B., and 1.C.). The ebook also included detailed direction and resources for home weatherization, which typically accomplishes 50% reduction in home energy costs, or $725.08 per home.

e. Summary of quantitative benefits (minimum assumption):
    i. $425,722 in annual Citywide utility savings.
    ii. 5.5% annual increase in savings due to predictable utility rate increases.
    iii. $2,158,000 in immediate added value to the community in the form of cost. savings through bulk purchases as energy savings.
    iv. Additional, un-quantified savings in commercial maintenance and operations.

2. <u>Qualitative Goals</u>

a. Increase awareness of and advocate for adoption of energy efficiency and renewables citywide, in alignment with Park City's net-zero goal. This will be done through information (direct outreach, web, social media, information products) and education (in-school lessons and competitions, tabling events, household events). A full adoption of programming at the household-level could offset 100% of electricity demand and 50% of natural gas demand. While significant energy reductions are anticipated in the next year, SCPW is not expecting every home to achieve this level of performance. SCPW assumes that it will deliver at least 750 hours of this service at an at-cost rate of $75 or $56,250.

b. Drive market demand for efficiency and renewable technology: SCPW's education efforts have resulted in Deer Valley, Snowflower Condos, Park City Lodging, JANS sports, Aloha Ski and Sports, the Grub Steak, among others, upgrading to LED in many of their properties. Although the exact numbers aren't known, the demand for efficiency is a direct result of SCPW's outreach and education.
c. Provide a hub for utilities, businesses, local government, schools, and HOAs to simplify, streamline and coordinate a reduction in energy consumption. Execute in a management-consulting capacity to facilitate goals, interactions, and outcomes among stakeholders. Excluding the financial benefit of outcomes (e.g., $610,000 LED lighting contract), SCPW assumes that it will deliver at least 500 hours of this service at an at-cost rate of $75 or $37,500.
d. Continued reduction of consumption, verified through Questar and Rocky Mountain Power, Is unknown and difficult to quantify. We are trying to get an accurate handle on total and seasonal consumption, but seasonal data are not easily accessible. We have access to accurate gross numbers but are unable to analyze the numbers with any granularity. Developing partnerships in the field such as with Vutiliti, who provide utility use data, present opportunities to understand both the scope of the problem and the total opportunity.
e. Summary of qualitative Goal benefits:
    i. At least $113,625 in delivered qualitative benefits annually.
    ii. Additional, un-quantified savings on behalf of PCMC in the form of avoided staff time, materials, and implementation budget.

(ii) Park City's purpose for the appropriation will enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality by:

Park City Municipal has employed sustainability professionals since 2007. Municipal environmental/sustainability managers are supported through local funding, open networks, like USDN, and funding from major foundations. Sustainability work, at its core, is long-term work. Because of budget and election cycles, governments, especially local governments, tend to have longer cycles that are more conducive to far reaching environmental/sustainability plans. Quarterly pressures, near-term profitability, and legal obligations to shareholders make private-sector sustainability more challenging. More importantly, governments have a responsibility to their citizenry and can neither pivot nor relocate.

According to Stratus Consulting's *Climate Change in Park City: An Assessment of Climate, Snowpack, and Economic Impacts*[1]*:*

The economic modeling results indicate that projected decreases in snowpack will have

[1] *Climate Change in Park City: An Assessment of Climate, Snowpack, and Economic Impacts* http://www.parkcitymountain.com/site/mountain-info/learn/environment/ParkCityClimateChangeAssessment9-29-2009.pdf

severe economic consequences for the region. In 2030, the predicted 15% decrease in snowpack is estimated to result in $120.0 million in lost output. This is estimated to result in approximately 1,137 lost jobs and $20.4 million in the form of lost earnings (or labor income). In 2050, the potential impacts range from $160.4 million in lost output, $27.2 million in lost earnings, and 1,520 lost jobs (low-emissions scenarios) to $392.3 million in lost output, $66.6 million in lost earnings, and 3,717 lost jobs (high-emissions scenario).

In separate studies using current emission projections, Park City's winter precipitation is projected to be 50/50 snow/rain by 2035 and potentially no snowfall by 2100.[2] Park City will continue to see its risk of extreme events (heat, cold, drought, flood, wind, and fire) increase. With the current amount of atmospheric CO_2 pollution, in terms of snowfall, Park City will have to adjust to a very different future. Park City's economy will need to adapt with fundamental shifts across equity, environment, and economic metrics in the coming decades if it hopes to maintain its current status. Park City Municipal has the rare opportunity to become more aggressive in its approach to sustainability, thereby setting a standard for our residents and business community, while at the same time helping to prevent some of the harshest impacts of climate change on our community.

Park City Municipal Corporation has incorporated metrics of economy, equity, and environment into its strategic and work plans. Functionally, the city has multiple departments and operating budgets cohoused in a department called Sustainability. The placement/structure and funding of the Sustainability Department is highly correlated with the City's ability to execute on a robust work plan, using expertise in the areas of infrastructure, communications, housing, special events, and environmental regulation and policy. A multi-faceted Sustainability Department, using strong Council support and direction, is well positioned to implement and act upon a very progressive and responsible sustainability work plan for the community.

Some of Park City Environmental Sustainability's biggest wins exemplify this balanced role, intra-departmental approach, and work plan. For example, past and ongoing efforts include:

- Improved Fleet Procurement – Fleet and Sustainability Teams with input from all departments – resulting in right-sized vehicles and right-sized fleets
- Summit Community Solar – Park City Municipal: Building Department, Planning Department, Executive, and Sustainability; Summit County, and Utah Clean Energy – resulting in a 500% increase in residential solar PV installs and $1.2M in new economic activity
- MARC Solar PV Installation – Park City Recreation, Building Department, Planning Department, and Sustainability – offsetting 20% of the MARC's annual electricity use
- LED Streetlight Switch – Streets & Streetscapes, Water Department, and Sustainability – reducing energy and maintenance costs. Six-hundred streetlights were converted to LED, which equates to $40,600 annual savings and $570,000 lifetime savings (5-year ROI).
- LED Facility Lights Switch – Building Maintenance, Sustainability, and all other departments – reducing energy and maintenance costs

[2] *Brian McInerney* – NOAA

- Improved Idling Enforcement – Police, Parking Services, IT, and Sustainability
- Hiring a Sustainable Energy Project Manager – Water Department, Human Resources, Sustainability, and Rocky Mountain Power – targeting a 3M kWh, 25%, reduction in PCMC electricity usage
- Georgetown University Energy Prize/Summit Community Power Works
    - All Park City and Summit County Departments
    - Cities of Coalville, Francis, Henefer, Kamas, and Oakley
    - North Summit School District, Park City School District, and South Summit School District
    - Habitat for Humanity, The Park City Community Foundation, Recycle Utah, and many more

National and Regional Relationships

There are at least 135 municipal sustainability departments in North America.[3] Park City Municipal staff are members of the Urban Sustainability Director's Network (USDN). USDN is funded by member dues (11%) and nine national foundations (89%). Beyond the network, resource sharing, and access to resources USDN provides, staff also has access to the placement, structure, funding, and role of all sustainability departments across the country. Our regional working group, the Western Adaptation Alliance, has provided our Water Department, regional partners, and Sustainability staff direct access to data, best practices, and the staff of thirteen southwestern cities including Aspen, Denver, Boulder, Flagstaff, and Tucson. The Western Adaptation Alliance provides access to communities that share our unique challenges and opportunities. Annual meetings are funded entirely by the Walton Family Foundation. Access to these networks accelerates Park City's work, improves our access to funding, and illuminates the investment of other communities are making in carbon mitigation and climate adaptation nationally.

Additional information and background can be found in the November 19, 2015 update to City Council p. 4 (http://parkcityut.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2078&Inline=True).

SCPW's efforts are consistent with past and current City and community environmental efforts. Their continued work will increase awareness of and advocate for adoption of energy efficiency and renewables Citywide, which is in alignment with Park City's net zero goal. For example, in a recent conversation with Kim McClelland, who oversees all Deer Valley Lodging property managers, he noted that the work of SCPW and the urgency of the Georgetown prize was a catalyst for the company to switch many of their buildings, including The Lodges to LEDs and smart thermostats. It is through relationship-building, education and facilitating the connections between businesses and installers that SCPW has been and will continue to be successful in driving efficiency and renewables citywide. SCPW is presenting to the Park City Chamber of Commerce, with Rocky Mountain Power on July 20th, as well as the Park City Board of Realtors

[3] Urban Sustainability Director's Network – www.usdn.org

on July 21, on the benefits of efficiency and renewables. They continue to develop community relationships as a catalyst for change.

Other examples includes their Mountain Town Community Solar Program, which currently has a 70% adoption rate from proposal to signed contract. The average in former programs was 20%. Through marketing, outreach and administration of proven programs with their partners such as Alpenglow and Utah Clean Energy, they continue to offer simplified, streamlined and cost-effective programs for the residents of Park City.

The successful partnerships and working relationships with the Park City School District have empowered the district to invest in switching 28,000 bulbs. The further impacts of this program include:

* The Salt Lake City School District has adopted the RFP process designed by Park City School District, and in July 2016, entered into a contract with a local business, SES Green Energy, to switch out buildings within their district. This relationship has expanded so Hughes Contractors, who are doing the remodels on various PC district buildings, has asked SES to bid on three new builds - thereby expanding local economic development and demand for efficiency in our community.

A third example includes Rocky Mountain Power, Tesoro Foundation, Mountainlands Community Housing Trust and Park City Municipal. These entities are coordinating the funding, procurement and installation of LED bulbs for low-income housing in Park City and Summit County. This represents the value of SCPW as the hub to foster, streamline, and expand the adoption of efficiency and renewables by bringing together the various stakeholders, and providing the organizational structure to put funding into programs that directly impact the reduction at the meter.

SCPW continues to work to develop positive partnerships with RMP, Utah Clean Energy and local businesses, municipalities and residents to ease the installation process for rooftop solar. Education of various architectural review committees will be key in eliminating hurdles to adoption of rooftop solar city-wide. SCPW's targets for reduction are ambitious - 10% over the two years of the competition.

(iii) The appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of the municipality for the following public purpose:

Park City residents and visitors consistently prioritize "Enhancing and Improving the Natural Environment" as one of the four City Council goals outlined in Park City's long-term strategic plan, Park City 2030(Link).

For example our recently adopted General Plan clearly supports an aggressive approach to sustainability measures:

> *Park City will be "greener." This doesn't mean that wishy-washy light-tone green that most communities are striving to attain. This means that dark "green" color, that truly sustainable green community that offers transportation alternatives to get us out of our comfortable cars, a community that incentivizes energy-efficient design in all new*

construction and historic rehabilitation, a "green" that makes us rethink driving a half mile to drop our kids off at school. We will hyper-focus on the color "green" that makes us consider the environment before we consider the "green" dollar bills that may be singularly focused. Park City doesn't want to stop at being the best IN the world; we want to be the best FOR the world.

More recently, City Council elevated Energy to a third critical priority and recommended target dates to achieve Net Zero Carbon (AKA Carbon Neutral) for the municipal operations by 2022 and citywide by 2032. The following services will be provided by SCPW to help pursue and promote that goal:

a. Pursuing policy related to efficiency and adoption of renewable energy sources.
b. Preserving and Enhancing the Natural Environment by enhancing municipal and community carbon mitigation, energy reduction and conservation.
c. Developing, promoting, and implementing energy efficiency with residents, local government and the school district.
d. Partnering with local nonprofits (Swaner EcoCenter, Recycle Utah, Utah Clean Energy, The Park City Community Foundation, etc.) as well as program. development and alignment of values with Vail Resorts, and Deer Valley Resort.
e. Developing partnerships with local businesses to offer products and services that address energy efficiency, including Utah Clean Energy to administer Mountain Town Community Solar in 2016.
f. Continued development of partnerships with Rocky Mountain Power and Questar Gas to provide energy-efficiency education and services to Park City residents.
g. Writing the final report to Georgetown University.
h. Administering LED bulk-purchase program.
i. Administer LED installation for low-income residents

In summary, SCPW delivers proven programs that offer the residents of Park City a pathway to reducing their consumption. SCPW programs enhance air quality, reduce the monthly bills of residents, and reduce the costs of providing Park City Municipal maintenance. Through SCPW's marketing and outreach they have elevated the awareness of the average citizen of Park City regarding the whole fuel cycle and its associated costs. The Georgetown University Energy Prize is a catalyst for addressing and mitigating the consumption of energy by the City's Water department, and provides motivation to act now, rather than wait. For Park City to reach its community goal of Net Zero by 2032, there needs to be a strong environmental advocate, focused on energy, to drive demand for efficiency and renewables.

Exhibit D – Work Plan

		2015	2016	2017	2018	2019	2020	2021	**2022**	2023	2024	2025	2026	2027	2028	2029	2030	2031	**2032**	CO_2e Red. Pot. **2022**	CO_2e Red. Pot. **2032**
Analytics	PCMC Carbon Footprint																			N/A	N/A
	Park City Carbon Footprint																			N/A	N/A
	Update Climate Action Plan																			N/A	N/A
Ecosystem	Ecosystem Services Assessment																			N/A	N/A
	Ecosystems Services Program																			46%	10%
Utilites	RMP - 100% renewables																			56%	30%
	Questar - Green Gas																			13%	8%
	Municipalization Assessment																			N/A	N/A
	Franchise Agreement Renewal Deadline								*											N/A	N/A
Facilities	LED Lighting																			5%	N/A
	Smart Controls																			8%	N/A
	Whole Facility Weatherization/Asset Upgrades																			20%	N/A
	Onsite Renewables																			20%	N/A
	Battery/Smart Grid																			10%	N/A
	Recommissioning																			5%	N/A
Transit/Fleet	Efficient/Electric Fleet																			2%	2%
	Electric Buses				*															20%	2%
Water	Water & Energy Conservation Program																			50%	2%
	Utility Mitigation Surcharge		*																	N/A	N/A
	Reassess W&ECP and UMS												*							N/A	N/A
Procurement	Initial																			5%	N/A
	Ongoing																			10%	1%
	Caital Project Procurement																			5%	1%
Policy	Land Management Code																			Unk.	Unk.
	Building Code																			Unk.	Unk.
	Incentives																			Unk.	Unk.
Residential	Georgetown University Energy Prize																			10%	30%
	Win GUEP																			N/A	N/A
	Ongoing work																			N/A	30%
Commercial	Sustainable Tourism Research																			N/A	N/A
	Sustainable Tourism Working Group																			Unk.	20%
	SCPW Products																			N/A	20%
	Food Asset Map & Potential Assessment																			Unk.	1%
	Local Food Program																			Unk.	51%
Waste	Commercial Composting Expansion																			3%	5%
	Waste Opportunities Assessment																			3%	5%
																				271%	**217%**
																			Staff Estimate	**200%**	**75%**

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

The Public Art Advisory Board (PAAB) has been working to clarify their role to help promote and cultivate the Public Art Plan, Policy and Public Art Collection. Discussions have focused on strengthening the Public Art Policies and Strategic Planning Initiatives including project implementation and completion.

Respectfully:

Jennifer Diersen,

City Council
Staff Report

Subject: **Public Art Advisory Board Policy Adoption**
Author: **Jenny Diersen, Staff Liaison to the Public Art Advisory Board**
Department: **Economic Development**
Date: **Thursday, August 4, 2016**
Type of Item:

Summary Recommendation

City Council should review, hold a public hearing and approve the resolution to amend Public Art Advisory Board Policy and Public Art Plan to update: Board roles and administration; Primary functions, Goals and strategies, and Funding and maintenance.

Executive Summary

The Public Art Advisory Board (PAAB), staff and City Council have been working to clarify PAAB's role to help promote and cultivate the Public Art Plan, Policy and Public Art Collection. Discussions have focused on strengthening the Public Art Policies and Strategic Planning Initiatives including project implementation and completion.

The seven member Public Art Advisory Board was created in 2003. According to the Public Art Plan, PAAB's purpose is to provide recommendations to City Council regarding all public art expenditures, and establish future funding opportunities for public art to:

- Stimulate vitality and economy of the City.
- Enhance Park City's standing as a leading cultural destination.
- Advance public understanding of visual art.
- Enhance the aesthetic quality of daily life and provide a sense of place.

Staff seeks for City Council to consider an update and provide direction to the Public Art Advisory Board, including:

- Public Art Advisory Board Policies
  - Intent of the Public Art Policy
  - Board Roles & Administration
  - Primary Functions, Goals and Strategies
- Funding
- Maintenance

Acronyms

Arts Council	Park City Summit County Arts Council
CIP	Capital Improvement Plan
PAAB	Public Art Advisory Board
RFQs	Request for Qualifications
RFPs	Request for Proposals
RDA	Redevelopment Area

The Problem and Opportunity

The Public Art Plan and Policy has not been updated since its inception in 2003. PAAB's recommendations regarding roles, administration and project updates will impact:

- Community, arts and culture groups, and local businesses.
- Involvement and coordination with other City Departments.
- Goal in the General Plan of promoting a *sense of community* (page 28 through 31) by continuing to grow as an arts and culture hub encouraging creative expression. Public art contributes to other elements of the General Plan by encouraging walkability and way-finding. Public Art contributes to the attractiveness of the community for tourism, also a General Plan goal.

Background

October 17, 2013	Public Art Advisory Board Update
October 17, 2013	Minutes – page 2
May 28, 2015	Work Session Update Regarding Policies & Strategic Plan Pages 101 to 107
May 28, 2015	Minutes - No comments were recorded
August 20, 2015	Work Session Public Art Advisory Board Joint Meeting with Council Pages 169 to 173
August 20, 2015	Minutes for Work Session Public Art Advisory Board Joint Meeting With Council – pages 4 to 5
June 30, 2016	Work Session Update Regarding PAAB Policies pages 89 to 182
June 30, 2016	Work Session Update Minutes – pages 4 to 5

In 2003, the City established the Public Art Plan and Policy. On October 17, 2013, a strategic plan was presented to City Council designed to coincide with the quality and purpose of public art. PAAB continues to review its policies and strategic plans on a yearly basis. Council was supportive of the plan and the Board used the plan to focus their efforts on programs and projects that related to specific goals.

Analysis

Public Art Advisory Board Policies & Roles

PAAB has been discussing the following changes with regards to the intention of the Public Art Policy and PAAB policies and roles. The PAAB and staff recommends the following changes to the policy, Council confirmed their support of this direction at the June 30, 2016 Council Meeting.

Intentions of the Public Art Policy:

Currently the PAAB is tasked with making recommendations regarding expending funds on visual artworks. Public Art shall be integrated with the opening of new or redeveloped City owned facilities, revive neighborhoods or dark store fronts, and play a role in growing community culture, outreach and education.

- Public Art is currently defined as any visual work of art, in or on City Property financed either wholly or in part, with City funds or grants procured by the City.

PAAB will continue to work with City Departments and within City facilities to add the permanent works within City owned facilities to the collections list. PAAB will continue to make focus of acquiring visual artworks in the following priorities:

- Permanent works – with support from current funding sources including 1% projects and CIP allocations.
- Temporary works – with support from other sources of funding such as grants.
- Artistic performance experiences (such as dance, music, theatre)– as opportunities arise, PAAB will seek Council's input before moving ahead.

Administration

PAAB has been administered by the Park City Summit County Arts Council (Arts Council) since its inception. Changes in the recent leadership of the Arts Council have led to discussions of changes regarding the administration of the PAAB. PAAB recommends being administered by the City, and that the Arts Council should maintain a supportive role for the PAAB in new ways. These changes require clarity in the roles of the Arts Council, PAAB and Staff which are listed below.

Arts Council

The Arts Council's role has included:

- Corresponding with PAAB board members and community leaders
- Developing and implementing strategic plans
- Advertising for board vacancies
- Research and reporting
- Oversight of Art Projects, including development of RFPs, distributions lists, reviews and site visits
- Creation of Agendas, Minutes, meeting packets, board binder materials and other meeting materials.

Proposed role clarity changes for Arts Council include no longer administering PAAB. The Arts Council will support PAAB by:

- Serve as a non-voting seat to support PAAB;
- Serve as a resource for grant writing and new funding opportunities;
- Promote the Park City Public Art Collection and Projects, including posting and sending out RFPs or RFQs to artists lists;
- Leverage partnerships and collaborations between PAAB and the Summit County PAAB, as well as, the Arts Council, other arts and culture organizations and initiatives.

PAAB

The roles and responsibilities of PAAB shall continue to include:

- Adhering to attendance and voting policies;
- Reviewing board agendas, packets and any other necessary materials prior to meetings;

- Participating in Open Meetings Training annually, attending City Council meetings or community functions as appropriate discussions and occasions arise;
- Making recommendations to City Council regarding the Public Art Plan, Strategic Plan and implementation of Public Art projects, funding, maintenance, repair and inventory of the Public Art Collection.

Changes to PAAB Policies include:

- Annually appointing a Chair and a Vice-Chair. The Chair of the Board is responsible for running meetings, including keeping the board focused on agenda items, keeping time at meetings, and summarizing motions that PAAB recommends. The Chair may assist staff in the creation of agendas and presentations to City Council or at community events. When the Chair is unavailable, the Vice Chair shall assist the Chair with duties as described above;
- Change Board Terms from two year terms to three year terms.
    - PAAB Projects take 12 to 18 months to complete from project identification through project completion.
    - Terms will be staggered so that each every year, either three or four seats are available for appointment, however, every third year, no seats will be available for appointment. Both staff and PAAB believe this will allow continuity among board members.

Staff

Proposed role clarity changes for staff include administration of PAAB. Staff will continue to:

- Advise, provide input, and serve as a resource for PAAB, and coordinate communications with other City Departments on projects and assist in obtaining department approvals as needed.
- Give monthly budget updates to PAAB and disperse approved allocations for public art projects. Coordinate budgetary requests on behalf of PAAB with the Budget department or at the request of the City Manager or City Council;
- Manage public art projects in process from creation of Request for Proposals/Qualifications through completion and final acceptance of installation. This includes coordination, communication and management of Public Art Projects with other City Departments and the community;
- Provide input to the City related to the work of PAAB, including preparing reports for City Council meetings on items requiring direction from City Council and/or the City Manager.

Staff will additionally take on the following tasks:

- Create and post agendas and board packets and distribute to the board prior to meetings;
- Record meeting minutes and distribute both draft and final meeting minutes to the Board;

- Oversee updating the Public Art Plan, Strategic Plan and implementation of Public Art projects and manage the maintenance, repair and inventory of the Public Art Collection;

Additionally, both the Summit County and Park City PAABs will continue to send representatives as non-voting members to each entity's board meetings monthly to further collaborations and information sharing between boards.

Because the Arts Council is reducing is administrative role of PAAB, these tasks will fall to staff. Staff has been assuming many of these roles over the past year, and the Economic Development department believes this is currently manageable within existing staff resources and the time currently required to support PAAB in this role.

Staff will continue to monitor priorities and time required to support PAAB in these clarified roles and will report back as necessary at future meetings regarding staff time required to support PAAB.

Primary Functions, Goals & Strategies

Understanding of PAAB's primary functions, goals and strategies is essential for the success of the Public Art Plan and Strategic Plan. As outlined in the General Plan's *sense of community* (page 28 through 31), PAAB seeks confirmation that it should make recommendations to City Council regarding Public Art Plan, Policy and Public Art Collection including expending funds on and facilitating works in order to:

- Stimulate the vitality and economy of the City;
- Enhance Park City's standing as a leading cultural destination;
- Advance public understanding of visual art;
- Enhance the aesthetic quality of daily life and provide a sense of place.

Public Art Advisory Board makes recommendations to City Council; the Council shall have final approval on matters recommended by PAAB. The primary functions and responsibilities of PAAB shall remain the same and include:

1. Review of a cultural assessment of the Park City cultural community.
2. Creation of a strategic public art plan that would include public art policy refinements and recommendations of expenditures of the Public Art Fund. Ensure that public art is safe, accessible, durable, and compatible with community standards.

2a. Upon completion of the strategic public art plan and review of the cultural assessment, the Public Arts Advisory Board shall meet with City Council in a work session to obtain approval.

3. Establish guidelines for implementation of the Public Art Policy, including methods of selecting artists and commissioning works of art. Process must be consistent with City purchasing procedures.
4. Process public art proposals submitted to Park City Municipal and make recommendations regarding appropriations for works of art and art projects to the City Manager.

5. Review, on an annual basis, the artwork projects of the Public Art Policy as a reflection of the program's intent, and recommend appropriate maintenance requirements.
6. Make recommendations for future funding of the Public Art Fund.
7. Make recommendations for the establishment of a contribution percentage for art based on construction cost of public and private development.
8. Make annual updates to the City Council on the progress of the Public Art Policy.

In order to accomplish these tasks PAAB has updated their goals and program strategies. The intent of the Public Art Policy remains the same, but brings action to the goals and strategies. These goals help the board focus on "what" needs to be done. A detailed description of the Goals and Strategies can be found in Exhibit C. An outline of these the goals include:

1. CREATING a cohesive Public Art Program.
2. SELECTING sites that are significant to the community and collection as a whole.
3. MAINTAINING the collection.
4. EDUCATING the community by providing up to date information and outreach.
5. ADVOCATING for opportunities for public art.

An outline of the Strategies include:

1. DEVELOP a strategic plan to support the selection of works and projects.
2. ESTABLISH guidelines for Public Art Policy
3. RECOMMEND and make annual updates on these policies.
4. ENCOURAGE early collaboration between artists and City Departments
5. INVOLVE the community in the process of public art.
6. PROMOTE continued community involvement, partnerships and outreach.
7. COLLABORATE with organizations including the Park City Summit County Arts Council, Summit County Public Art Advisory Board and other organizations to create unity, ensure unique settings.
8. CONTRIBUTE to the discussion of city revitalization and development efforts both in planning and execution of projects.

Inventory Management & Maintenance

The Public Art Collection is more than 30 years old. With more than 30 pieces in the Public Art Collection, the Public Art Advisory Board has worked to put together an outline of pieces in the collection by conducting both site visits and utilizing the current Public Art Map which is attached in Exhibit D. This updated outline of artworks will help to:

- Enhance Park City's standing as a leading cultural destination.
- Advance public understanding of visual art.

<u>Interior Artwork</u>

Furthermore, many of the works inside of City owned public facilities are not included on the inventory list. PAAB feels that in order to be able to uphold to the goals of the Public Art Strategic plan, acquisition, and promotion of the collection, artwork displayed on the interior or exterior of City Buildings and Property should be part of the inventory in the collection. They believe that the works hold cultural, historical and monetary value.

Department Collaborations

PAAB will continue to maintain and manage permanent artworks throughout the City's collection, including donations, temporary or rotating exhibits other than the Art Rail display at the Library, including artwork both inside of facilities, and outside on City property.

The Park City Library and Library Board have recently adopted an updated Exhibit Policy for the temporary Art Rail display at the Library. Staff from Library and PAAB have coordinated and recommend:

- Assignment of a PAAB member as an advisory role on the Library's Art Rail Display Exhibit Committee.
    - The Library will rely on the PAAB advisory seat for valuable input on the selection process, but the Exhibition Committee, which is comprised of Library Staff, will make final decisions on temporary Art Rail displays.
    - PAAB will continue to have authority to make recommendations to City Council on artwork at the Library, outside of the Art Rail Display, rather temporary or permanent, including inside or outside of the facility.
- Ensure PAAB will be familiar with the Library's Exhibit Policy and deadlines for submission.
- Work together to promote Art Rail exhibitions and Call for Entry through both the Library and PAAB.

Parks, Building Maintenance and Police Departments serve as a valuable resource to help identify when regular maintenance, as well as irregular repairs such as graffiti or other unforeseen damage occurs. As recommended by PAAB, a regular maintenance schedule for works in the collection will be established in coordination with the Parks and Building Maintenance Departments. Though this collaboration is not new; more attention will be placed on regular maintenance of artwork as our collection continues to age. Additionally, PAAB will work to clarify how to take care of irregular repairs so they can be prepared to take action when they occur. Based on PAAB feedback, staff has coordinated and believes the following:

- Regular Maintenance should be coordinated through the Parks and Building Maintenance Departments to discuss expected level of service. Funds needed for regular maintenance would come from existing operating budgets. However, with PAAB placing more attention in this area, Staff will collaborate and report back to City Council through the budget process if additional funds are needed.
- Irregular Maintenance such as unforeseen damage would coordinate with Finance and Budget Departments regarding asset management and any costs associated with repairs. Staff believes that costs may be taken out of the PAAB's existing funding resources.

- Graffiti Removal will be coordinated with the Streets Department within existing Graffiti Removal budget.
- Some repairs may require contract with artists or experts on matters that need to be addressed outside of staff's ability. Fees for such expenses would come from PAAB's existing budget.

Staff will continue track and monitor costs associated with maintenance and repairs and may return through the budget process to request additional funding for these items.

Funding

Public Art has been financed primarily through two funding sources within the capital budget. The first funding method is a direct allocation from both the General Fund (CIP Fund) for $100,000 in fiscal years 2015 – 2017. The second funding method is through a 1% cost of construction contribution from a qualifying capital improvement project (such as the Library Remodel or the Main Street streetscape improvements). 1% funds remain in project budgets for the capital improvement project, until the capital improvement project is completed.

- PAAB will continue to make recommendations to first use the 1% public art funds at a project site, but may consider using the funds outside of the project site.
  - When 1% project funds are not used for artwork at a project site, the remaining funds are transferred into the Public Art Project Budget as part of the year-end budget adjustments.
  - PAAB makes this recommendation as a combination of these funds (specifically for smaller 1% allocations) allows PAAB to plan for larger projects in some of their targeted high priority project areas. Combining smaller funding allocations, allows PAAB to works towards acquiring more impactful and meaningful works or projects for the collection.

As PAAB continues to look at Strategic and Project Plans, they anticipate spending current and future funding and CIP allocations. PAAB would like to continue exploring additional funding potentials including grants and unsolicited private funding and partnerships to ensure the program continues to grow and evolve. PAAB believes these additional funding options would leverage for unique and engaging programs and opportunities outside of site specific public artworks. New funding mechanisms may need to be established for maintenance and repair costs in the future.

Public Art Project Budget (CP0089)Update 07/2016	**Amount**
General Fund Transfer, Unrestricted	$130,389
Lower Park RDA, (restricted to use within LPA RDA)	$57,748
Total Public Art Project Budget Balance	**$187,137**
Deer Valley Drive II Beautification 1%	$7,725
McPolin Barn Renovation 1%	*$14,000*
Main Street Improvement Estimated Total 1%	*$150,000*
Total 1% Project Funding	**$171,725**

Total Public Art Budget Balance (1% and General Funds Combined Balance)	**$358,862**
Expenditures	
Library Project (July 2015) 1%	$60,251
Quinn's Public Art (September 2015) CIP	$85,622
Maintenance DV Dr. Tunnel Repair (March 2016)	$410
PC MARC Project (November 2016)	*$12,000*
Utility Box Project (Fall 2016)	*$25,000*
Total Expenditures 2015/2016	**$183,283**

Project Update
PAAB adopted a strategic plan in 2013. The Board continues to review project priorities at board meetings in an effort to focus selection of projects on items that fulfill the program's goals, strategies and the purpose of the Public Art Program. A project update is attached as Exhibit B.

Highlights of Upcoming Projects Include:

- PC MARC Interior Installation
- Utility Box Project with Rocky Mountain Power
    - The Public Art Advisory Board believes this project will align with City Council's priorities on Energy Conservation.

Future Projects include high priority on the following areas:

- Main Street Improvements
    - PAAB currently has an allocation of 1% of the project budget from Main Street enhancements. PAAB believes that these projects would be completed in 2017/2018. For all of the Main Street Improvement Projects, PAAB recommends:
        - Continuing to work with design teams and project managers for the sites listed above to coordinate processes for selecting artwork at these sites specifically, rather through an RFP or RFQ process or through coordination with Design Teams.
        - That they be consulted with regards to placement or integration of Public Art in throughout the design process.
        - Working to understand the project sites, so that work chosen for these sites may complement each other and perhaps the specific site.

- Public Art Mapping, Inventory and Maintenance Plan
    - With the current PAAB Art Map Site out of date, the PAAB has worked to put together an basic inventory of pieces in the collection by conducting both site visits as well as working with various departments in the City. The board believes over the next year it should focus on creating an

updated inventory and as well as public art mapping and maintenance plan for the artworks that are currently in the collection.

Department Review

Sustainability, Library, Building Maintenance, Parks, Police, Budget, Executive and Legal Departments have reviewed this report and comments have been incorporated within the report.

Funding Source

Public Art has been financed primarily through two funding sources both within the capital improvement plan. The first funding method is a direct allocation to the Public Art capital project (CP0089) from the General Fund transfer and the Lower Park Ave. RDA. The second funding method is through a 1% contribution from a qualifying capital improvement project.

Alternatives for City Council to Consider

1. Recommended Alternative:

City Council should review, hold a public hearing and approve the resolution to amend Public Art Advisory Board Policy and Public Art Plan to update: Board roles and administration; Primary functions, Goals and strategies, and Funding and maintenance.

Pros

a. Adoption of PAAB's Policies and Public Art Plan will help PAAB make recommendations and bring focus on funding and Public Art policy which will help enhance the aesthetic quality of daily life for citizens and provide a sense of place.

b. PAAB's work positively impacts the City's Council's goals for creating a world class, multi seasonal resort destination, and creating an inclusive community of diverse economic and cultural offerings.

c. PAAB's recommendations will impact the community and coordination with City Departments. It is important to understand PAAB's recommendations should reflect a balance between community engagement and economic development opportunities.

2. Null Alternative:

City Council could make amendments to the policy before adopting or ask to bring this item back for further review. Staff would ask City Council to confirm the items to be focused on before adoption or for a future meeting.

Pros

a. Allows PAAB and staff additional time to further discuss questions City Council may have regarding the roles and direction of PAAB.

Cons

a. PAAB would not have confirmation of the direction and work they are doing as we move to update new board members on direction of the Public Art Policies and Plan. There is concern that some of the work and recommendations that PAAB has worked on for the past year would be lost.

3. Other Alternatives:

City Council could choose to provide no direction regarding PAAB's direction and role.

Cons

a. Neither Staff nor PAAB would have confirmed direction of the role and work of PAAB.

4. Denial Alternative:

City Council could choose to deny PAAB's recommendations regarding PAAB policies and the Public Art Plan.

Cons

a. PAAB would not have confirmation of the direction and work they are doing as we move to update new board members on direction of the Public Art Policies and Plan. There is concern that some of the work and recommendations that PAAB has worked on for the past year would be lost.

Attachments

A Resolution 17-2016, Public Art Advisory Board and Policy
B Public Art Project Update
C PAAB 2016 Public Art Policies for approval
D PAAB 2016 Public Art Policies DRAFT attachments
   a. 2003 Acknowledgements
   b. Re-siting and Deaccessioning Policy
   c. Park City Public Art Donations Policy
   d. Park City Public Art Board Member Policy
   e. Park City Public Art Inventory List DRAFT
   f. Original Public Art Policy 2004

Resolution No: 17-2016

RESOLUTION AMENDING THE PUBLIC ART ADVISORY BOARD AND PUBLIC ART POLICIES

WHEREAS, Art is an integral part of the Park City community and support of public art is an established goal of City Council, and

WHEREAS, Art is a fundamental element and defining characteristic of Park City and the City has taken steps to promote and maintain the vision of the Public Art plan to facilitate and encourage public art and desires to amend the written policy for art and the Park City Public Art Advisory Board; and

WHEREAS, it is the goal of the current City Council to ensure a cohesive plan for public art exists to promote a sense of community and enhance the aesthetic quality of daily life by providing a sense of place; and

WHEREAS, Art shall stimulate the vitality and economy of the City and enhance Park City's standing as a leading cultural destination, encouraging creative expression; and

WHEREAS, Art should be accessible to the public, durable to the outdoor elements, safe to the public and compatible with City vision and goals; and

WHEREAS, the City Council shall appropriates one percent (1%) of qualifying Capital Improvement Project funds to be spent to acquire and integrate public art;

Now therefore it be resolved that,

SECTION 1. BOARD AND POLICY ADOPTED. The attached refinements to the Public Art Policy and subsequent Park City Public Art Advisory Board Policy is hereby adopted on Thursday, August 4, 2016.

SECTION 2. EFFECTIVE DATE. This Resolution becomes effective upon adoption.

PASSED AND ADOPTED this Thursday, the 4th day of August, 2016

PARK CITY MUNICIPAL CORPORATION

_____

Mayor Jack Thomas

Attest:

_____

Michelle Kellogg, City Recorder

Approved as to form:

_____

Mark D. Harrington, City Attorney

Completed Projects 2015-2016

Over the past year the PAAB has completed several projects including:

- *Tell Me A Story* by artist Danielle Wyckoff of Grand Rapids, Michigan
  Located on the interior of the Library in the entry hall.
  Funding to complete this project came from 1% of the remodel of the Library's Project Budget ($68,000). A small remaining budget exists and has been rolled into the PAAB's general funds, but is restricted to the Lower Park RDA.

- *Symphony of Movement* by artist Joshua Wiener of Boulder, Colorado
  Located at Quinn's Junction near the dog park.
  Funding to complete this project came from the PAAB's General Funds, which are funded by additional CIP allocations ($86,000.00).

- Repairs and Maintenance
  Graffiti was reported on the tunnel under Deer Valley Drive. The Graffiti was repaired by the artist, Trent Call. Costs were under $500.

- Donations
  Tunnel Mural – *A Sacred Community* was donated by students Danny Stephens, Miguel Galaz and Jessika Jeppson from the University of Utah, who partnered with the Kimball Art Center's Young Artists Academy Program to complete the mural.
  - Through the summer of 2015, they completed the mural and engaged community members to take part in helping to paint the mural as they came through the area.
  - Estimated value of the work is $5,000. Though funds were not used to acquire the work, maintenance funds may be required to help touch up a few areas that have had recent minor damage.

  Judy Taylor Framed Limited Edition Print of Miners Hospital was donated by a local family.
  - The artwork is on display on the interior of the Miners Hospital.
  - The estimated value of the work is $700.

Pending Projects

The PAAB is currently coordinating several projects including:

- PC MARC Interior Installation
  The PAAB has been working with Staff including the team at the PCMARC staff to identify an appropriate site and theme for an interior work.
  Funding to complete this project is currently estimated at $12,000. Funding to complete this project will come from 1% of the solar panel installation at the PCMARC and an additional allocation from the PAAB's general funds which are funded by additional CIP allocations.

- Utility Box Project with Rocky Mountain Power
  The Public Art Advisory Board understands that one of City Council's high priorities is focusing on Energy Efficiency. The PAAB has proposed a pilot project to Rocky Mountain Power, in which roughly ten (10) Rocky Mountain Power utility boxes would be wrapped with artwork from our local community along the theme of emPOWERment. The emPOWERment theme would encourage both local artists and students to submit designs

focusing on taking action to reduce our of carbon footprints through renewable power sources, efficient transportation, recycling and reuse, maintaining natural environment, water and energy conservation, as well as, supporting local farmers, artist and businesses.

- Rocky Mountain Power is currently working on an agreement to begin working with Park City on a public art 'pilot' program.
- Should this be a successful project, we would evaluate and hope to be able to continue adding 3 to 5 utility boxes to the collection each year.
- Additionally the PAAB believes that this project may create positive PR and educational opportunities for both the City and Rocky Mountain Power with regards to sustainable efforts and outreach.
- The board currently is hoping to be able to release an RFP for artwork by August. Depending on the response from our community, this project may not be completed (due to weather) until Spring/Summer of 2017.
- Funding to complete this project is currently estimated at $25,000 and will come from the PAAB's General Funds which are funded by additional CIP allocations. If possible, the PAAB may consider applying for the Rocky Mountain Power Foundation Grant with regards to arts and culture for assistance in helping to fund this project.

- Repairs and Maintenance

  Bus Shelter

  Work from the bus shelter near the Library on the East side of street was removed from the site. There is a case number, but no lead. The artist, John Helton, has been contacted and he has offered to donate his time to fix the work. The PAAB is waiting on an estimate of costs on materials (cast copper). Costs for repair of this project would come from the PAAB's General Fund which is funded by additional CIP allocations.

- Donations

  Art Pianos for All

  Mark Maziarz, local photographer and artist, has approached the Public Art Advisory Board and asked if the City is interested in acquiring the Pianos. This project will be discussed at the July meeting.

<u>Future Projects</u>

The PAAB has identified a high and medium priority on the following projects:

- Main Street Improvements
  - Bear Bench Plaza – art pad
    - The board recommends waiting until 2017 to release an RFP or RFQ for an artwork to be placed at the Bear Bench art pad after they have seen how other Main Street Improvement projects can be coordinated with this major corridor.
  - Bob Wells Plaza
  - Brew Pub Plaza
  - China Bridge connections and way finding to Main Street
  - Miners Park Plaza
    - The Board has worked with the design group and project manager for the Miners Park and recommended working with the design team to create an art piece that enhances other needs in the space. Because the Miners Park project has been placed on hold, it is the Board's current recommendation, that they continue working with the design team through this process.

The PAAB has an allocation of 1% of the project budget from Main Street enhancements. The PAAB believes that these projects would be completed in 2017/2018. For all of the Main Street Improvement Projects, the PAAB recommends:

- Continuing to work with design teams and project managers for the sites listed above to coordinate processes for selecting artwork at these sites specifically, rather through an RFP or RFQ process or through coordination with Design Teams.
- That they be consulted with regards to placement or integration of Public Art in throughout the design process.
- Board is currently working to understand the project sites, so that work chosen for these sites may complement each other and perhaps the specific site.

- Public Art Mapping, Inventory & Maintenance Plan
  The Public Art Collection is 32 years old. With more than thirty (30) pieces in the Public Art Collection, the Public Art Advisory Board has worked to put together an basic inventory of pieces in the collection by conducting both site visits as well as working with various departments in the City. The board believes over the next year it should focus on creating a professional inventory and documentation as well as public art mapping of the works we have in the collection. This process will focus on several areas:
  - Revitalization of the current Park City Public Art Map and Website.
  - Official adoption of artwork into the Park City Public Art Collection as recommended by the Park City Public Art Advisory Board at a meeting held each Summer or Fall.
  - Establishment of maintenance schedules for works throughout the collection.
  - Establishment of a funding for repairs for unforeseen artwork damage, that requires more than regular maintenance.

- Lower Park RDA
  The Board currently has $57,000 restricted to this area. The board will be conducting a site visit of this area and will discuss how they may implement strategic placement of artwork through this corridor to help enhance pathways, transit, and our community's story. We anticipate following up with plans for this are in the Summer of 2017.

- Areas outside of Old Town
  There may be potential sites for public art in many of our welcoming corridors and areas throughout Park City. PAAB continues to evaluate areas at Quinn's Junction, Prospector and Bonanza Park for appropriate public art sites. In addition, the board continues to evaluate sites both individually as well as how they would be balanced and viewed to the collection as a whole.

- Transit & Parking Coordination
  The PAAB also understands that another one of City Council's high priorities is to increase the use of alternate modes of transportation. The board is continuing to explore how to help increase ridership and engagement through public art and our transit systems, trails and pathways. The PAAB is hoping to meet with both Transportation and Parking Services departments to see how they can further assist in offering unique works of art, design elements to further engagement with the community.

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Park City Public Art History

Beginnings

In an effort to enhance Park City as leading cultural destination, Park City Council has taken steps to promote and maintain the vision of the public art collection. The Public Art collection helps to ensure the aesthetic quality of daily life and provide a sense of place in the community for its citizens. Public Art is a fundamental element and defining characteristic of the City.

The Park City Art Foundation dedicated Park City's first piece of public art entitled *Park City Scape*, by artist James Mcbeth, in October, 1984. This piece currently resides at the south side of Park City's historic Miner's Hospital Building at City Park.

In February 1999, the Park City Summit County Arts Council established the first Art in Public Places plan to help create the framework for a strong and healthy public art program. The plan was formulated, in part, to help guide the selection process for the art at the Park City Transit Center, funded through a grant from the Federal Transit Authority. Criteria and standards were developed that were applied to this particular project

In December of 2002 the first makings of a public art policy were presented and discussed by City Council.

In May of 2003 the planning department solidified the City's commitment to art by clarifying and codifying a section of the LMC to specifically address the placement of art on public property. Code section LMC 15-4-15 (Exhibit A) addresses requirements for light, safety, and appropriate outdoor materials as well as an application process for anyone who desires to put art on public property.

In July, 2003 Council allocated $200,000 in funds as seed money for a new Public Art Program. In December 2003, a Public Art Policy was adopted by Park City Council establishing a Public Art Advisory Board to be administered by the Park City Summit County Arts Council. (Attached as Exhibit B).

In May of 2004, a seven-member Public Art Advisory Board was appointed by Park City Council to create this strategic art plan, make recommendations to City Council regarding public art placement and expenditures, and establish future funding opportunities for public art. By July of 2004, the Public Art Advisory Board in association with the Park City Summit county Arts Council prepared the first Park City Public Art Plan.

Today

The arts are an integral part of the Park City community and have been for many years. Park City is filled with artworks throughout both the City. In addition, many art galleries, private collections, performance venues and non-profit organizations thrive in Park City and are dedicated to elevating arts and culture through the City.

City Council works with the Public Art Advisory Board as well as the Park City Summit County Arts Council to ensure a cohesive plan for public art is in place now and for the future. These groups continue to work together to enhance the quality of life in Park City and to promote the City's Public

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Art Collection. In order to accomplish this, continued collaboration among many City, County, and State departments, as well as community partners is essential.

Today, Park City's Public Art Collection has grown to more than 35 pieces in the permanent collection. Whether riding the bus, walking on Poison Creek Trail, visiting Main Street or the many City owned buildings, you will find artwork that both inspires the future and celebrates our past. A Public Art Map is available on the City's website and an inventory list is attached as Exhibit F.

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Glossary of Terms

Deaccessioning The removal of an existing permanent work of art from Park City's Public Art collection. The policy for deaccessioning is outlined in the attached re-siting and deaccessioning policy. (Exhibit C)

Long Term A period lasting of an extended period of time.

Maintenance To keep in an existing state to; preserve from failure or decline.

Permanent A period lasting or remaining unchanged indefinitely.

Private Art Any visual work of art owned privately, which is displayed in or on City Property for any length of time; or any visual work, financed either wholly or in part, with City funds or grants procured by the City, displayed in or on Private Property.

Public Art Any visual work of art displayed for any length of time in or on City Property and/ or on non-City property if the work of art is installed or financed, either wholly or in part, with City funds or grants procured by the City.

Request for Proposals (RFP) A solicitation, made through a bidding process, for procurement for submissions for a specific opportunity that requires development of a proposal. The RFP defines the specific requirements for the proposal, including the project budget, criteria and constraints, description of the project site, and format for submission of the proposal.

Requests for Qualifications RFQ Generally refers to the pre-qualification stage of the procurement process. Those who successfully respond to the RFQ may be requested to submit a Request for Proposal.

Re-Siting The relocation of an existing work of art in Park City's Public Art collection. The policy for Re-Siting is outlined in the attached re-siting and deaccessioning policy. (Exhibit C)

Repair To fix or mend something that results from damage or fault.

Site-Specific A work commissioned, created, purchased or donated for a particular place.

Temporary A period lasting of only limited time**.**

Visual Art Art forms of; sculpture, monument, mural, fresco, relief, fountain, banner, benches, architectural furniture. Works of art include, but is not limited to the art mediums of; weaving, carving, painting, assemblage, collage, welding, casting, mixed media, multimedia and sculpting.

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Administration

The commission of public art is an unusually subjective arena for the public sector. Questions of taste, style and content are complex matters to be addressed through a governmental process and the products of the public art program are highly visible to the public.

Park City's Public Art Advisory Board (PAAB) was established by Park City Municipal Corporation, and is supported by the Park City Summit County Arts Council. The Public Art Advisory Board shall have seven (7) members appointed by the Mayor and City Council. Composition of the Board will include representation from the community who live in the City Limits of Park City and are interested in serving on the Public Art Advisory Board. Board members shall serve for no more than two consecutive, three-year terms. Terms are staggered. Members must reapply for a second term. Appointments to fulfill vacant terms do not include term limits. Terms begin on July 1, end on June 30, or until vacancies are filled. Board members are not compensated.

The City Manager or his/her designee shall appoint a Staff Liaison to the board as ex-officio without vote. A City Council liaison shall also be appointed to the Board as ex-officio without a vote. It is encouraged that students from the community be included on the panel to serve ex-officio without vote.

The seven (7) member PAAB makes recommendations through the Staff Liaison who shall take recommendations to the City Manager or his/her designee or City Council regarding strategic planning, acquisition, expenditures, funding and budgetary requests, project identification, donations, proposals or qualifications, maintenance, repair, re-site or deaccession of public art, as well as and policy refinements. All decisions regarding Public Art shall be made final by the City Council.

The PAAB works to make recommendations to help promote and cultivate the Public Art Plan, Policy and Public Art Collection by expending funds on and facilitating works in order to as outlined in the General Plan:

- Stimulate vitality and economy of the City.
- Enhance Park City's standing as a leading cultural destination.
- Advance public understanding of visual art.
- Enhance the aesthetic quality of daily life and provide a sense of place.

Public Art Program Goals

1. CREATE a cohesive public art program that is embraced by the Park City Community by selecting projects and works of art, excellent in both conception and execution, which enhance, celebrate, reflect and inspire the community's identity, environment, culture and history for the enjoyment of its citizens and visitors.
2. SELECT sites for public art which are significant to the community, the collection as a whole and will maximize interaction with the work.
3. MAINTAIN the collection with proper identification and care of the collection though use of appropriate and consistent signage, cataloguing and maintenance of Park City's public art collection. This includes ensuring that public art is safe, accessible, and durable.
4. EDUCATE the community by providing up to date educational materials and information about the public art collection. Public art may be used as a way to engage the community and as an element of outreach.

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5. ADVOCATE for and assist with the facilitation of opportunities for visual art and artists through commissions, exhibitions and funding opportunities and partnerships.

Public Art Program Strategies

1. DEVELOP a Strategic Plan to support the selection of works and projects for the Park City Public Art Collection, upon review of a cultural assessment of the Park City community
2. ESTABLISH guidelines for implementation of the Public Art Policy, including selection, purchase, donations, commission, placement, and maintenance of works of public art.
3. RECOMMEND placement, acquisition, maintenance, repair, re-site, de-accession, budget and funding for works of art and public art projects to the City Manager or his/her designee or City Council. Make annual updates to the City Council on the progress of the Public Art Policy and Collection.
4. ENCOURAGE early collaboration among artists with planners, architects, engineers, and appropriate departments and partners in the design of public facilities and spaces.
5. INVOLVE the Park City Community in advancing and enhancing public art. Provide opportunities for artists to work throughout the community in creating works which will be meaningful and appropriate to the selected settings. Find ways to incorporate public art as an element of community education
6. PROMOTE continued community involvement, partnerships and outreach for the Public Art Collection, including reviewing assessments of the Park City cultural community.
7. COLLABORATE with community organizations, entities and individuals including, the Summit County Park City Arts Council (SCPCAC) and Summit County Public Art Advisory Board (SCPAAB), to create unity and ensure uniqueness in Public Art Collections.
8. CONTRIBUTE to City revitalization and development efforts both in planning and execution of projects.

Overview of Public Art Selection and Approval Process

1. Public Art Advisory Board identifies a project and presents a recommendation to the City manager including nature of the project, potential site location and budget.
2. Recommendation is reviewed by City Manager and Staff, and recommendation is brought to City Council for direction by the City Staff Liaison.
3. If approved by City Council, Public Art Advisory Board will generate a request for proposals (RFP) to artists in accordance with Park City's purchasing policy.
4. The Public Art Advisory Board shall review artists' proposals, who shall present their ideas with drawings, photographs, machetes or other visual models, technical considerations and project budget. The board will then make a selection based on the guidelines and criteria outlined in this document.
5. The Public Art Advisory Board will present their recommendation to the City Manager and or his/her designee, or City Council for final approval.
6. When projects are approved, Park City Municipal Corporation will enter into a contract with the artist and work in conjunction with the Public Art Advisory Board for installation through completion and final acceptance of the project.

Acquisition

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As the Public Art Advisory Board acquires works of art the Public Art Advisory Board shall make a recommendation to the City Manager or his/her designee with final authority by City Council.

Donations

Citizens of Park City and others have offered to contribute to Park City's public art collection with generous gifts of artwork. It is the responsibility of the Public Art Advisory Board to review such proposed gifts on behalf of Park City.

In the case of a proposed donation of art to the Park City Public Art Program, the donor will present a proposal to the Public Art Advisory Board in accordance with the donation policy (Exhibit D), and the Public Art Advisory Board will vote to accept or reject the donation based on the goals and objectives as set forth in this policy. If accepted, the selection and approval process outlined above will be followed with the exception of the generation of a request for proposal. If rejected, the Board shall inform and make a recommendation to the City Manager or his/her designee. Final authority for appeals should be brought to the City Council.

Specific Proposal by Artists

An artist or group of individuals may propose a project to the Public Art Advisory Board. If such a proposal meets the intent of the Public Art Policy, the Public Art Advisory Board shall make a recommendation and state rather a call to artists and request for proposals is required. The Park City Public Art Advisory Board's recommendation will be brought to the City Manager or his/her designee with final authority by City Council. If a call to artist and request for proposals is required, it shall follow the Park City Municipal purchasing policy as well as the selection and approval process outlined above.

Purchase of Art

The Public Art Advisory Board may consider the purchase of a work of art if the piece identified meets the intent of the Public Art Policy. Once a piece is identified, the selection and approval process outlined above will be followed with the exception of the generation of a request for proposal. In this case, no more than ten percent (10%) of the cost of the work may go toward a dealer or agent.

Design Criteria

The following are a suggested set of criteria which the Public Art Advisory Board shall use as guidelines in the identification, selection and acceptance of public art.

1. **Quality:** Acquisitions for Park City's Public Art Collection shall be of exceptional quality and enduring value. Consideration shall include artists experience in successful projects, material selection craftsmanship and reflect enduring artistic quality.

2. **Authenticity:** Successful art projects are authentic to the community and their surroundings. Work shall be original and not identical of something already exists in the collection. Works of art shall be compatible in style, scale, material, form and content with their surroundings, and should form an overall relationship with either the site and/or the collection as a whole.

3. **Engagement:** A vital element of a successful Public Art Program is the connection of the work to the community. The artwork should have the ability to engage the community from conception to completion. A work with such engagement should help the community feel both ownership of the art, as well as, an ongoing appreciation of the work. Work may tell a story of the community's

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past or present, and may portray a sense of the place, people and spirit that live here. The artwork may speak to a specific community, area or neighborhood or unite our diverse community.

4. **Creativity:** Creativity can be communicated through a wide range of artistic styles. The artist should be able to explain why their work is creative and how their concept solves the problem through vision, process, thoughts, ideas, feelings, use of materials and other areas. Artwork should create excitement, be unique and/or original and have the ability to inspire, create a sense of wonder. Artwork may be innovative or imaginative, and have the ability to transcend traditional ideas or techniques, and create new meaningful interpretations or to inspire the community and our imagination.

5. **Other Considerations:** Ensure that public art is safe, accessible, durable, as pertains to the appropriate time period of display of the work and is compatible with City Building codes. Artworks shall not require excessive maintenance or repair costs. Lighting and site preparations should be considered. Artworks that require frequent maintenance are discouraged. Artwork shall not create safety problems to the public or liability problems to the City.

Artist Participation

It is strongly recommended to involve artists at the earliest appropriate stage for each public art project. City planners and developers are encouraged to include artists on project design teams. There is an immeasurable value to artists' involvement – a new perspective and fresh approach from the artist's viewpoint can often bring a whole new sense to the project and, more practically, can save on expenses.

Site Location

The Park City Public Art Program is designed to celebrate Park City's culture with a strong appreciation for the arts. Appropriate site selection will assure that art is safe and accessible to both locals and visitors. The Public Art Advisory Board may consider all city-owned property and identify those locations that will maximize the public's interaction with art.

Commissions for art may consider how they relate to the particular site, the collection as a whole or be designed to create a reflective or enriching experience for the public.

Community Involvement

The Public Art Advisory Board holds monthly public meetings, which are open to the public subject to the State Open Public Meetings Act. Each meeting shall provide time within the agenda for public input.

Based on the findings of the Community Visioning, '*Sense of Community'* is defined as *what unites Parkites – a common ground – despite diverse social, economic, and cultural backgrounds. While our natural setting and recreational opportunities brought many people to Park City, it is the strong sense of Community that keeps people here. It is essential to residents that the Sense of Community they know remains intact and retains its funkiness, diversity and playfulness. For Parkites, the presence of arts and culture adds to our quality of life through the abundance of diverse local opportunities to enjoy and explore the arts through many mediums*. The Community Visioning outlines several Goals and Strategies specific to ensure that arts and culture in Park City will continue to grow as a hub, encouraging creative expression.

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Installation

The artist shall be responsible for all applicable permits and fees, as pertains to the contract executed by the City and Artists, regarding the installation of the artwork. Consideration should be given to the preparation of the site well in advance of the installation date. All necessary materials, including mountings, anchorages, containments, pedestals, barriers, drains, power, lighting fixtures, etc., should be specified in the scope of work. The artist should consider installation design that addresses visibility and cohesiveness to the artwork, including, lighting, additional patinas, protective coatings, accessibility, safety, durability and purpose. The installation techniques should not detract from the artwork's function or aesthetics, and shall follow the rules as outlined to appropriate building and planning codes. Required notifications should be considered and coordinated with the proper authorities in advance of any work.

Maintenance

The City of Park City takes great pride in its collection of owned and displayed works of art and recognizes the importance of this artwork to the cultural and economic wellbeing of the community. The City is committed to the documentation, preservation and maintenance of the collection. The Public Art Advisory Board (PAAB) shall be responsible for recommendations in regards to this process.

The goal of the Public Art Maintenance Policy is to maintain the City's collection of artwork to ensure long-term enjoyment of the collection and to take action to prevent the deterioration of works before they come to a state of disrepair or deaccession (Exhibit C).

A Maintenance Policy recommendation shall accompany each piece as it is accepted into the collection, as well as address continued maintenance and cleaning for pieces throughout the collection as a whole. The PAAB shall review the Park City Public Art Collection on an-going evaluation or as directed by City Council or the City Manager or his or her designee.

Artists shall be required to submit a schedule with recommended specifications and costs estimates for regular and annual maintenance based on the function, aesthetics, and materials of the artwork. Regular maintenance includes removal of accumulated dirt or dust, adjustments or lubrication of parts, and replacement of lights as necessary. Annual maintenance shall include reapplication of protective coatings, replacement or reapplication of parts, fixtures, paint or patina touch-ups as well as cleaning procedures. Maintenance Plans submitted by the artist shall also address concerns regarding vandalism mitigation.

Consideration of funding of the repairs, maintenance, or restoration of artwork should be taken into account when recommending artwork. The City will include maintenance provisions in the contract that stipulate the length of time the artist shall warranty the work and be responsible for repairs. Should the property, building or fixture on which the artwork is situated be damaged or destroyed, the PAAB shall make a recommendation with regards to the situation to the City Manager or his or her designee for final approval by the City Council.

Funding

The key to sustaining a vibrant and diverse public art program is to establishing an on-going funding mechanism for the public art fund. The following are suggested possible methods to accomplish this.

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1. **1% for Art:** This method stipulates that 1% of the cost of constructing or renovating a public building or site shall be set aside for artwork. The 1% allocation shall be first considered for art at the specific site where the improvements or construction have occurred. When appropriate the PAAB may recommend that funds be used outside of the project site. One percent allocations what remain after a project is complete shall be deposited into the general public art fund.
2. **Annual budget for public art:** Park City Municipal Corporation may elect to allocate a certain set amount for public art in each budget cycle with a recommendation from the PAAB for the general public art fund.
3. **Public – Private Initiatives:** A project may be funded partially through Public Art Funds and partially through private, business, development, civic and/or other organization contributions. Public art funding may be leveraged through challenge grant opportunities. Such contributions shall be recommended to and approved by the City Manager or City Council as pertains to the City's purchasing policies.
4. **Donation of Artwork**: Individuals, businesses and other organizations may choose to donate artwork to the Park City public art collection.
5. **Local, State and National Grants:** Park City Municipal Corporation and the Park City Summit County Arts Council may be eligible for grants to support the Public Art Program.
6. **Maintenance Funds:** The Public Art Advisory Board shall review and recommend a Maintenance Fund Budget for public art in accordance with the City's budget cycle. The PAAB shall recommend an annual budget plan with regards Annual Maintenance to the collection as a whole, as well as anticipated maintenance or reserve funds for items such as vandalism, documentation reports including preservation efforts and/or re-siting to include temporary storage as necessary.

The Public Art Advisory Board will consider all these options for funding, and present a funding recommendation to the Budget Department with final approval from City Council.

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Acknowledgements

The authors gratefully acknowledge the contributions of Park City citizens who joined in the process to create this Public Art Plan. We also commend the work of the 1999 Art in Public Places committee for their hard work in establishing Park City's first Art in Public Places criteria and guidelines. Their work and resulting documents have served as models for the 2004 Public Art Advisory Committee. A few of the many active participants are listed below. Thank you all for sharing your vision and great ideas!

Public Art Original Project Sponsors

- Park City Municipal Corporation
  Dana Williams, Mayor
- Park City Summit County Arts Council
  Brian Hess, Executive Director

2004 Inaugural Public Art Advisory Board

- Ron Butkovich
- Julie Hopkins
- Bianca Mead
- Kathleen Metcalf
- Susan Packard
- Carol Potter
- Peter Roberts

2004 Park City Council Members

- Kay Calvert
- Marianne Cone (Liaison to Public Art Advisory Board)
- Candace Erickson
- Jim Hier
- Joe Kernan

2004 Park City Staff

- Tom Bakaly
- Alison Butz (Liaison to Public Art Advisory Board)
- Gary Hill
- Mark Christensen

2004 Consultation

- Nancy Boskoff: Salt Lake City Arts Council
- Jim Glenn: Utah Arts Council Public Art Director
- Peg Bodell: Artist and past Park City Council

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Exhibit B to Public Art Policies - Re-Siting and Deaccessioning Policy

While the intent of acquiring public artworks is for long-term and permanent display, circumstances may arise that require the Public Art Advisory Board (PAAB) consider and upon review, give recommendation for re-site or deaccession a public artwork. This policy is designed to create a process to ensure that re-siting of a site-specific artwork and deaccessioning occurs thoughtfully, and impartially. The re-siting and deaccessioning policy applies to all the works in Park City's Public Art Collection, including those commissioned by or donated to the City.

Re-siting Works of Art

The Public Art Advisory Board is charged with reviewing potential re-siting situations and may consider moving a public artwork for one or more of the following reasons:

- The site is being eliminated, is no longer publically accessible, or there are other changes in relevant circumstances that require a work be removed from the site.
- The site is being changed so that the artwork is no longer compatible with its setting.
- The condition and/or security of the artwork cannot be reasonably guaranteed at its current site.
- The artwork has become a danger to public safety.

If the PAAB decides that one or more of the above conditions exist, it may proceed as follows:

- Public Art Advisory Board members make a good faith effort to discuss re-siting with the artist or donor.
- If the PAAB is not able to recommend an alternate site, the artwork may be recommended for deaccession or placed into storage until other options become available.
- PAAB members refer the recommendation to the City Manager or his/her designee or to City Council with final decision made by the City Council.

Compromising Conditions

If the structural integrity or condition of an artwork is critically damaged, rather through environmental impacts, vandalism or other unforeseen conditions, the City Council may authorize its immediate removal without the Public Art Advisory Board's recommended action. The work shall be placed in temporary storage. The Public Art Advisory Board shall be notified of the removal at the time the action is made. The Public Art Advisory Board shall recommend repair, re-site or deaccession within thirty (30) days of the notification.

Deaccessioning Works of Art

Deaccessioning is a procedure for removal of an artwork from a public art collection. This applies to all works in Park City's collection, including those purchased by or donated to the City. Deaccessioning shall only be considered after careful and impartial evaluation of the work by the Public Art Advisory Board after efforts have been found for the piece to be within disrepair, inability to re-site. All contractual documents relating to the work shall be consulted prior to the beginning or the deaccessioning process.

The Public Art Advisory Board may recommend dissension or disposal of works of art in the Park City Public Art Collection under the following criteria.

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- A new site for an artwork cannot be found for a piece that needs re-siting.
- The artwork has been damaged or has deteriorated beyond reasonable repair.
- The artwork endangers public safety, and/or the condition or security of the work cannot be assured.
- The artwork requires excessive maintenance or has faults in design, concept, construction or workmanship.
- After proper and thorough community education and outreach, there is adverse public reaction to the artwork.
- The Public Art Advisory Board has made recommendations and findings that the work has no cultural value or is fraudulent or not authentic,

If deaccessioning is being considered, PAAB may recommend the following actions.

- Request that the artist or donor purchase or exchange the artwork.
- Sale through auction, gallery dealer resale, or direct bidding in compliance with laws governing surplus property. Proceeds from any such transaction shall be designated to the Public Art Fund for PAAB to apply to other projects.
- Trade through gallery or other institution for comparable work or works of comparable value.
- Donation of artwork to another governmental agency, non-profit organization or institution. Artwork shall not be given to City employees, City Council or City Board Members.
- Destruction of artwork that is unsalable, severely damaged and/or of negligible value.

Upon finding that a work should be considered for deaccessioning, the following steps shall be followed:

- Findings or suggestions that artwork should be deaccessioned, shall be brought to the attention of the Public Art Advisory Board.
- The contract pertaining to the artwork shall be consulted.
- The PAAB shall review findings, and when appropriate, the PAAB may gather professional opinions with regards to conservators, engineers, safety experts and or art historians, etc.
- After review, PAAB shall make a recommendation to the City Manager or his or her designee for all works valued at under $10,000 and/or to the City Council for all works valued over $10,000. City Council shall have final authority on all matters regarding deaccession of artwork.

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Exhibit C to Park City Public Art Policy - Park City Public Art Donations Policy
Guidelines and Criteria for Review Process of Proposed Gifts of Art

From time to time, the citizens of Park City and others have offered to contribute to Park City's public art collection with generous artworks and donations. It is the responsibility of the Public Art Advisory Board to consider and review such proposed gifts on behalf of the City.

The Public Art Advisory Board shall be responsible for considering all gifts to the City's Public Art Collection as pertains to the definition of Public Art. The Public Art Advisory Board shall make donation recommendations based upon the same selection design criteria it uses for acquiring works for the Public Art Collection

The donor will present a proposal to the PAAB, as for the process below, and the PAAB shall vote accept or deny the donation in accordance with the selection and approval process as outlined in the Public Art Advisory Board Policies. A request for proposal or qualifications shall not be required.

All decisions to accept or decline art donations shall be recommended by the Park City Public Art Advisory Board and brought to the City Manager or his or her designee. City Council shall have the final authority on all decisions regarding donations in accordance with the value of the donation based on the City's purchasing policies.

Those wishing to make a donation to the Public Art Collection, shall follow the following process:

I. Written Proposal or Letter of Intent
Any person, corporation or private entity desiring to make a donation to Park City's public art collection, shall submit a written proposal or letter of intent for the PAAB for its review. The material submitted should include a description and specifications of the proposed gift, including artist, title, dimensions, material, proposed location, value and a profile on both the artist and the donor. Depending on the proposed gift, other information that may be requested , such as, a maquete, drawing or photograph of the work, site drawings, installation details, a professional appraisal of the value of the work, and estimate for maintenance costs and maintenance instructions and schedule.

II. Design Criteria
In general, the acceptance and placement of donated works of art shall be considered in review of the Design Criteria (Quality, Authenticity, Engagement, Creativity, and Other Considerations) of the public art program: Circumstances, such as memorial gifts, may arise that cause additional criteria to be considered for donation approval.

III. **Site Criteria**
The proposed site for the donation should be described in the written proposal. The placement of artwork shall be appropriate to the size, scale, design and character of the particular site;
The work may build a relationship to the space or natural environment. The artwork's relationship to pedestrian traffic patterns, visibility and public access to the work should also be considered.

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The Public Art Advisory Board shall have final recommendation of potential sites for donations.

The Public Art Advisory Board may ask for assistance in the review from city departments such as, Engineering, Building, Planning and Public Works or consult with design professionals on proposals that require their expertise before making a recommendation for approval or denial of the artwork.

IV. Memorial Gifts

Memorial gifts may raise other issues to be considered. The significance of the event or person being memorialized must be documented in the proposal. The memorial may represent broad community values and should be meaningful or thought provoking to future generations. The location for a memorial is particularly important in the consideration and the proposal should give a justification for the proposed site. The context of the proposed memorial and its relationship to the site will be considered.

V. Associated Costs

The donor should cover the costs of shipping or delivery, fabrication and installation of the artwork. The donor may be responsible for engineering requirements, design and cost of pedestal or display pad, lighting, structural support and foundation, and landscaping of the site with review and approval from the Building, Planning or Engineering Departments at the City.

Donations of artwork that require public art funds to be used to pay for site preparation, installation, framing, restoration or repairs shall be considered by the PAAB when voting on acceptance or denial of the work. In addition, the Public Art Advisory Board shall consider the maintenance and repair costs of the work. The Public Art Advisory Board shall evaluate such expenses at the time the work is being considered.

The PAAB shall be responsible for the costs of an identification plaque for the work.

VI. Terms of Agreement

In cases, when the artwork is to become the property of the City, the terms of Final Art Acceptance Agreement shall be included in the recommendation to the City Manager or his or her designee or to City Council in a form approved by the City Attorney's Office.

In cases, as to which the gift is to be on temporary loan or display to the City, the terms of such a loan will be included in a recommendation to the City Manager or his or her designee or to City Council in a form approved by the City Attorney's Office.

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Exhibit D to the Park City Public Art Policy -
Park City Public Art Board Member Policy

Park City's Public Art Advisory Board (PAAB) was established by Park City Municipal Corporation, and is supported by the Park City Summit County Arts Council. Meetings are to be held on the same patterned day, time and location each month.

Makeup of the Board:
The members of the Public Art Advisory Board shall have seven (7) voting members appointed by the Mayor and City Council. The Public Art Advisory Board shall have seven (7) members appointed by the Mayor and City Council. Composition of the Board will include representation from the community who live in the City Limits of Park City and are interested in serving on the Public Art Advisory Board. Board members shall serve for no more than two consecutive, three-year terms. Terms are staggered. Members must reapply for a second term. Appointments to fulfill vacant terms do not include term limits. Terms begin on July 1, end on June 30, or until vacancies are filled. Board members are not compensated.

The City Manager or his/her designee shall appoint a Staff Liaison to the board as ex-officio without vote. A City Council liaison shall also be appointed to the Board as ex-officio without a vote. It is encouraged that students from the community be included on the panel to serve ex-officio without vote.

Expectations of Board Members
<u>Voting Members</u>

PAAB will review and work towards the goals and strategies of the Public Art Program Policies and Plans. The PAAB will:

- Read and review board agendas, meetings packets and minutes as well as any other necessary materials.
- Participate in and adhere to the annual Open Meetings Training provided by the Legal Department, review the Park City Officials Handbook, sign oath of office and disclosure statement.
- Attending City Council meetings or community functions as appropriate discussions or occasions arise.
- Annually appoint a Chair and Vice-Chair position. The Chair of the board is responsible for running meetings, including keeping the board focused on agenda items, keeping time at meetings, and summarizing motions that the board makes for minutes. Additionally the Chair may assist the staff liaison in setting meeting agendas and presenting at City Council or community events. The Vice Chair shall assist the Chair with duties as described above, when the Chair is unavailable or at the request of the Chair.

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- All voting members shall make efforts to adhere to the attendance policy. Two (2) absences in a total year are allowed. Those members who are absent for more than the allowed limit shall be reviewed by the Public Art Advisory Board. Should the Public Art Advisory Board find reason to recommend removal of a member that does not uphold the attendance policy, City Council shall review the matter and confirm or deny the recommendation. Only voting members are allowed to make a motion and to vote on motions brought up by the board.

Voting Procedures

- Super Majority Voting is required for purchase or donation recommendations on projects with budgets exceeding twenty-five thousand dollars ($25,000.00). PAAB participation is required for such purchase recommendations, with a minimum of six (6) voting members at the physical site of the meeting. Electronic participation is not permitted during these discussions. To recommend such projects, a majority of no less than four (4) voting Board members is required.
- Purchases or donation recommendations on projects with budgets that are less than twenty-five thousand dollars will require a minimum of four (4) voting members at the physical site of the meeting. Electronic participation is allowed, but those who are participating electronically may not vote on the recommendation of the purchase or donation. To recommend such projects, a majority vote of no less than three (3) voting Board members is required for such projects, as long as it does not result in a split decision.
- Purchases or donation recommendations on projects with budgets that are less than twenty-five thousand dollars will require a minimum of four (4) voting members at the physical site of the meeting. Electronic participation is allowed, but those who are participating electronically may not vote on the recommendation of the purchase or donation. To recommend such projects, a majority vote of no less than three (3) voting Board members is required for such projects, as long as it does not result in a split decision
- Electronic Participation is allowed and shall be counted as attendance, however, there must be a quorum at the meeting site (for PAAB, this is 4 members).
    - Members will not be allowed to vote on purchases or donations by phone or email or other forms of electronic correspondence. Members will be allowed to vote on motions made during the meeting.
    - Board members are responsible for notifying the City Staff Liaison regarding Electronic Participation no later than three (3) business days in advance of their absence so that electronic connections and necessary documents can be acquired.
    - No more than two (2) forms of electronic participation shall be permitted at one meeting.

Non-voting Members

- Executive Director of the Park City Summit County Arts Council supports the PAAB. The Arts Council:
    - Provides input and serve as a resource to the Advisory Board.
    - Provides feedback regarding the work of the Arts Council and the Park City Public Art Advisory Board.
    - Serves as a resource for grant writing.

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        - Promotes the Park City Public Art Collection.
        - Helps to form partnerships and collaborations between the Park City Public Art Advisory Board and the Summit County Public Art Advisory Board, as well as, other arts and culture organizations.
        - Expends funds provided by PCMC through Special Services Contract with the Arts Council (not the City funds appropriated for public art collection).
    - Park City Council Liaison
        - Provides advise, and input – particularly from the City Council's perspective - serve as a resource to the Advisory Board
        - Provide input to the City Council related to the work of the, or at the request of, the Public Art Advisory Board
    - Youth Liaison
        - Provides advice, and input – particularly from the youth perspective – serving as a resource to the Advisory Board.
    - Staff member(s) from Park City Municipal Corporation will handle the administrative needs of the board. The staff member(s):
        - Advise, provide input, and serve as a resource for the PAAB, and coordinate communications with other City Departments on projects and assist in obtaining department approvals as needed.
        - Create and post agendas and board packets and distribute to the board prior to meetings.
        - Record meeting minutes and distribute both draft and final meeting minutes to the Board.
        - Give monthly budget updates to PAAB and disperse approved allocations for public art projects. Coordinate budgetary requests on behalf of the PAAB with the Budget department or at the request of the City Manager or City Council.
        - Manage public art projects in process from creation of Request for Proposals/Qualifications through completion and final acceptance of installation. This includes coordination, communication and management of Public Art Projects with other City Departments and the community.
        - Oversee updating the Public Art Plan, Strategic Plan and implementation of Public Art projects and manage the maintenance, repair and inventory of the Public Art Collection.
        - Provide input to the City related to the work of PAAB, including preparing reports for City Council meetings on items requiring direction from City Council and/or the City Manager.

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PUBLIC ART COLLECTION - PARK CITY (July 12, 2016)

SUBMITTED BY JUDY HORWITZ

ASSET # ??? PARK CITY SCAPE (on web-site as Snowflakes)

Acquired October 1984

Artist James McBeth (changed name to Gaelic spelling MacBeth) art professor Weber State, Ogden, in 1996 63 yrs. old, in 1996 did concrete work at the Gallivan Center SLC, replacing work which he had done he had done 5 years before

Southside of Miner's Hospital

3 Abstract pieces
snow flakes on stands over mountains; cut out buildings

Brushed stainless steel

History First piece of Park City Public Art
Gift of the Park City Foundation and 40 individuals and businesses

Signage (large metal with silver writing on stand)

PARK CITY SCAPE

The Park City Art Foundation was chartered after the first Park City Art Festival in 1970. Te organization was incorporated and consisted o a volunteer membership and officers who organized and directed the arts festivals from 1971 through 1971.

During a visit to Park City by a former president of the inactive Foundation, it was proposed that funds still in the account of the organization be used to present a piece of public art to Park City. With the guidance of City Councilwoman, Tina Lewis, the Foundation commissioned sculptor James McBeth.

Active members of the Park City Foundation were Bob and Sharon Fleck, John and Suzie Stagg, John and Jennifer Sharp, Dale Gibbs, Victor and Francine Buck, Mike Dontje, Jim Patterson, Denis and Helen Norton, Mike and Dorie Spurlock, Jan McComb, Marianne Cone and David Chaplin.

In addition to the Foundation's initial funding, the following people and organizations made contributions of time and money toward the completion of this sculpture:
(40 names are listed)

Source Deseret News, Oct 3, 1996 "3 Parts Sand, 1 Part Concrete"

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ASSET #???? MINER

Acquired Miner's Day 9/5/1999
Artist Peter Fillerup of Midway, Utah
(Also did Emmett "Bud" Wight, the skier with the 2 different skis for the Park City Museum, sponsored by Alan and Carol Larson, dedicated Oct. 16, 2009 and one from his Pony Express on permanent display Redstone Center Gate)

405 Main Street Miner's Park
Bronze Sculpture of a Miner

Given to City (2 plaques on post behind Miner)
THE MINER'S SCULPTURE DONORS
PARK CITY MINERS (22 couples, families, businesses)
SILVER LODE MINERS (16 couples, families, businesses)
LEAD ORE MINERS (18 couples, families, businesses)
ZINC MINERS (60 couples, families, businesses)
COPPER MINERS (12 Couples, families,businesses)

Signage
MINORS ARE THE ANONYMOUS THOUSANDS WHOSE ONLY
MONUMENTS ARE THE WASTE DUMPS IN THE MOUNTAINS

This sculpture is dedicated to the remarkable accomplishments of those men who mined with great effort and ingenuity the silver and lead ore found in these mountains, men who simultaneously established the community of Park City which is now our legacy to preserve and enjoy.

The mining engineer is examining a piece of rock which was cored from the earth by a diamond drill, capable of extracting ore from over 1,000 feet away. Miners were always hopeful that another bonanza was about to be discovered.

Jim Ivers (1914-2000), a mining engineer who modeled for this sculpture, had a humble beginning in the mining industry. In 1928, as a 14 year-old, he drove a horse-drawn wagon to Thaynes Canyon, delivering supplies to remote operations. Like his father and grandfather before him, Jim worked in the Park City mines. His interest spurred him to obtain two degrees in Mining Engineering from Columbia University. He came back to work in the Silver King Mine for many years, then left to work in other mining camps, returning to Park City as President and General Manage of United Park City Mines Co. In the 1960's Jim shared the responsibility of directing the mining company's new ski area, now called Park City Mountain Resort.

At one time Park City was well known as the site of a great silver mining bonanza; now it is world famous for its skiing.

This sculpture is the work of Peter Fillerup of Midway, Utah. It was dedicated on Mine's Day, September 5, 1999, and given by the citizens of Park City to the community.

Photo By permission of Park City Museum

Source Park Record July 11,2014 "The Public can get their Fillerup at Hoffman Fine Art"

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ASSET # 01898 MURAL TRANSIT CENTER

Acquired 3/23/2001

Marianne Cone, Park City
Director of Park City Museum 1988-1998; City Council woman
Additional murals can be seen in the Marriott Summit Watch's parking garage, where Marianne painted scenes borrowed from Park City Museum's collection of historic photographs

564 Swede Alley
Inside Transportation Building

Painting and wood
30 ft X 14 ft
It incorporates many historic touches: from the Silver King Coalition Mines building, horse-drawn wagons, Denver & Rio Grande rail car and Skier hitting the slopes, right down to an actual Nash hubcapand old hiking boot.

Artist's Explanation "Good public art enhances life in a community and engages the viewer to interact and ponder the artist's work."

Funded probably by through a grant from the Federal Transit Authority (see ASSEST # 01990 Seven Muses)

No signage

Condition (spring 2016) excellent

Source: Park City Magazine summer/fall 2005 "Born to Run"

DRAFT PAAB Inventory 2016

ASSET # 01899 FRANZ THE BEAR (On sheet sculpture BEAR BENCH)

Acquired 3/23/2001 (made 2000)

Artist Michele vanden Heuvel, Albuquerque, NM. Masters in Art Therapy
University of NM; whimsical bronzes and liturgical sculpture

560 Main
Sidewalk between Main Street and Swede Alley

Bench sculpture

Bronze

Signage Franz
The Bear
October 2000
Michele vanden Heuvel, Sculptor
Albuquerque, New Mexico

Condition (spring 2016) good

Explanation She (Michele) says, "I strive to create pieces that are *touchable* and take on a life of their own, literally becoming "real" for the viewer. Allowing the visitor (particularly children) to touch my work with their hands is extremely important to me. To see well-worn areas on my bronzes tells me that the piece is being loved & explored. "

Source: Google Michele vandenHeuval – Weems Gallery

DRAFT PAAB Inventory 2016

ASSET # 01900 SEVEN MUSES (on sheet Muses- Transit Center)

Acquired 3/23/2001

Collaborative project of 7 artists – from left to right

Calliope by Gary Anderson
Clio by Kerri Buxton/Brad Taylor
Thalia by Darl Thomas
Erato by William J Kranstover
Terpsichore by Ed Dolinger
Urania by William R Littig
Polythymnia by Flores Sahagun Littig

564 Swede Alley
Transit Center

Explanation Inspired by Greek Mythology, representing the 9 children of Zeus and references classical personifications of literature., science and the arts

History " In February 1999, the Arts Council established the first Art in Public Places plan to help create the framework for a strong and healthy public art program. The plan was formulated, in part, to help guide the selection process for the art at the Park City Transit Center, funded through a grant from the Federal Transit Authority. Criteria and standards were developed that were applied to this particular project, but no mechanism for continued funding was established. This document has served as a model for the development of this plan"

Abstract sculptures on poles

Funded through a grant from the Federal Transit Authority

Signage

only name of piece and artist - Letters stamped out in pieces of aluminum

Source: Park City Public Art Master Strategic Plan

DRAFT PAAB Inventory 2016

ASSET # ???? " LIFE IN THE ONTARIO MINE"

Acquired 2001 (don't know exact date)

Artist Paul Jakuboski, Park City fine artist, illustrator, instructor, most known for large scale mural work

Poison Creek Trail under entrance from Deer Valley Drive to lower Mail Street Plaza at Vinto Restaurant

Tunnel Mural Depicts the first 50 years of mining by including a woman, a 14-year-old boy, a mule, different stages of tools andthe ghostly legend of the tommy knocker.

Tommy Knockers "The tunnels under Park City are the realm of the tommy knockers, the elfin creatures that many have heard but few have seen. They say that sometimes, deep down in the mines, strange voices could Be heard coming right out of the rock.. Other times, deserted drift would echo with the mysterious tappings of a single jack against a drill. Some thought the spirits of dead miners were at work. Others swore that the sounds were made by playful dwarves. But everyone knew that they were the tommy knockers who only worked in rich productive ground and, if a person would only go to the source of the knocking, a treasure would be found."

Artist's Explanation "Public art is something free that everyone can enjoy. It creates landmarks and mirrors culture"..." The tunnel is one of a series of ugly places that could be transformed. "If we do all three (pedestrian tunnels), people will come as a tourist attraction, I've seen it before. The murals would also discourage graffiti. People are far more likely to graffiti a blank wall instead of a painted wall." (note: 4 mural have been completed on Poison Creek Trail and a 5th at Kearns and comstock

Signage painted on wall

"Life in the Ontario Mine"
by (2 plaques on post behind Miner)
2001 touch up 2008

" Sponsors"
Park City Municipal Corporation
Park City/Summit county Arts Council

Volunteers:
BJ Kase Peg Bodell
Jennifer Flemming, Young Riley, Joyce & Bill Brown
Donna Gergison, Don Lonberg, Bill, S.A.C
Paint Donations by Park City Recycle Center and Columbia Paints

Condition (spring 2016) Ceiling peeling badly

Sources "Paul Jakubowski Public Art" Paul Jakubowski.com

Daily Herald July 21, 2001 "Tunnel mural earns positive feedback"

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ASSET # 02267 OLYMPIC CAULDRON

Acquired 12/3/2002

Artist – Chris Coleman, Marysville UT. Sculptor – mixed media artist;
Park City Olympic Art Planning Committee

Roundabout of Deer Valley Drive and Marsac Avenue

Cor-ten steel cauldron

Donation by 40 families and businesses

Signage

For 17 days in February 2002,the International Olympic Flame burned brightly in Park City. Hospitality Cauldrons, smaller versions of this sculpture before you, lined Main Street adding their light and warmth to the celebrations.

The following underwriters made this possible as Park City welcomed the world to the
X!X Olympic Winter Games

(Then listed 40 Families and Businesses)

Artist Chris Coleman

Source chriscolemanstudio.com

ASSET # 02313 OLYMPIC CAULDRON 31-49150-7319

Acquired 12/23/2002

Round About Deer Valley Drive and Marsac Avenue

Comments – I think this is the aluminum flame portion for **ASSEST # 02267 Olympic Cauldron**

DRAFT PAAB Inventory 2016

ASSET # 02378 MOOSE

Acquired 2/19/2004

Artist unknown

Park City Public Works, southeast corner Iron Horse and Short Line Drive
Moved from 9th Avenue

Red moose on ski boots on skis

History Part of Moose on The Loose (2003) A collaborative fundraising project benefiting The Egyptian Theater Company, The Kimball Art Center, and the Park City Performing Arts Foundation. 21 life size moos were "born" in October 2003, complete with birth announcements in The Park Record to acknowledge the sponsorships of the moose's adoptive parents. The moose were on display in Park City and Summit County throughout the 2003/4 winter holidays. A large community party was held to celebrate the graduation of the moose as they are auctioned off in style, December 27 at the Kimball Art Center. In 2003/4 For a complete listing of Moose on the Loose artists, a Moose-to-Moose location map, or other information, please contact Mona Marler at (655-8252 or toll free at (866) MY-MOOSE.

Moose 7 ½ ft tall, 9 ft long, weighs 250 lbs
Taxidermy mannequin of foam and plaster; antlers, hooves and neck skin wattle added, then covered in fiberglass and decorated by mostly local artists
Cost $3,000 for fabrication and delivery before decorated

Artists donated their time and materials for decoration – paid $300 stipend

Donated Don't know who gave (understand came in bad condition
– don't know if refurnished; if done when, by whom, cost)

Condition
Missing antler 5/8/2013
(spring 2016 condition poor; rusting where left antler attached; at ankles on top of ski boots, on back)

No signage

Sources Park City Strategic Plan; Deseret News Sept 8, 2003 "Park City trumpets it moose on the loose"
Park City Magazine winter/spring 2004 "Make Way for Moose"

DRAFT PAAB Inventory 2016

ASSET # 02468 MAKING TRACKS (on sheet Olympic Legacy Art Hwy 224 Entrway-31-4)

Acquired: February 2005
Artist Cliff Garten, Marina Del Ray, CA and
G. Brown Design Inc Site and Landscape Design Salt Lake City
2499 N SR Highway 224
Abstract sculpture
ski trail in snow, mountain bike tracks, luge and bobsled run,
role of movie film

3ft wide, ¾" thick, stainless steel ribbon, 17ft high arch in shape of 2002 Winter Olympic Games symbol
Site specific – "hole in arch aligned to focus a bean of sun onto a plaque below the arch at noon on each February 8, commemorating the opening day of the Olympics"
International competition - 30 entries
Selection committee of 17 from arts community (? was PAAB involved), City Council and Chamber Bureau
Commissioned for Olympic Legacy Entryway

Dedicated February 8, 2005 dedication (February 8, 2002 was the day the Games began in Utah)

? Was it a public/private partnership

Signage - Sign stainless on stand
For 17 days in February 2002, the world watched with admiration as Park City hosted athletes from many countries in the best Olympic Winter Games ever. To honor and forever remember this achievement the citizens of Park City dedicate this Olympic inspired sculpture...

"Making Tracks"
By G. Brown Design & Cliff Garten Studio
honoring Park City's role in hosting the
XIX Olympic Winter Games
Park City Municipal Corporation wishes to thank Metal Arts Foundry and other major contributors including Lowell Construction, Kappus Landscape, Zelkova, Earth Movers, Night Vision, Stantec Consulting

February 2005
Has up lights –
Condition (seen spring 2016)
Lights -one broken, one cut
Sources Park City Magazine winter/spring 2005 "Making Tracks"
C. Brown Design website

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ASSET #02552 BRIAN HESS MEMORIAL SOUND GARDEN (on sheet Sound Garden)

Acquired 10/20/2005
Artist-in -Residence and designer Frank Youngman, Cadillac MI,
Band teacher to middle and high school students in Lake County Michigan and musician. Musical activist
Had constructed 2 sound gardens in MI
"I haven't had any training at this. I've just always liked creating," "Let's just say I'm doing what I like to do
Also did 'Sound Treasures,' for Mountain Trails Foundation on the McLeod Creek Trail, dedicated on Aug. 13, 2007.

City Park, just south of Skate Park, just off Poison Creek Trail
4 piece Rustic Music sculpture
wooden supporting beams taken from trestles in the Great Salt Lake chimes - recycled brake drums, ironwood posts (30 logs were brought from Michigan), a piano sound board (Walton Piano Co.) from a piano once owned by the late Brian Hess, former executive director of the Park City/Summit County Arts Council

Co Sponsors – Mountain Trails Foundation and Park City/Summit County Arts Council

History Brain child of Carol Potter, Executive Director of the Mountain Trails Foundation. "A lot of my mission is making the Park City trails system unique," said Potter . Potter often walked Park City's Poison Creek Trail through City Park and thought it would be the perfect site for Youngman's unique interpretation of public art and performance. Visitors could walk and bike to it in summer, or plan an in-town snowshoeing trek to the garden in winter. She approached the City Council.

Youngman came spring break 2005 to develop the concept and in summer of 2005 opened a store front studio in Old Town to construct it.

Opening Celebration August 15, 2005 Hosted by: Park City Summit County Arts Council - Frank Youngman spoke, demonstration of one of the instruments, Percussion and woodwinds musicians perform on the Gazebo Percussion procession from the Gazebo to the Sound Garden,

No signage
Condition (summer 2106) some of the gongs are broken

Sources Park City Magazine winter/spring 2006 "The Sound of Music";
Park City Council Meeting July 7,2005
Mountain trails Sound Garden Flicker.com/photos/Kelly Photo/1112091120
www.zoominfo.com/p/Frank-Youngman/202304565…

Just north in same park area is a single metal rotating flower
(? Who belongs to)

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ASSET # 02553 'WAVES, PLANES AND PARALLELS'
(Called Copper on City Public Art Map;
on sheet bus shelter art Library east)

Acquired 10/1/2005
Artist John Helton

1250 Park Avenue (opposite Park City Library)
Skate Park Bus Stop

Bus Shelter decoration

Abstract sculpture – curvilinear piece reflecting the activities of skiing and skateboarding
Bronze

Funded from the initial $200,000 given to PAAB in 2004

Condition (spring 2016) The copper has been removed from back side (east side) of bus shelter exposing rotting and damaged wood

Signage Plastic on glass of shelter, facing both inside and out

ABSTRACT LANDSCAPE
The rugged and spectacular Western landscape is interpreted with a unique vision in this sculpture titled "Waves, Planes and Parallels." Utah's mountains, canyons and rivers with their exposed layers of ancient rock, as well as the layers of previous civilizations and cultures, reveal the relationship between the old, the new and the infinite.

Artist John Helton created this sculpture in 2006

Public Art Advisory Board

Source Park City Magazine winter/spring 2006 "Bus Stop – Art Stop"

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ASSET # 02555 UNDER THE COVER OF A GOOD BOOK
(on web-site GOOD BOOKS; on sheet bus shelter art Library west)

Acquired 10/1/2005

Artists William Littig, Cordell Taylor,
Bernardo Flores-Sahagun and Jared P. Brown

1255 Park Avenue
Library Bus Stop

Bus shelter decoration
roof in the shape of an open book with GOOD BOOKS printed on roof;
metal books on shelves on front

Funded from the initial $200,000 given to PAAB in 2004

Condition (spring 2016) roof rusted, books rusted; exposed wood in back

Signage Plastic with black lettering; seen from inside and out

UNDER THE COVER OF A GOOD BOOK

Not only can you take refuge in this bus shelter, you can spend quality time in the library. Books, magazines, tapes, videos computers, art, special programs and friendliness all await visitors and residents.

The library has been an important part of local life since 1888 when it started with 82 books. In 1982 over 5,000 books were moved from the Main Street building (approved in 1913) into Miner's Hospital via a line of over 750 volunteers forming what was called a "Book Brigade." After outgrowing its Hospital home, in 1993 the library moved into the historic former Carl Winters High School building behind you.

Artists William Littig, Cordell Taylor, Bernardo Flores-Sahagun and Jared P. Brown created This sculpture in 2005

Public Art Advisory Boards

Source Park City Magazine winter/spring 2006 "Bus Stop – Art Stop"

DRAFT PAAB Inventory 2016

ASSET # 02556 THE CHINESE CONNECTION
(on sheet and web site DRAGON)

Acquired11/15/2005

Artists William Littig, Cordell Taylor,
Bernardo Flores-Sahagun and Jared P. Brown

1723 Kearns
Adolph's Bus Stop (at east end of building)

Bus Shelter decoration

Description metal dragon (made of tubes) on peak of roof

Funded from the initial $200,000 given to PAAB in 2004

Condition – spring 2016 ends of shelter at roof triangle rusted

No signage 5/8/13 and spring 2016

Signage text according to "Susan's changes 7/31/06"

THE CHINESE CONNECTION
Park City was born when rich silver ores were discovered in 1868. Chinese immigrants, imported to build the transcontinental railroad, found their way to Park City. Not allowed below ground to mine, they handled camp chores of cooking and washing. They were an integral part of life in Park City and lived in a community at the top of Swede Alley where the China Bridge parking structure now stands.

Artists William Littig, Cordell Taylor, Bernardo Flores-Sahagun and Jared P. Brown created this sculpture 2005

Public Art Advisory Board

DRAFT PAAB Inventory 2016

ASSET # 02631 FOLLOWING THE VEIN (ORE RISING Park Record; on sheet BUS SHELTER ART GOLD DUST LANE)

Acquired 7/6/2005

Artist Brian Guercio

Gold Dust Lane
Prospector Bus Stop

Description – NOT THERE
(not mentioned or looked at on PAAB tour 5/8/2013)

Bus shelter decoration
Mentioned as Fiberglass, silver-colored sculpture

Artist's Explanation "Its deliberate "bio-morphic" shape has some tongues wagging. "I realize that the form of the sculpture could be construed as some kind sexual innuendo, but sometimes a cigar is just a cigar," said Guercio. "The main purpose of the piece is to comment on the transition of Park City's identity [from ore to people]. I think good art asks more questions tha answers, and that it can mean different things to different people."

Funded from the initial $200,000 given to PAAB in 2004

Signage text according to "Susan's changes 7/31/06"

FOLLOWING THE VEIN
In 1868 prospectors discovered silver
sticking out of the ground near Park City
most had to be mined from the underground
as deep as 2,500 feet from veins ranging
from a couple of inches to several feet wide.

When a silver vein is found in the rock, it
has to be blasted into pieces small enough
to be taken out of the ground through a
network of tunneling and shafts in small rail
cars.
Artist Brian Guercio created this sculpture
in 2005.
Public Art Advisory Board

Condition (spring 2016) there is NO decoration on this bus top;
The roof appears new. Big question – Who removed it? Why was it removed? How was it removed? Did they follow De- accessing policy?

Source Park City Magazine winter/spring 2006 "Bus Stop – Art Stop"

DRAFT PAAB Inventory 2016

ASSET # 02632 BOOTS & SADDLE (called WILD STAR on web-site; on sheet bus shelter – Silverlake)

Acquired 7/6/2005

Artist Marissa Robbins

7620 Royal Street E
Deer Valley Silver Lake Bus Stop

Bus shelter decoration a three-dimensional collage new cowboy boots, old spurs, belt buckles and mining artifacts all over the walls

Artist's Explanation "I tried to depict our rugged past and our glorious present,"

Funded from the initial $200,000 given to PAAB in 2004

Condition roof rusting; dusty; windows dirty, clock filthy, wood needs staining Christmas lights cord and outlet hanging

Signage

BOOTS & SADDLE
Park City's Western heritage is
captured both inside and outside
this bus shelter

Artist Marissa Robbins created this
Elaborate art in 2005

Park City Advisory Board

Source Park City Magazine winter/spring 2006 "Bus Stop – Art Stop"

DRAFT PAAB Inventory 2016

ASSET # 02633 DOGS OF BARK CITY
(on sheet bus shelter art-Albertsons west)

Acquired 7/6/2005

Artists William Littig, Cordell Taylor,
Bernardo Flores-Sahagun and Jared P. Brown

1776 Park Avenue
Bus Stop Across from Fresh Market (Albertson's)

Bus shelter decoration 3 -D low relief metal sculpture of dogs on the roof
with dog bones on either end

Funded from the initial $200,000 given to PAAB in 2004

Condition – (spring 2016) sculpture fine but brown metal support awful
need painting

No Signage 5/8/2013 and spring 2016

Signage text according to "Susan's Changes 7/31/06

BELOVED POOCHES
Park city locals love their dogs
have nicknamed the town "Bark City."

Artists William Littig, Cordell Taylor,
Bernardo Flores-Sahagun and Jared P.
Brown created this sculpture 2005

Public Art Advisory Board

Source Park City Magazine winter/spring 2006 "Bus Stop – Art Stop"

DRAFT PAAB Inventory 2016

ASSET # 02634 UP IN FLAMES

(FLAMES on web-site; on sheet bus shelter art-Albertsons east)

Acquired 7/6/2005

Artists William Littig, Cordell Taylor,
Bernardo Flores-Sahagun and Jared P. Brown

1751 Park Avenue
Fresh Market Bus Stop(old Albertson's)

Bus Shelter decoration – abstract metal flames on peak of roof

Funded from the initial $200,000 given to PAAB in 2004

Condition – (spring 2016) sculpture fine but metal supports of shelter awful and needs painting

No signage 5/8/2013 and spring 2016

Signage text according to "Susan's Changes 7/31/06

UP IN FLAMES
Much of Park City burned during the Great Fire of 1898 which started in a hotel on upper Main Street. Nobody knew the exact cause but since the fire started early in the morning, theories ranged from a guest's unattended candle to a kitchen stove's chimney igniting.

Artists William Littig, Cordell Taylor, Bernardo Flores-Sahagun and Jared P. Brown created this sculpture 2005

Public Art Advisory Board

Source Park City Magazine winter/spring 2006 "Bus Stop – Art Stop"

DRAFT PAAB Inventory 2016

ASSET # 02840 PAINTING (no title)
(on sheet 46 X 60 oil painting – Thomas Elmo Willi)

Acquired 9/19/2007

Artist Thomas Elmo Williams, Helper UT Prolific painter, once a coal miner (for 14 ½ years, was injured in an industrial accident, and could no longer work in mines.) He never went to school in painting. Utah artist David Richie Johnson launched his career. This was his first public art commission.

2060 Park Avenue
Pubic Safety Building, Administrative Office

46" X 60" Oil painting on canvas
A painted collage of historical photographs of police officers and Old Town, miners and homes and a shield Park City Police 1884

Purchased because Police Chief Lloyd Evans, who retired in June 2008, wanted it - NO RFP

$5,000 from Police Department Funds; No Public Art funds

No signage

For more information and questions call Claire Marlin at Police Dept., has bill of sale

DRAFT PAAB Inventory 2016

ASSET # 02850 PAINTING (no title)
(on sheet 46 X 60 oil painting – Thomas Elmo Willi)

Acquired 9/19/2007

Artist Thomas Elmo Williams, Helper UT Prolific painter, once a coal miner (for 14 ½ years, was injured in an industrial accident, and could no longer work in mines.) He never went to school in painting. Utah artist David Richie Johnson launched his career. This was his first public art commission.

2060 Park Avenue
Pubic Safety Building, Conference Room

46" X 60" Oil painting on canvas
A painted collage of historical photographs of police officers and Old Town, miners and homes

Description – no title –
A composite picture of different buildings in Park City and shield Park City Police 1884

Purchased because Police Chief Evans wanted it; NO RFP

$5,000 from Police Department Funds; No public art funds;

No signage

For more information and questions call Claire Marlin at Police Dept., has bill of sale

ASSET # 02994 MUSE TRANSIT CENTER

Acquired 7/26/2007

Artist unkown

Not titled

Middle of sculptures
Outdoors - Park City Transit Center

Explanation assume representing 8th of Zeus's 9 children (8 done in MUSES)

No signage

DRAFT PAAB Inventory 2016

ASSET #02997 EUTERPE (on sheet muse at OLD TOWN TRANS CNT)

Acquired 8/2/2007

Artist Rachel Slick, Tuscon AZ. Summer Kitchen Studios, a family design and fabrication team working with emphasis on public artworks.

Middle Muse - right end as facing
Outdoors - Park City Transit Center

Signage
Think aluminum – not match the others
Euterpe Homage to the muse of Lyrical Poetry

Cost $9,600

Comment ASSEST # 02994 and ASSEST # 02997 may be reversed

Source Rachel Slick RFQ proposal on website

DRAFT PAAB Inventory 2016

ASSET # 03266 SCHOOL OF FISH (on sheet Fish Sculpture)

Acquired 12/11/2008

Artist Scott Whitaker aka Scotty Soltronic, Salt Lake City; worked in Silicon Valley as computer programmer and professional hacker; Burning Man in 2006 changed him; now artist, activist; started Sol ystems Productions
Metal cut by Prescott McCarthy, Park City High School grad

1374 Sullivan Road
On Poison Creek Trail Behind Miner's Hospital

Found sculpture – 100% recycled material –primarily steel and other scrape metal from Park City and surrounding areas, lights, mining and farm equipment which were prevalent in Park City
Seven separate fish on poles
You Tube video (Aug 28, 2008) shows the fish moving

Several have outdoor lights on fish with wires; don't know if were or are connected

Selected after submitting a proposal to complete the ideas of Judy Taylor, a local artist who passed away the year before, to create a fish installation. Whitaker brainstormed the concept of constructing "metaphoric fish" that might be found in Poison Creek.

Funding - was this funded by one of the two funds the Park City Arts Council established in Judy Taylor's honor; the second to be used to create a piece of public art in her memory?

Condition – (SPRING 2013) very bad, rusted, exposed cut electric wires

Sources Park Record Aug. 19, 2011
Park Record July 7, 2008 "A double –take on art overlooked"
Park City Art – You Tube Aug. 28, 2008
The Art/ Shabu Park City
Catalyst – The Building Man by Alice Tolen

DRAFT PAAB Inventory 2016

ASSET # 03267 ART KIDS

Acquired 11/7/2008

Artists Bob Commander and children from non-profit Art- Kids program

2262 Kearns Avenue
Learning Center Bus Stop at Comstock

Bus Shelter decoration - a whimsical Park City bus out of metal

Funded from the initial $200,000 given to PAAB in 2004

Condition 5/8/2013 missing yellow panels and some sculptures
‘ (Spring 2016) Rust on front – especially letter “R”, “Y”, “C”,
the dog, bottom of skate boarder;
don’t see any yellow panels so assume not replaced –
don’t know what were missing pieces so don’t know if replaced

No signage 5/8/2013 and spring 2016

Signage text according to “Susan’s Changes 7/31/06

ARTS KIDS

Arts-kids, a Park City non-profit that
empowers youth through the expressive
arts created this sculpture in 2006.

Public Art Advisory Board

Source Park City Magazine winter/spring 2006 “Bus Stop – Art Stop”

DRAFT PAAB Inventory 2016

ASSET # 03369 "THIS HISTORICAL PAST AND PRESENT DAY VIEW OF PARK CITY' also saw as PARK CITY'S PRIDE(on sheet miner's hospital and nurses)

Acquired 8/28/2008

Artist Thomas Elmo Williams, Helper UT. Prolific painter, once a coal miner (for 14 ½ years, was injured in an industrial accident, and could no longer work in mines.) He never went to school in painting. Utah artist David Richie Johnson launched his career. This was his first public art commission.

2060 Park Avenue
Public Safety Building Lobby Left painting on east wall
Artist's Explanation (in RFP in file at Public Safety Building)–
painting represent Park City and Public Safety throughout time
"a celebration of community and public service "– nurses and the Miner's hospital
Artist's approach to his work To research old artifacts and photographs, and to also interview local residents, some of whom, in Park City are long-time friends. "I want the paintings to be a tribute to public safety, yet at the same time, represent Park City as a whole," "Art does not exist merely to entertain. It can play a role in the improvement or our collective existence."
7ft X 3ft Oil painting on canvas
One panel of 2 triptych mural illuminating all aspects of Park City from its mining history to the 2002 Olympics to the daily life of Parkites young and old, two and four-legged
limited pallet of warm sepia tones accented occasionally with red and turquoise, affecting a romantic quality found in old photographs.

Style "Modern-day WPA" or a modern Ashcan painter, a school of American realist artists based in New York City from 1908-1914 who depicted alleyways, tenements and "slum dwellers."

RFP – 20 entries submitted ideas ranging from sculptural work in rock to an electric light display the request for proposals emphasized a design "authentic to the community and its surroundings," per the City's Public Art Plan.

$68,000 available from 1% of construction costs for Public Safety Building

Cost $40,000 for entire mural of 6 paintings - $16,00 went back into PCMC

No signage

Source Park Record April 8, 2008 "Coal miner commissioned to paint Police Department building"
RFP on file at Public Safety Building; Claire Marlin at Police Dept.

DRAFT PAAB Inventory 2016

ASSET # 03370 PARK CITY"S PRIDE – (on sheet Main Street)

Acquired 8/28/2008

Artist Thomas Elmo Williams, Helper UT Prolific painter, once a coal miner (for 14 ½ years, was injured in an industrial accident, and could no longer work in mines.) He never went to school in painting. Utah artist David Richie Johnson launched his career. This was his first public art commission.

2060 Park Avenue
Public Safety Building Lobby Center painting on east wall

Artist's Explanation (in RFP in file at Public Safety Building)– painting represents Park City as a whole (Main Street, filled with law enforcement officers, city workers, business owners, and men, women, children at work and play.

Artist's approach to his work To research old artifacts and photographs, and to also interview local residents, some of whom, in Park City are long-time friends. "I want the paintings to be a tribute to public safety, yet at the same time, represent Park City as a whole," "Art does not exist merely to entertain. It can play a role in the improvement or our collective existence."

7ft X 3ft Oil painting on canvas
One panel of 2 triptych mural illuminating all aspects of Park City from its mining history to the 2002 Olympics to the daily life of Parkites young and old, two and four-legged
limited pallet of warm sepia tones accented occasionally with red and turquoise, affecting a romantic quality found in old photographs.

Style "Modern-day WPA" or a modern Ashcan painter, a school of American realist artists based in New York City from 1908-1914 who depicted alleyways, tenements and "slum dwellers."

RFP – 20 entries submitted ideas ranging from sculptural work in rock to an electric light display the request for proposals emphasized a design "authentic to the community and its surroundings," per the City's Public Art Plan.

$68,000 available from 1% of construction costs for Public Safety Building

Cost $40,000 for entire mural of 6 paintings - $16,00 went back into PCMC

No signage

Sources Park Record April 8, 2008 "Coal miner commissioned to paint Police Department building"
RFP on file at Public Safety Building; Claire Marlin at Police Dept.

DRAFT PAAB Inventory 2016

ASSET # 03371 PARK CITY'S PRIDE (on sheet bob sled)

Acquired 8/28/2008

Artist Thomas Elmo Williams, Helper UT Prolific painter, once a coal miner (for 14 ½ years, was injured in an industrial accident, and could no longer work in mines.) He never went to school in painting. Utah artist David Richie Johnson launched his career. This was his first public art commission.

2060 Park Avenue
Public Safety Building Lobby Right painting on east wall

Artist's Explanation (in RFP in file at Public Safety Building –"The history, fun and joy of Park City's ever popular skiing industry. The beauty and serenity of Park City's wonderful canyons and mountains"

Artist's approach to his work To research old artifacts and photographs, and to also interview local residents, some of whom, in Park City are long-time friends. "I want the paintings to be a tribute to public safety, yet at the same time, represent Park City as a whole," "Art does not exist merely to entertain. It can play a role in the improvement or our collective existence."

7ft X 3ft Oil painting on canvas
One panel of 2 triptych mural illuminating all aspects of Park City from its mining history to the 2002 Olympics to the daily life of Parkites young and old, two and four-legged
limited pallet of warm sepia tones accented occasionally with red and turquoise, affecting a romantic quality found in old photographs.

Style "Modern-day WPA" or a modern Ashcan painter, a school of American realist artists based in New York City from 1908-1914 who depicted alleyways, tenements and "slum dwellers."

RFP – 20 entries submitted ideas ranging from sculptural work in rock to an electric light display the request for proposals emphasized a design "authentic to the community and its surroundings," per the City's Public Art Plan.

$68,000 available from 1% of construction costs for Public Safety Building

Cost $40,000 for entire mural of 6 paintings - $16,00 went back into PCMC

No signage

Sources Park Record April 8, 2008 "Coal miner commissioned to paint Police Department building"
RFP on file at Public Safety Building; Claire Marlin at Police Dept.

DRAFT PAAB Inventory 2016

ASSET # 03372 PARK CITY'S PRIDE – (on sheet band)

Acquired 8/28/2008

Artist Thomas Elmo Williams, Helper UT Prolific painter, once a coal miner (for 14 ½ years, was injured in an industrial accident, and could no longer work in mines.) He never went to school in painting. Utah artist David Richie Johnson launched his career. This was his first public art commission.

2060 Park Avenue
Public Safety Building Lobby Right painting on north wall

Artist's Explanation (in RFP in file at Public Safety Building)– "History, foundation, and strength of the Park City Police Department would be evident and represented well by use of the original Police Station Building" BPOE Band 734 Today's Southwestern Trading Company

Artist's approach to his work To research old artifacts and photographs, and to also interview local residents, some of whom, in Park City are long-time friends. "I want the paintings to be a tribute to public safety, yet at the same time, represent Park City as a whole," "Art does not exist merely to entertain. It can play a role in the improvement or our collective existence."

4ft X 35t oil painting on canvas
One panel of 2 triptych mural illuminating all aspects of Park City from its mining history to the 2002 Olympics to the daily life of Parkites young and old, two and four-legged
limited pallet of warm sepia tones accented occasionally with red and turquoise, affecting a romantic quality found in old photographs.

Style "Modern-day WPA" or a modern Ashcan painter, a school of American realist artists based in New York City from 1908-1914 who depicted alleyways, tenements and "slum dwellers."

RFP – 20 entries submitted ideas ranging from sculptural work in rock to an electric light display the request for proposals emphasized a design "authentic to the community and its surroundings," per the City's Public Art Plan.

$68,000 available from 1% of construction costs for Public Safety Building

Cost $40,000 for entire mural of 6 paintings - $16,00 went back into PCMC

No signage

Sources Park Record April 8, 2008 "Coal miner commissioned to paint Police Department building"
RFP on file at Public Safety Building; Claire Marlin at Police Dept

DRAFT PAAB Inventory 2016

ASSET # 03373 PARK CITY'S PRIDE – (on sheet policeman & 2 kids)

Acquired 8/28/2008

Artist Thomas Elmo Williams, Helper UT Prolific painter, once a coal miner (for 14 ½ years, was injured in an industrial accident, and could no longer work in mines.) He never went to school in painting. Utah artist David Richie Johnson launched his career. This was his first public art commission.

2060 Park Avenue
Public Safety Building Lobby Center painting on north wall

Artist's Explanation (in RFP in file at Public Safety Building)– "The compassion, strength, and devotion of all Public Safety Officers." (Policeman, 3 children and a dog)

Artist's approach to his work To research old artifacts and photographs, and to also interview local residents, some of whom, in Park City are long-time friends. "I want the paintings to be a tribute to public safety, yet at the same time, represent Park City as a whole," "Art does not exist merely to entertain. It can play a role in the improvement or our collective existence."

4ft X 5ft oil painting on canvas
One panel of 2 triptych mural illuminating all aspects of Park City from its mining history to the 2002 Olympics to the daily life of Parkites young and old, two and four-legged
limited pallet of warm sepia tones accented occasionally with red and turquoise, affecting a romantic quality found in old photographs.

Style "Modern-day WPA" or a modern Ashcan painter, a school of American realist artists based in New York City from 1908-1914 who depicted alleyways, tenements and "slum dwellers."

RFP – 20 entries submitted ideas ranging from sculptural work in rock to an electric light display the request for proposals emphasized a design "authentic to the community and its surroundings," per the City's Public Art Plan.

$68,000 available from 1% of construction costs for Public Safety Building

Cost $40,000 for entire mural of 6 paintings - $16,00 went back into PCMC

No signage

Sources Park Record April 8, 2008 "Coal miner commissioned to paint Police Department building"
RFP on file at Public Safety Building; Claire Marlin at Police Dept.

DRAFT PAAB Inventory 2016

ASSET # 03374 PARK CITY'S PRIDE – (on sheet painting of mine & miners)

Acquired 8/28/2008

Artist Thomas Elmo Williams, Helper UT Prolific painter, once a coal miner (for 14 ½ years, was injured in an industrial accident, and could no longer work in mines.) He never went to school in painting. Utah artist David Richie Johnson launched his career. This was his first public art commission.

2060 Park Avenue
Public Safety Building Lobby Left painting on north wall

Artist's Explanation (in RFP in file at Public Safety Building)– "Would reflect the Pride of Park City's Mining Industry (underground and surface miners)

Artist's approach to his work To research old artifacts and photographs, and to also interview local residents, some of whom, in Park City are long-time friends. "I want the paintings to be a tribute to public safety, yet at the same time, represent Park City as a whole," "Art does not exist merely to entertain. It can play a role in the improvement or our collective existence."

4ft X 5ft oil painting on canvas
One panel of 2 triptych mural illuminating all aspects of Park City from its mining history to the 2002 Olympics to the daily life of Parkites young and old, two and four-legged
limited pallet of warm sepia tones accented occasionally with red and turquoise, affecting a romantic quality found in old photographs.

Style "Modern-day WPA" or a modern Ashcan painter, a school of American realist artists based in New York City from 1908-1914 who depicted alleyways, tenements and "slum dwellers."

RFP – 20 entries submitted ideas ranging from sculptural work in rock to an electric light display the request for proposals emphasized a design "authentic to the community and its surroundings," per the City's Public Art Plan.

$68,000 available from 1% of construction costs for Public Safety Building

Cost $40,000 for entire mural of 6 paintings - $16,00 went back into PCMC

No signage

Sources Park Record April 8, 2008 "Coal miner commissioned to paint Police Department building"
RFP on file at Public Safety Building; Claire Marlin at Police Dept.

DRAFT PAAB Inventory 2016

ASSET #???? BENCH AND BIKE RACK

Acquired ????

Artist Missy Robbins, works with many different mediums – also designed the bus shelter in 2005 at Silver Lake in Deer Valley.

Racquet Club Park
SE corner behind MARC

Bench/bike rack is the sculpture

Wrought iron – from an old British garden gate

RFP

Condition spring 2016 and 5/8/2012 side panel missing from bench

No signage

Source Park Record 7/4/2008 "A double-take on art overlooked"

ASSET # ????? BANNERS - PARK CITY ICE ARENA

Acquired????? 2009/2010

Artist unknown

675 Gilmore Way
Inside Ice Arena - on west wall of the ice area itself

Call for Artists Park City Ice Arena banners July 2009

5 huge banners representing left to right:
figure skating, speed skating, curling, sled hockey and ice hockey
Park City ice arena written on two end ones

From 1% of construction costs

No signage

DRAFT PAAB Inventory 2016

ASSET # 04837 SHELTERING ASPENS (On sheet Marsac Plaza Art Tree)

Acquired 1/6/2012

Artist Koryn Rotstad, Seattle WA

Rolstad, who studied engineering and environmental design under the late inventor Buckminster "Bucky" Fuller, received her degree from the University of Washington that specialized in Fuller's theories of components and systems. At first, Rolstad didn't want to become a visual artist, but is able to fulfill her need to create because of her public art commissions.

445 Marsac Avenue
South entrance City Hall

Sculpture emulates an iconic aspen grove unique for this region

A grove of 80 trees, clustered in 7 stands of groupings, planted in existing poured concrete planter boxes (foliage and tress were removed)

The base posts are brushed aluminum that are powder coated" The tree posts themselves are not coated and are bent a bit so people can look up into the pieces to the leaves.

Over 1000 elliptical eco-resin leaves in 5 different tones that are able to exude hundreds of different colors when the light shines on them during different times of the day

70% recycled aluminum, 40% recycled PETG translucent resin colored ellipses

Natural planting of local flora and stones for the final surface finish.

Lighting LED experience at night (is it still there?)

International RFQ (Request for Qualification _
something sculptural, sense of place

Cost $65,000.00 for design drawings, engineering, materials, fabrication and installation

1% from renovation costs of City Hall

"

. Artist's Explanation "This Public Arts project is a good example of identifying a community aesthetic and culture, utilizing existing structures and incorporating natural ambient seasonal lighting for extra colored shadowing and pedestrian interaction

Award 2013 CODArtworx (Collaboration of Design + Art) International Award for Public Art in Landscape Environment. Sponsored by Interior Design Magazine

Signage Stainless sign attached to a tree

"Sheltering Aspen"

DRAFT PAAB Inventory 2016

Artist Koryn Rotstad
Koryn Rotstad Sudios
Seattle WA

Commissioning Agency
Park City Municipal Corporation
Public Art Advisory Board
2012

Condition 5/8/2013 leaves are dusty
(Spring 2016) several trunks bad condition

Sources
Park Record January 6, 2012 "A Public Spectacle at City Hall"
Design Journal, Archinterious | 'Sheltering Aspen' Park City-City Hall ...
https://designjournalmag.com/.../325454-sheltering-aspen-park-city-city-...
KORYN ROLSTAD - Artist / Designer ARTIST BIO Koryn Rolstad ...
www.urbanartcommission.org/sites/298/uploaded/artist.../resume.pdf
Koryn Rolstad Sudios on Facebook

DRAFT PAAB Inventory 2016

ASSET # 05360 BRAVE HEART
(on sheet Mural Bonanza Drive Tunnel)

Acquired 6/30/2012 (however 11 next to signature at each end of tunnel)

Artist Benjamin Wiemeyer, has a degree in intermedia sculpture from the University of Utah, 2009 resident Spiro Art Center, P.C.
2012 co- founded WOW Atlier, SLC, multi-disciplinary design studio that emphasizes art—

Bonanza @ Iron Horse
End of Poison Creek Trail

Tunnel Mural – graffiti art

Walkability projects

No signage

Sources School of Architecture News – Benjamin Wiemeyer mural Mississippi State University
Artist Profile – Ben Wiemeyer You Tube May 29, 2009

DRAFT PAAB Inventory 2016

ASSET # 06037 DEER VALLEY DRIVE TUNNEL

Acquired 8/31/2012

Artist Trent Call, SLC born and raised, received a BFA from the U of Utah,

Deer Valley Drive @ Bonanza
Under Deer Valley Drive; west side of Bonanza (at stop light)

Tunnel Art – cartoon imagery
biggest wall that Call had painted to date

Artist's style bright colors, bold line work, skilled textures and patterns

Artist's Explanation " I like to think that the medium depicts the style.
Spray paint is large and fast with a variety of line"
"Murals are a unique art form, accessible and viewable by everyone, not just museum-goers.t becomes part of your landscape; a part of the city as a whole."

Condition (spring 2016) Paint peeling at south east corner; some north east End and also along bottom. Rust east side near south entrance. Patch of gray paint south entrance east side

Sources Blonde Grizzly Sept 19, 2012 "Trent Call Gallery Stroll"
Utah Stories April 18, 2014 Trent Call and the SLC Urban Art Scene

DRAFT PAAB Inventory 2016

ASSET # ??????? MURAL KEARNS TUNNEL @ COMSTOCK

Acquired 2012 (don't know exact date)

Artists – Park City High School senior art class

Under Kearns Blvd east side of Comstock

Tunnel mural divided into large 32 panels, 16 each side
(some signed mostly not)

,

Explanation

"**This is a tunnel my sister showed me in Park City. High school art students have the opportunity to express themselves on these tunnel walls. And then at the end of the semester they are painted over and new students get to create new art. It was so beautiful and so inspiring.** "

Tunnel - Walkability project
The City gave the High school permission to paint the tunnel
The High School supplies the paint

No signage

Condition (spring 2016) good

Source: " This is the tunnel my sister showed me in Park City"
Getinspiredwithali.tumbir.com/post Oct 16,2012
Heinrich Deters, Trails & Open Space Program Manager
Park City Dept Economic Development, Sustainability

DRAFT PAAB Inventory 2016

ASSET # 06038 AIR (on sheet PC MARC entry way cyclist)

Acquired 3/15/2013

Artist; Jorge Blanco, Sarasota, FL (jorgeblancosculpture.com), Venezuelan born- American artist sculptor, freelance graphic designer, furniture designer, illustrator; developed iconic comic strip " Castaway"

1200 Little Kate
Front The MARC

Site specific outdoor sculpture
3 figures elevated on a rectangular column (4" x 8"), 10 ft high to prevent damage from vandalism, climbing, graffiti, etching, hard water irrigation and to ease snow removal in winter
Aluminum, powder coating, assembled with nuts and bolts

Style combines geometric presentation and figuration
Sculptures in primary colors

Artist's Explanation Bicycling is a symbol of sustainable transportation and environmental conservation, plus it 'a healthy activity that can be much fun

Funded 1% of construction costs (approximately $8,000 remained)

No signage – name is on piece

Sources Jorge blanco sculpture website
Air/Public Archive
Jorge Blanco – OA Gallery

DRAFT PAAB Inventory 2016

ASSET # 07410 FLACO

Acquired 8/22/2013 (made 2010)

Artist Jamie Burnes, Sante Fe, NM; graduated Skidmore College with BA in studio art

1250 Park Avenue (places on west of two pads)
Rotary Park

Mix-media horse of cor-ten steel and rot resistant cedar
110"w x 96"h x 26"d
base CorZTen Steel Jnb 2010
on 4' x4'pad installed by PCMC

Art on Loan Program
Purchased through MAR Gallery

Signage plaque 6" x 6" square with artist's name,
contact information (Jamieburnes.com 505-670-6638)
Horse's dimensions and material

Sources various Gallery Mar websites

DRAFT PAAB Inventory 2016

ASSET # ????? MINERS HOSPITAL PRINT

Acquired ???? 2015

Artist Judy Taylor, Park City. Watercolorist; BFA from University of Illinois Known for her iconic pictures of Park City.
Married to Hal Taylor, former Mayor of Park City who was in many of her prints, died in summer 2006 of a severe stroke. Former PAAB member, appointed July 2005; The Park City Arts Council has since established two funds in Judy Taylor's honor. One is earmarked for a Park City High Sch scholarship that will be awarded to a college-bound senior who is planning to study art. The second will be used to create a piece of public art in her memory.

Somewhere inside Miner's Hospital
1354 Park Avenue

Limited Edition matted framed signed lithographic print (#332 of 700) of Miner's Hospital
24" x 36"

Donated by Park City resident who was moving out of town

Artist's Comments " With world conflicts, stress, and illness touching all our lives, I hope my paintings can bring color and positive feelings to the viewer.

Sources Park City Magazine winter/spring 2007 "Remembering Judy Taylor"
PAAB Minutes April 13, 2015
A Brush with Color – Watercolor Online
Summary- City Council July 7, 2005

DRAFT PAAB Inventory 2016

ASSET # ???? SURROUNDINGS

Acquired June 1915 (don't know exact date)

Artist Danielle Wyckoff, Asst. Professor Kendall College of Art and Design, Grand Rapids MI, Spiro Arts resident in 201 and a Kimball Art Center "Relevant" artist in 2012

Foyer, Park City Library

Multi- media mountainscape, two and three- dimensional aspects:

Eight panels 30" x 7'
Hand-screen text in various cool colors printed on mulberry paper
Text about Park City that she collected from local residents and people who have a special connection to the town (50 storytellers- all represented) and written accounts of turn of the century miners from the Park City Museum
Texts make an image- reference to the mountains surrounding Park City

Dozens of recycled aluminum discs of various sizes, hung in front of panels – spin
A nod to Park City's silver mining history
Pay tribute to the dynamic weather of the area- snow and sunshine
Reflect light and cast shadows like the shadows spread over the mountains

Artist's Explanation "(This piece) involves the collaboration of Park City storytellers.... honors the way in which community and environment influence each other as well as the role of a library as a place for learning and sharing." "My work already involved collecting stories."

Artist's comment "It's really a beautiful thing to have this next step in my career being based in Park City. because I feel this connection to the town." (been here a handful of times, each time has been a boost to her career) now represented by Soltesz Fine Art, Portland Or. Melissa Soltesz – former PAAB member)

RFP - Site specific piece, commissioned for the new foyer of PC Library

1% of construction costs

Source Park Record June 12,2015 "Wyckoff honored to create art for the Park City Library"
Surroundings: Danielle C. Wyckoff daniellewyckoff.com
Danielle Wyckoff awarded public art commission in Park City solteszfinearts.com
"Surroundings" RFP Proposal, Danielle C. Wyckoff 2015

DRAFT PAAB Inventory 2016

ASSET # ???? A SACRED COMMUNITY

Acquired summer 2015

Artists University of Utah students Danny Stephens, Miguel Galex and Jessika Jeppson,
Under the direction of Professors Rosi Hayes and Lindsay Larsen

On Poison Creek Trail
Tunnel below drive into Park Station Condos from 224
1000 Town Point and Park Station Access

Tunnel Mural

Spray paint, and magic markers, finished with outdoor urethane to repel water

Students (taking a class ion engaging community through art) approached Public Art Advisory Board April 2015

Students contributed time and imagination to the project
Materials donated by Home Depot, the University of Utah, the artists and others

An interactive experience for over 1,000 Park City residents and visitors. As the artists installed the piece, they recruited cyclists and pedestrians to contribute to the accomplishment of the piece.

Artist's Explanation "My fellow artist and I wanted to highlight the artist in everyone. By bringing citizens into the mart making process, we hoped to instill ownership of the mural into the very people who walk by it every day. This experience was meant to awaken, revive and educate."

Condition – (spring 2016) paint chipping on western sloped top walls at both ends of tunnel (not on east walls) ; looks like it could have been from skateboarders

Source Park City Press Release "**PARK CITY'S** PUBLIC ART ENHANCED BY NEW INSTALLATIONS" Elizabeth Quinn Fregulia

DRAFT PAAB Inventory 2016

ASSET # ????? SYMPHONY OF MOVEMENT

Commissioned in 2014, installed 9/2015

Artist Joshua Weiner, Boulder CO

Quinn's Junction Highway 248 (east of Dog Park)

2 rows of 160 4" anodized aluminum 1/2" wall pipes
(can be walked through; Weiner likes working with aluminum because of its strength and appearance- no maintenance, will last hundreds of years. Its reflective surface creates a rich interplay with sunlight)
15' x 50' x 12'
frame created in his studio – quickly assembled on site
each pole weights approximately 50 lbs

Artist's Explanation Symphony of Movement is something of an optical illusion: it is intended to appear kinetic without actually moving. "The viewer's own movement—and their interaction with the piece—are what animates it,"
"The piece remains stationary, but as the viewer moves toward and around it, it seems to move of its own accord: by having the viewer as an active force in the experience, the viewer becomes part of the artwork."
"The casual observer will notice that some of the pipes lean forward to reflect the ground, while others lean back to reflect the sky, bringing lines of light to the ground. As the viewer circles the piece, the rods reverse in direction. The observer, the ground, and the sky all engage in a dialogue curated by the piece at the center."

Cost $84,700 paid from Public Art General Funds

Sources
Park Record Oct 16, 2015 "Symphony of movement" public art comes to Quinn's Junction"
www.JoshuaWeiner.com
Park City Press Release "**PARK CITY'S** PUBLIC ART ENHANCED BY NEW INSTALLATIONS" Elizabeth Quinn Fregulia
Joshua Weiner Symphony of Movement proposal, May 7, 2015

DRAFT PAAB Inventory 2016

Resolution No. 36-03

RESOLUTION ESTABLISHING THE PUBLIC ART ADVISORY BOARD AND A PUBLIC ART POLICY

WHEREAS, Art is an integral part of the Park City community and support of public art is an established goal of the City Council, and

WHEREAS, Art is part of Park City's flare and the City has taken a more active role over the last five years to facilitate and encourage art in public places and desires to adopt a written policy for art; and

WHEREAS, It is the goal of the current City Council to make sure a cohesive plan for public art exists to enhance the quality of life in Park City; and

WHEREAS, Park City is committed to continuing support and development of public art; and

WHEREAS, Art should be accessible to the public, durable to the outdoor elements, safe to the public, and compatible with community standards, and

WHEREAS, the City Council set aside an additional $200,000 in appropriated Capital Improvement Program (CIP) funds for the FY 2003-2004 and FY 2004-2005 to be spent to acquire and integrate public art,

NOW, THEREFORE BE IT RESOLVED, that

SECTON 1. BOARD AND POLICY ADOPTED. The attached Arts Policy and subsequent establishment of the Public Art Advisory Board is hereby adopted on December 11, 2003.

SECTION 2. EFFECTIVE DATE. This Resolution becomes effective upon adoption.

PASSED AND ADOPTED this 11th day of December, 2003.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE MARCH 1, 1884

Public Art Policy

PURPOSE OF THE POLICY

The purpose of this policy is to establish a process for the selection, purchase, commission, placement, and maintenance of works of art via the expenditure of the monies generated through the Public Art fund established in the Park City Municipal budget for FY 2003-04 and FY 2004-05 and subsequent funding mechanisms.

INTENT OF THE POLICY

It is the stated intent of the Public Art Policy to direct the inclusion of public art in order to expand Park City citizens' experience with works of art and enable them to better understand their communities and their individual lives. By encouraging artists capable of creating works of art in public places, the Public Art Policy shall strive to stimulate the vitality and economy of the City and enhance Park City's standing as a leading cultural destination. Thus, it is the goal of the Public Art Policy to expend the funds on and facilitate works of art and art projects of redeeming quality, which advance public understanding of visual art and enhance the aesthetic quality of daily life and provide a sense of place.

GENERAL TERMS

"Public Art" means any visual work of art displayed for two weeks or more in an open city-owned area, on the exterior of any city-owned facility, inside any city-owned facility in areas designated as public areas, or on non-city property if the work of art is installed or financed, either wholly or in part, with city funds or grants procured by the city.

"Work of art" includes, but is not limited to the **art forms** of; sculpture, monument, mural, fresco, relief, fountain, banner, benches, architectural furniture, and performance art facilities. Works of art include, but is not limited to the **art mediums** of; weaving, carving, painting, assemblage, collage, welding, casting, and sculpting.

ADMINISTRATION OF THE PUBLIC ART ADVISORY BOARD AND POLICY

The Public Art Advisory Board and Public Art Policy will be administered by the Park City Summit County Arts Council for FY 2003-04 and FY 2004-05. The administration of the Public Art Board and Public Art Policy shall be a separate and additional cost to the $200,000 Public Art Fund. City Council has approved an additional $6,750 for the annual administration of the Public Art Advisory Board to be distributed to the Arts Council in monthly installments of $562.50. This would be in addition to their current service contract with the city. It is understood that with the funds the City provides for

specific projects, the administrator of the funds will work to leverage funds for additional projects and works of art.

COMPOSITION AND FUNCTION OF THE PUBLIC ART ADVISORY BOARD

The Public Art Advisory Board shall have seven (7) members appointed by the City Council. Composition of the Board will include representation from the professional art community and the general public, and should consist of visual artists, performing or film artists, a design professional, an art educator, art professional, producer, designer, gallery director, or curator, and representatives from the Park City community and business community who are interested in serving on the Public Art Advisory Board. Board members shall live in Park City proper. Board members shall serve for no more than one two-year term every five years. The Special Events and Facilities Manager or her designee shall serve ex-officio without vote. It is also encouraged that students from the community be included on the panel to serve ex-officio without vote. Staggered terms shall be assigned by the City Council in the selection process. This board shall be reviewed as part of the budget process in 2005.

The primary functions/responsibilities of the Public Art Advisory Board are:

1. Review a cultural assessment of the Park City cultural community.
2. Create a strategic public art plan that would include public art policy refinements and recommendations of expenditures of the Public Art Fund. Ensure that public art is safe, accessible, durable, and compatible with community standards.

2a. Upon completion of the strategic public art plan and review of the cultural assessment, the Public Arts Advisory Board shall meet with City Council in a work session to obtain approval.

3. Establish guidelines for implementation of the Public Art Policy, including methods of selecting artists and commissioning works of art. Process must be consistent with City purchasing procedures.
4. Process public art proposals submitted to Park City Municipal and make recommendations regarding appropriations for works of art and art projects to the City Manager.
5. Review, on an annual basis, the artwork projects of the Public Art Policy as a reflection of the program's intent, and recommend appropriate maintenance requirements.
6. Make recommendations for future funding of the Public Art Fund.
7. Make recommendations for the establishment of a contribution percentage for art based on construction cost of public and private development.
8. Make quarterly updates to the City Council on the progress of the Public Art Policy.

After the Public Art Advisory Board makes recommendations to City Council, the Council shall have final approval.

APPROPRIATION AND ALLOCATION OF FUNDS

The Public Art Advisory Board shall develop recommendations to the City Council regarding the specific allocation of the $200,000 public art fund established in July 2003. The following are several options to be considered. Consistent with these policies, art will not be approved without review by City staff and the approval of City Council.

1. **"Art on the Corner" Concept:** Art on the Corner is a unique outdoor sculpture project designed to recognize the arts, develop community pride and draw people to the Main Street. This exhibit would be free to the public and can include many sculptures in a variety of media and styles. A small portion of the $200,000 could be allocated as seed money for this type of program after which the program would become self-sustaining.

2. **Public Art at Existing Public Buildings:** City buildings may be selected for site-specific Public Art. Possible Locations are Marsac Building, Carl Winters Library and Education Center, Miners Hospital Plaza, McPolin Farm. At the Transit Center, seven of the nine muses currently exist. The infrastructure for two additional muses is in place. The Board should consider commissioning the final two muses.

3. **Art in Parks and Trails:** Art parks and art along our city trail system would enhance the value of both. Specifically along the Poison Creek Trail system that would encourage pedestrian activity from City Park to Main Street. This program could include, but not be limited to sculpture, sound gardens, Murals painted inside the 4 remaining bare tunnels, performance kiosks, etc.

4. **Specific Proposals by Artists or Purchase of Existing Art:** The Public Art Advisory Board will consider specific proposals from artists, as well as the purchase of existing work. The commission will determine policy and criteria for the selection process.

5. **Maintain and/or complete existing Public Art Property:** The existing six Public Art pieces/sites owned by Park City Municipal Corporation are in a variety of disrepair and completion. The Public Art Advisory Board should consider value and original contracts to consider investing additional funds in this inventory. This might include: completion of the Transit Center art and Poison Creek tunnel murals projects, cleaning of the Bronze Miner, and plaster/paint repair of the Swede Alley Mural.

PARK CITY
PUBLIC ART ADVISORY BOARD

Park City's Public Art Advisory Board (PAAB) was established by Park City Municipal Corporation, and is administered by the Park City Summit County Arts Council. Members are appointed by the Mayor with the advice and consent of the City Council. Members must reside within the municipal boundary of Park City.

The PAAB makes recommendations to City Council regarding the expenditure of City funds for public art projects. The board also makes recommendations to City Council regarding future sources of funding for public art.

Makeup of the Board:

- There are seven (7) voting members and three (3) non-voting members on the Park City Public Art Advisory Board
- Each of the voting members may serve two two-year terms
- Terms begin on July 1, end on June 30, and are staggered
- Board members are not compensated

Roles of Advisory Board Members (Voting and Non-Voting)

Voting Members

- There are seven (7) voting members on the board, each of whom is eligible to serve two two-years terms
- Only voting members are allowed to make a motion and to vote on motions brought up by the board

Non-voting Members

- There are three (3) non-voting members on the board
  - Park City's City Council Liaison
    - Advise, provide input – particularly from the City Council's perspective - serve as a resource to the Advisory Board, and to provide input to the City Council related to the work of the, or at the request of, the Public Art Advisory Board
  - Staff member(s) from Park City Municipal Corporation
    - Advise, provide input – particularly from the City staff perspective - serve as a resource to the Advisory Board, and to provide input to the City related to the work of, or at the request of, the Public Art Advisory Board
    - Prepare staff reports and managers reports for City Council meetings on items requiring direction from Council
    - Coordinate communication with other City Departments on projects and assist in obtaining department approvals
    - Disperse funds for approved public art projects from the allocated amount for public art
  - Executive Director of the Park City Summit County Arts Council
    - Handle administrative needs of the Board including:
      - Draft agenda for each meeting, distribute agenda to members for changes, and bring final agenda to meetings
      - Make sure Board members have the materials needed for agenda items
      - Communicate with members regarding Board issues
      - Work with PCMC on issues related to Board matters (research, policy, etc.)

- Expend funds related to the administration of the Advisory Board – funds provided by PCMC to the Arts Council (not the City funds appropriated for public art)
- Provide input and serve as a resource to the Advisory Board; provide feedback to the Arts Council on the work of the Art Advisory Board.

Expectations of members:

Meetings begin at 6:00 p.m. and typically last 1½ to 2 hours. Members are expected to be timely.

Agendas and any necessary materials or meeting packets are distributed in advance and members are expected to read the information prior to the meeting in order to facilitate shorter meetings.

Three absences, excused or unexcused, within a year, may result in removal from the Board.

Task Roles held by Members:

- Chair
  - Runs board meetings (brings meeting to order, keeps focus on agenda items)
  - Summarizes discussion points for the minutes
- Secretary (role performed by Arts Council Executive Director)
  - Keeps minutes of each meeting, records votes, and distributes minutes to members prior to, or at, the following board meeting
- Public Relations (assigned board member)
  - Writes press releases, PSAs, copy for materials related to Art Advisory Board projects
  - Handles all press-related inquiries regarding Art Advisory Board projects
  - Provides input on PR strategy regarding Art Advisory Board issues and projects
- Project teams (formed as necessary with a minimum of two board members)
  - Take the lead on research, identification of resources, budgeting, etc., for new projects suggested by the Board.
  - Liaison with artists interested in project RFPs to answer questions, visit artists' studios and meet with artists as necessary.
- Full Board
  - Handle review of art projects in process - RFPs, review of draft art, final review of art plans, oversight of art implementation, etc.

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

The Christian Center of Park City has applied for a fee waiver for building, planning and engineering fees associated with the construction of an addition and remodel at 1283 Deer Valley Drive, Park City, building permit BD-16-22385. Total fees for Building, Planning and Engineering are $63,851.64. MCPC 11-12-15 requires Council to approve fee waivers above $5,000.00.

Respectfully:

Michelle Downard, Deputy Chief Building Official

City Council
Staff Report

Subject: Christian Center of Park City- Fee Waiver Request
Author: Michelle Downard, Deputy Chief Building Official
Department: Building Department
Date: August 4, 2016
Type of Item: Administrative

Summary Recommendation

Staff recommends Council hold a public hearing and consider a fee waiver request in the amount of $63,851.64 for the Christian Center of Park City in accordance with the Municipal Code of Park City (MCPC) 11-12-15. Staff recommends City Council waive $10,000 in fees.

Executive Summary

The Christian Center of Park City has applied for a fee waiver for building, planning and engineering fees associated with the construction of an addition and remodel at 1283 Deer Valley Drive, Park City, building permit BD-16-22385. Total fees for Building, Planning and Engineering are $63,851.64. MCPC 11-12-15 requires Council to approve fee waivers above $5,000.00.

Acronyms

MCPC Municipal Code of Park City

The Problem

The Christian Center of Park City is a non-profit organization and the fees associated with the development of a new structure could create a financial hardship.

Background

- The Christian Center of Park City is remodeling and building an addition at 1283 Deer Valley Drive, Park City.
- The Christian Center of Park City has operated in Park City since 2000 as a non-profit business and has identified numerous public benefits that are provided, including a food pantry, school supplies and clothing, snacks for students, Tuesday Nite Dinners and an emergency assistance program.
- The fees for building, planning and engineering are calculated according to the cost of providing the services related to the development. Therefore, any waiver of fees would have to be absorbed by the already allocated General Fund.
- The subject fees include the $2,100 of fees already paid (Plan Check and Design Review).
- Utah State Code 10-8-2 (1)(a)(v) allows the City after first holding a public hearing, to waive part or all of the fees required to be paid by a nonprofit entity, whether or not the municipality receives consideration in return. The total amount of services or other nonmonetary assistance provided or fees waived in any given fiscal year may not exceed 1% of the municipality's budget for that fiscal year.

- MCPC 11-12-15 allows for a fee waiver on non-public projects which are deemed to serve a beneficial public purpose.
- On June 2, 2016, City Council approved a 100% fee waiver for the Park City Historical Society in the amount of $17,837.03. The Historical Society is another local non-profit which provides the public benefit of preserving documents and artifacts regarding Park City's history. Packet, page 303
- Impact Fees (including water, public safety and streets) will be calculated in association with the new development in accordance with MCPC Title 11, Chapter 13 and are not eligible to be waived by City Council (unless for affordable housing or construction of a public facility).
- Staff is planning return to City Council during a work session within the next few months to discuss fee waivers in general and policies.

Analysis

- MCPC 11-12-15 allows for fees to be reduced or waived for public or non-profit projects which are deemed to serve a beneficial public purpose, provided that any waiver or reduction in excess of five thousand dollars ($5,000) must have City Council approval.
- The total valuation for the development is $5,000,000.00. Fees have been calculated in accordance with the adopted fee schedule. Total fees for building, planning and engineering are $63,851.64. This is a significant construction project that will require a corresponding amount of staff time from primarily the building department, as well as time from the planning and engineering departments.
- Generally, staff believes that a 50% waiver of fees with a $10,000 maximum is appropriate to be considered for a waiver as it can be absorbed by the General Fund. However, any higher amount would be too large of a strain on the General Fund for the City to absorb.
- The Christian Center was awarded $15,000 a year through the Special Service Contract process to help fund pantry employees, supplies, and transportation.
- The Building Department is not an enterprise fund, nor is it recommended to be so because of the fee revenue volatility due to changing market conditions, it is important the Council consider maintaining a balance between building fee demands on the staff and their associated costs. Substantial decreases in building revenue will lead to a decrease in expenditure budget. Staff's goal is to balance out operating expenses and revenues over time.

Building Fees	
$31,485.00	Building Permit ($2,000 already paid)
$18,465.25	Plan Check
$314.85	State Fee
$7,523.20	Sub Electrical
$993.75	Sub Mechanical
$993.75	Sub Plumbing
$95.11	State Fee
$59,870.91	**Total**

Planning Fees	
$320	Master Sign Plan
$1,007.80	Design Review ($100 already paid)
$1,327.80	**Total**

Engineering Fees	
$452.93	New Water Meter (cost difference for possible upgrade)
$200.00	Work in the ROW Permit
$2,000.00	Work in the ROW Guarantee
$2,652.93	**Total**

Alternatives for City Council to Consider

A. **Approve:** City Council would approve a $10,000 fee waiver.
B. **Deny:** Council can deny the request for any waiver and the Christian Center of Park City will be responsible to pay all calculated fees.
C. **Amend**: Council may amend the current recommendation and waive a higher or lower percentage of the fees.
D. **Continue**: Council may continue the item.

Department Review

The Engineering, Planning, Budget and Executive Department have reviewed this staff report.

Attachments

EXHIBIT A Christian Center of Park City- Fee Waiver Request

Wells Realty Advisors, LLC
real estate development & project management
established 1982
cell: 206-949-7392 / email: tomrwells@gmail.com

July 18, 2016

Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060
Attention: Michelle Downard, Deputy Building Official

Re: Christian Center of Park City, (CCPC), a 501c(3), Utah nonprofit
1283 Deer Valley Drive, Park City, UT 84060
ReModel and Additions to CCPC
REQUEST for WAIVER of BUILDING PERMIT FEES
Building Permit Number: BD 16-22385 / March 14, 2016.

Dear Ms. Downard
Following up to our recent communications, please accept this letter as our application for Request for Waiver of Building Permit Fees. This letter replaces my original letter to Diane Foster dated June 30th.

Since CCPC's founding in 2000 as a Utah Non-Profit entity, it has operated continuously to serve local people and communities…see the Mission Statement below. Financial support is derived from onsite sale revenues and thousands of donors…foundations, corporations and individuals.

Mission Statement: *CCPC is a humanitarian, community-focused resource center that helps improve the lives of people and communities through meeting immediate and basic needs, serving as a leading networker of community resources, offering counseling and care support, championing advocacy for those in need and giving hope to those we serve. Focused primarily on the population centers of Summit and Wasatch Counties, CCPC serves all people, regardless of religion, race, ethnicity or gender. While not a church, we partner with area churches, interfaith councils, nonprofits, local governments and individuals to serve community needs.*

For your reference, I've attached a summary, entitled…**"CCPC: 2015 At-A-Glance".** In addition to the primary programs listed on "At-A-Glance"; CCPC provides contact information via its "Room-Mate-Roundup" to those in search of affordable housing...and has an ongoing working relationship with Habitat for Humanity and Mountain Land Trust. For further details about CCPC, please visit the website at: www.ccofpc.org

Looking into the future, CCPC anticipates growth to continue in the Park City area and, subsequently, an increase in community needs similar to what CCPC is currently meeting. In order to prepare for such future growth we began 3 years ago to prepare plans to remodel the existing building and to acquire the property…the latter happened December 2015. The current plans, submitted for building permit March14, 2016, include significant and needed improvements, such as:

1. A substantial increase of existing usable building space (from 9,300 nsf to 17,800 nsf) to facilitate expanded CCPC programs and services.

2. Building systems to provide sustainable energy conservation:
   a. commercial HVAC – VRF system that meets current energy codes,
   b. double glazed windows throughout,
   c. energy efficient interior and exterior lighting, and
   d. provision for future installation of roof-top solar panels.

3. Improvements for traffic and pedestrian safety:
   a. new vehicle entry at Deer Valley Drive to facilitate safer ingress / egress,
   b. new round-about at north side of building for ease of donation drop-offs,
   c. expanded pedestrian paths onsite and connections to adjacent City trails,
   d. improved pedestrian access to / from and within the building, including a new elevator; all ADA compliant.

Currently, we expect to start construction this Fall; subject to completion of several key aspects during the remaining pre-construction period. FYI…the existing building as-is contains about 12,300 gsf. Upon completion of this project the building will contain about 21,300 gsf.

On behalf of CCPC, the owner of the subject property, I respectfully request that all requisite fees for this project be waived, including but not limited to those defined in…Title 11 – Chapter 12 – FEES.

In the event that this Request is denied, then either revision(s) (deletions or deferrals of building features) to the plans and/or modifications to programs and services may be required to stay within the Project Budget. The specifics of such plan revisions and / or program modifications will be made just prior to starting construction.

Thank you for your input and assistance in this matter. We look forward to this matter being reviewed by City Council at their regular meeting on August 4th. In the meantime, should you require further information or have questions, please contact me directly.

Sincerely,
Wells Realty Advisors, LLC

Thomas R. Wells
Project Manager

cc/ Diane Foster, City Manager
Matt Dias, Assistant City Manager, Park City
Rob Harter, Executive Director, Christian Center of Park City

CCPC: 2015 At-A-Glance

- **1,186,269 meals** given away = **$1,807,208** worth of food
- Collected **926,773 pounds** of food
- **48,739 people*** (14,937 households) received food over the year
  - Park City Food Pantry: 36,117 individuals served in 2015
  - Heber City Food Pantry: 12,622 individuals served in 2015
- **263 Park City students** served weekly through our **Snacks in Back-packs** program
- **1,339 low-income children** in Summit & Wasatch counties given new Christmas gifts through Operation Hope
- **523 low-income Park City students** served with new school clothes, shoes and school supplies through our Back 2 School Basics program
- Hot dinner served to over **225 seasonal workers** at **Tuesday Nite Dinners**
- **534 Easter baskets given away** to low-income children in Summit and Wasatch Counties as well as the Goshute Reservation
- **10,356 volunteer hours** logged
- 55 residents of the **Goshute Reservation** served each month through our Mobile Food Pantry
- **270 people** impacted through our **Emergency Assistance** program
  - Distributed **$16,109 in monetary** assistance (rent/utility assistance, etc)
  - Distributed **$2,902 in in-kind** assistance (clothing, hygiene, etc.)

**this number could reflect multiple visits over the year and counts each member of a household that benefits from food given each time they visit our pantries.*

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

Staff recommends that Council to approve an ordinance executing a stay of enforcement until January 1, 2017 for Parking and Driveway Standards, Municipal Code of Park City (MCPC) 15-3-4 (A, 3, b).

Respectfully:

Michelle Downard, Deputy Chief Building Official

City Council Staff Report

Subject:	**Parking and Driveway Standards** **Stay of Enforcement- Municipal Code 15-3-4 (A)(3)(b)**
Author:	**Michelle Downard, Deputy Chief Building Official**
Department:	**Building Department**
Date:	**August 4, 2016**
Type of Item:	**Legislative**

Executive Summary

Staff recommends that Council to approve an ordinance executing a stay of enforcement until October 31, 2016 for Parking and Driveway Standards, Municipal Code of Park City (MCPC) 15-3-4 (A)(3)(b).

Acronyms

MCPC Municipal Code of Park City

The Problem

Numerous citizens have voiced concern regarding enforcement of parking regulations and have requested City Staff and City Council to consider a code amendment.

Background

On July 21, 2016, City Council requested staff to return with an ordinance to implement a stay of enforcement action and return for further discussion on MCPC § 15-3-4 (A, 3, b). Packet, p 18; Minutes included in this packet for approval.

Analysis

Staff will prioritize this item to present Land Management Code amendments to the Planning Commission, who will then provide a recommendation for City Council. In the interim, staff believes that it is inappropriate to pursue enforcement action against properties in violation of MCPC § 15-3-4 (A)(3)(b). Staff recommends the Council to consider approving the stay of enforcement for parking trailers, campers, motor homes, boats or equipment in driveway areas until this code amendment can be discussed and considered thoroughly.

Staff is recommending this stay only be in effect from today until October 31, 2016 as there are added impacts to having trailers, campers, motor homes, boats or equipment in driveway areas which could impact snow removal. Further, Council also suggested that changes should be seasonal.

As staff drafts proposed code revisions, additional related issues will be addressed such as better definition of alternate approved parking surfaces and identifying additional allowable areas to park RVs, trailers, etc.

Alternatives for City Council to Consider

A. **Deny:** Council may deny the request for a stay of enforcement and code enforcement will take enforcement action for violations of MCPC § 15-3-4 (A)(3)(b).
B. **AMEND:** Council may choose to amend the City Code sections that the stay of enforcement applies to.
C. **Continue**: Council may continue the item.

Department Review

The Planning, Legal and Executive Department have reviewed this staff report.

Attachments

EXHIBIT A Ordinance- Stay of Enforcement

Ordinance No. 2016-40

AN ORDINANCE STAYING ENFORCEMENT OF CERTAIN VIOLATIONS OF LAND MANAGEMENT CODE TITLE 15 CHAPTER 3 SECTION 4 SUBSECTION A (3), PARKING RESTRICTIONS

WHEREAS, the City Council on July 21, 2016 directed staff to review parking requirements for vehicles, boats, RVs, trailers and similar vehicles on residents' properties during the summer season; and

WHEREAS, currently it is a violation of 15-3-4 (A)(3) to use Driveway Areas for storage of any trailer, camper, motor home, boat or equipment at any time; and

WHEREAS, Council directed staff to stay enforcement of violations of any trailer, camper, motor home, boat or equipment in Driveway Areas; and

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

SECTION 1. STAY OF ENFORCEMENT. The City hereby stays enforcement of violations of 15-3-4(A)(3)(b) where Driveway Areas are used for the storage of any trailer, camper, motor home, boat or equipment between August 4, 2016 through October 31, 2016.

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

PASSED AND ADOPTED this 4th day of August, 2016.

PARK CITY MUNICIPAL CORPORATION

_____
Mayor Jack Thomas

Attest:

_____
Michelle Kellogg, City Recorder

Approved as to form:

_____
Mark D. Harrington, City Attorney

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

- Staff is recommending to revise, simplify, and more clearly define how the current Impact Fees area calculated with code amendments to Title 11, Chapter 13 of the MCPC.
- **Parks, Police, and Roadways Impact Fees**- The values and fees remain the same while the table layout has been modified. The square footage of units is now in numerical order.
- **Indoor Non-residential Water Impact Fee**- Staff has assigned dollar figure amounts and eliminated "Calculated" from the table. Fee values are not proposed to be modified and staff would calculate fees as they have been in the past with the exception of outdoor dining areas which would be calculated as described in this report and the attached draft ordinance.

Respectfully:

Michelle Downard, Deputy Chief Building Official

City Council
Staff Report

Subject:	Municipal Code of Park City Title 11 Impact Fees Amendment
Author:	John Allen, Plan Check Coordinator Michelle Downard, Deputy Chief Building Official
Department:	Building Department
Date:	August 4, 2016
Type of Item:	Legislative

Summary Recommendation

Adopt an ordinance which amends Title 11, Chapter 13 of the Municipal Code of Park City (MCPC) regarding Impact Fees in order to revise, simplify and more clearly define how fees are calculated.

Executive Summary

- Staff is recommending to revise, simplify, and more clearly define how the current Impact Fees area calculated with code amendments to Title 11, Chapter 13 of the MCPC.
- **Parks, Police, and Roadways Impact Fees**- The values and fees remain the same while the table layout has been modified. The square footage of units is now in numerical order.
- **Indoor Non-residential Water Impact Fee**- Staff has assigned dollar figure amounts and eliminated "Calculated" from the table. Fee values are not proposed to be modified and staff would calculate fees as they have been in the past with the exception of outdoor dining areas which would be calculated as described in this report and the attached draft ordinance.

Acronyms

MCPC – Municipal Code of Park City
LOD – Limits of Disturbance Fence

The Problem

- Customers have expressed confusion on how fees are and have been calculated.
- Property owners and developers have had difficulty forecasting fees before they apply.
- Staff has experienced recurring questions about the Appeal and Independent Fee Calculation fees and submittal deadlines.

Background

On July 14, 2016, Council discussed amendments to the Municipal Code of Park City. Packet, pg 4.

Analysis

Park City requires the payment of impact fees as a condition of development approval, so that development pays an equitable portion of the costs of impacts on municipal facilities and infrastructure caused by new growth.

Simplify and Clarify

Staff recommends defining certain fees as opposed to using the term “Calculated” as it appears in the current code. This should clarify how these fees have been determined by the Official.

Parks, Police, and Roadways Impact Fees

The values and fees remain the same while the table layout has been modified to show unit size in ascending order of the magnitude of the impact. The square footage of units is now in numerical order.

The table is amended to reflect the fee is assessed per unit for Duplex & Multi-Family and Hotel Rooms. This is consistent with how fees are and have been determined.

Outdoor Water Impact Fees

Staff recommends that the outdoor water impact fee be clarified to indicate that the full $1,441 fee be assessed for every 1,000 sq. ft. or fraction thereof above 10,000 sq. ft. This methodology is consistent with how the fees are applied within the smaller sq. ft. ranges.

Staff recommends that all disturbed area within the limits of disturbance (LOD) fence is treated as being replaced with irrigated landscaping sq. ft. Therefore, outdoor water impact fees are assessed for all sq. ft. areas within the LOD fence. This is consistent with how fees are and have been determined and does not change the amount to be charged.

The existing PCMC 11-13-7 (G) is recommended to remain unchanged and allows for a property owner to be eligible for a rebate of up to 50% of the paid exterior water impact fee for the installation of a drip irrigation system and drought tolerant landscaping in the area of disturbance. It is difficult for staff to enforce landscape changes associated with an impact fee rebate. For example, a homeowner could install drought tolerant landscaping and a subsequent owner could plant ornamental turf grass which would have a much higher impact on the water system. On July 1, 2016, modified water user rate tiers were adopted and put into effect. The modifications were designed to target high water use and to charge a significantly higher amount per thousand gallons used in the higher tiers. This has been the staff’s strategy for applying financial incentive to reduce high water use and the tiers are structured so that staff can progressively apply higher prices to lower volumes of water used in the future.

Indoor Residential Water Impact Fee
Staff recommends amending the table title to more clearly identify the fee being assessed. Staff also recommends indicating that the fee shall be assessed per unit for Duplex & Multi-Family and Hotel Rooms. The fee shall include living area sq. ft. only and exclude garages, decks and porches. This is consistent with how fees are and have been determined and does not change the amount to be charged.

Indoor Non-residential Water Impact Fee
Staff recommends amending the table title to more clearly identify the fee being assessed. Staff also recommends indicating that any property type not listed in the table will be considered non-standard and will be calculated by the Building Official on a case by case basis.

Staff recommends listing the floor area per unit. Recommended values are reflective of the Building Code and are consistent with how the other floor areas in the table were calculated.

Staff recommends establishing fee values that were previously not listed and eliminating any fees that were listed as "calculated."

All amendments to the Indoor Non-residential Water Impact Fee are consistent with how fees are and have been determined and do not change the amount to be charged.

Outdoor Dining Decks
Staff recommends amending the Municipal Code to change the method by which PCMC imposes water impact fees for outdoor dining areas. Staff finds that the operation of seasonal, outdoor dining "decks" does not materially increase the peak demand on PCMC's water delivery system. Staff therefore supports amending the impact fee ordinance to forego imposing water impact fees, in almost all instances, on development activity which would come under the newly defined term "outdoor dining areas." The term "outdoor dining areas" would broaden the currently codified term "decks" and provide the Chief Building Official with more latitude in calculating outdoor water impact fees. This change is consistent with the city council goal of encouraging outdoor dining.

City Council discussed this in a work session on March 3, 2016 and directed staff to return with amendments to the Municipal Code to make this change. This topic was reviewed by City Council on March 3, 2016. Meeting minutes from the March 3 meeting can be found here (minutes p.6).

Appeals
Staff recommends establishing an appeal fee of $500 with an exception for appellants that can demonstrate financial hardship including qualifying individuals in accordance with affordable housing deed restrictions. The fee is recommended to be refundable commensurate with the percentage reduction in the impact fee, up to

100% of the appeal fee paid. For example, if the outdoor water impact fee was reduced 50% following an appeal, $250 of the appeal fee paid would be refunded to the appellant.

Independent Fee Calculation
Staff recommends establishing a ten (10) day deadline for the submittal of an independent fee calculation.

Alternatives for City Council to Consider

1. Adopt the ordinance as proposed.
2. Amend the ordinance and adopt.
3. Request additional information and continue.
4. Reject the ordinance.

Department Review

This Staff Report has been reviewed by Water, Streets, Police, Parks, Legal and Sustainability.

Funding Source

No Funding required.

Attachments

EXHIBIT 1- PCMC Title 11, Chapter 13 Proposed Amendments

Ordinance No. 2016-38

AN ORDINANCE AMENDING TITLE 11 CHAPTER 13- IMPACT FEES OF THE MUNICIPAL CODE OF PARK CITY, UTAH

WHEREAS, Park City Municipal Corporation (City) is a political subdivision of the state of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, the City requires the payment of impact fees as a condition of development approval, so that development pays an equitable portion of the costs of impacts on municipal facilities and infrastructure caused by new growth; and

WHEREAS, a public hearing was duly noticed and held at the regular scheduled City Council meeting of August 4, 2016;

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

SECTION 1. AMENDMENT TO THE MUNICIPAL CODE OF PARK CITY, UTAH: Amendment to Title 11, Chapter 13 of the Municipal Code of Park City is hereby amended as shown on Exhibit A.

SECTION 2. EFFECTIVE DATE**.** This Ordinance shall be effective upon publication.

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

PASSED AND ADOPTED this August 4, 2016.

PARK CITY MUNICIPAL CORPORATION

_____
Mayor Jack Thomas

Attest:

_____
Michelle Kellogg, City Recorder

Approved as to form:

_____
Mark D. Harrington, City Attorney

Exhibit A

11-13-1 Definitions

The following words and terms shall have the following meanings for the purposes of this chapter, unless the context clearly requires otherwise:

A. **BUILDING PERMIT**. The permit required for any Development Activity, as defined herein, and pursuant to Chapter 11-3 et seq. of the Municipal Code of Park City, Utah.

~~A.~~B. **CALCULATED**. Fees as determined by the Official.

~~B.~~C. **CONSTRUCTION VALUE**. The value of construction per square foot used by the Park City Building Department to determine plan check and Building Permit fees, multiplied by the area of Development Activity.

~~C.~~D. **DEPARTMENT**. The Park City Building Department.

~~D.~~E. **DEVELOPMENT ACTIVITY**. Any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any change in the use of land, which is accompanied by a request for a Building Permit.

~~E.~~F. **OFFICIAL**. The Chief Building Official of Park City or his/her designee.

~~F.~~G. **ENCUMBER**. To reserve, set aside or otherwise earmark, the Impact Fees in order to pay for commitments, contractual obligations or other liabilities incurred for Public Facilities.

~~G.~~ **IMPACT FEE**. Any fee levied pursuant to this chapter as a condition of issuance of a Building Permit. "Impact Fee" does not include fees imposed under MCPC § 11-12-~~Section 11-12 of the Municipal Code.~~

H. **INDEPENDENT FEE CALCULATION**. An Impact Fee calculation prepared by a fee payer to support assessment of an Impact Fee different from any fee set forth herein.

I. **OWNER**. The owner of record of real property, or a person with an unrestricted written option to purchase property; provided that, if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.

J. **PARKS, TRAILS AND OPEN SPACE IMPACT FEE**. The Impact Fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of City-owned parks, trails and open space

K. **PROJECT IMPROVEMENT**. Site improvements and facilities that are planned and designed to provide service for the Development Activity and are necessary for the use and convenience of the users of the development resulting from the Development Activity.

L. **PUBLIC FACILITY**. Any structure built by or for, or maintained by, a governmental entity.

M. **PUBLIC SAFETY FACILITIES IMPACT FEE**. The Impact Fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, acquisition, engineering, financing and construction of public safety facilities.

N. **STREETS AND STORM WATER IMPACT FEE**. The Impact Fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of additional street and storm water management facilities.

O. **SYSTEM IMPROVEMENT**. Public facilities identified in the 2006 Capital Facilities Plan and Impact Fee Analysis, the 2014 Water Impact Facilities Plan and the 2014 Water Impact Fee Analysis that are not Project Improvements.

P. **WATER IMPACT FEE**. The Impact Fee, calculated as an expression of gallons per minute (gpm), to assess the impact of indoor Development Activity, and increased area of irrigated landscape, to assess the impact of outdoor Development Activity, imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of water delivery systems. The Water Impact Fee is assessed within the Service Area which is the area within the Park City Water Service District Boundary.

PCD (Amended by Ord. Nos. 95-35; 96-12; 01-37; 03-05; 04-27; 14-49)

11-13-2 Assessment ~~And~~ and Calculation ~~Of~~ of Impact Fees

A. **ASSESSMENT OF IMPACT FEES**. The City shall collect the following Impact Fees from any applicant seeking a Building Permit:

1. **Parks, Trails, Open Space, Public Safety Facilities, Streets and Storm Water Facilities Impact Fees**:

2005 PCMC IMPACT FEE ANALYSIS UPDATE
Proposed Impact Fee Schedule (Calendar Year 2005)

	Parks, Trails, Open Space	Police	Roadway Facilities	Total
New Construction				
Single Family				
~~Average Unit~~	~~$3,855.00~~	~~$605.00~~	~~$315.00~~	~~$4,775.00~~
Unit Less Than 3,000 sq. ft.	$1,925.00	$300.00	$155.00	$2,380.00
Unit 3,000 – 5,000 sq. ft.	$3,855.00	$605.00	$315.00	$4,775.00
Unit More Than 5,000 sq. ft.	$5,780.00	$910.00	$470.00	$7,160.00
Duplex & Multi-Family (per unit)				
~~Average Unit~~	~~$3,150.00~~	~~$495.00~~	~~$290.00~~	~~$3,935.00~~
Unit Less Than 2,000 sq. ft.	$1,575.00	$245.00	$145.00	$1,965.00
Unit 2,000 – 4,000 sq. ft.	$3,150.00	$495.00	$290.00	$3,935.00
Unit More Than 4,000 sq. ft.	$4,725.00	$740.00	$435.00	$5,900.00
Hotel Room (per unit)				
~~Average Unit~~	~~$2,005.00~~	~~$315.00~~	~~$170.00~~	~~$2,490.00~~
Unit Less Than 750 sq. ft.	$1,000.00	$155.00	$85.00	$1,240.00
Unit 750 – 2,000 sq. ft.	$2,005.00	$315.00	$170.00	$2,490.00

Unit More Than 2,000 sq. ft.	$3,005.00	$470.00	$255.00	$3,730.00
Commercial	NA	$555.00	$410.00	$965.00
Light Industrial	NA	$445.00	$320.00	$765.00
Additions				
Single Family				
0-500 Square Feet	NA	NA	NA	$0.00
501-1500 Square Feet	$480.00	$75.00	$35.00	590.00
1501-3000 Square Feet	$960.00	$150.00	$75.00	1,185.00
3001-5000 Square Feet	$1,925.00	$300.00	$155.00	2,380.00
More than 5000 Square Feet	$3,855.00	$605.00	$315.00	4,775.00
Duplex & Multi Family (per unit)				
0-500 Square Feet	NA	NA	NA	0.00
501-1000 Square Feet	$390.00	$60.00	$35.00	485.00
1001-2000 Square Feet	$785.00	$120.00	$70.00	975.00
2001-4000 Square Feet	$1,575.00	$245.00	$145.00	1,965.00
More than 4000 Square Feet	$3,150.00	$495.00	$290.00	3,935.00
Hotel Room (per unit)				
0-200 Square Feet	NA	NA	NA	0.00
201-750 Square Feet	$500.00	$75.00	$40.00	615.00
751-2000 Square Feet	$1,000.00	$155.00	$85.00	1,240.00
More than 2000 Square Feet	$2,005.00	$315.00	$170.00	2,490.00
Commercial (per sq. ft.)	NA	$0.55	$0.41	$0.96

Light Industrial (per sq. ft.)	NA	$0.44	$0.32	$0.76

2. **Water Impact Fee Schedule**:

Outdoor Impact Fee This fee shall be assessed for every 1,000 sq ft or fraction thereof. For the purpose of this impact fee, all disturbed area and all area within the limits of disturbance fence is considered to be irrigated landscaping sq ft.

Yard Area (Irrigated Sq Ft)	Peak Day Gallons	1 Gpm (Gal)	Gpm Demand	Proposed Fee
Calculated Per 1,000 Sq Ft	138.8	1,440	0.096	$1,598

3. **~~INDOOR~~ Indoor Residential Water Impact Fee - Winter Month Average Day (Ob~~v~~served Dec 16 to Jan 15)** This fee shall be assessed per unit for multi-unit dwellings. The fee shall include living area sq ft only and exclude garages, decks and porches.

Unit Size (Sq. Ft.)	Peak Day	1 Gpm (Gal)	Gpm Demand	Proposed Fee
- 1,000	298	1,440	0.2067	$3,428
1,001 2,000	400	1,440	0.2776	$4,602
2,001 3,000	539	1,440	0.3740	$6,200
3,001 4,000	687	1,440	0.4771	$7,910
4,001 5,000	817	1,440	0.5671	$9,403
5,001+	983	1,440	0.6829	$11,322

4. **Indoor Non-residential Water Impact Fee (Peak Day) Fees for any property type not listed below will be considered non-standard and will be calculated by the Official on a case by case basis.**

Property Type		Gallons per Unit	GPM per Unit	Floor Area per Unit	Fee per Unit
Assembly					
	Restaurant, Bar ~~including decks~~	35	0.0243	15	$402.97

	Theater, Auditorium, Church	5	0.0035	7	$57.57
Office		15	0.0104	100	$172.70
Educational					
	Classroom	25	0.0174	20	$287.84
	Shop/Vocational	25	0.0174	50	$287.84
Exercise Area		25	0.0174	50	$287.84
Hotel/Motel		150	0.1042	580	$1,727.02
~~Industrial~~		~~Calculated~~	~~Calculated~~		~~Calculated~~
Institutional					
	Impatient Treatment	250	0.1736	240	$2,878.36
	Outpatient Treatment	5	0.0035	100	~~Calculated~~ $57.57
	Sleeping Area	5	0.0035	120	~~Calculated~~ $57.57
Commercial Laundry (per washer)	~~Other~~	~~Calculated~~ 580	~~Calculated~~ 0.4027	Per Machine	~~Calculated~~ $6,677.80
Retail		10	0.0069	60	$115.13
Swimming Pool or Skating Rink					
	Rink or Pool Area	10	0.0069	50	$115.13
	Decks	~~Calculated~~ 10	~~Calculated~~ 0.0069	15	~~Calculated~~ $115.13
~~Warehouse~~		~~Calculated~~	~~Calculated~~		~~Calculated~~
~~Parking Garage~~		~~Calculated~~	~~Calculated~~		~~Calculated~~

~~Government~~		~~Calculated~~	~~Calculated~~		~~Calculated~~
~~Library~~					
	~~Reading Area~~	~~Calculated~~	~~Calculated~~		~~Calculated~~
	~~Stack Area~~	~~Calculated~~	~~Calculated~~		~~Calculated~~

5. Non Standard Impact Fee Calculation

Non-Standard Users Impact Fee Formula
Step 1: Identify Estimated Peak Day GPM Demand of Proposed Development Step 2: Multiply Equivalent Peak Day GPMs by Impact Fee per GPM of $16,579.38

PCD (Amended by Ord. Nos. 96-12; 01-37; 03-05; 05-37; 07-35; 11-27; 14-49)

11-13-3 Offsets

A. A fee payer can request that an offset or offsets be awarded to him/her for the value of a required System Improvement identified in the Capital Facilities Plan and Impact Fee Analysis, the Water Impact Fee Facilities Plan and the Water Impact Fee Analysis.
B. For each request for an offset or offsets, unless otherwise agreed, the fee payer shall retain an appraiser approved by the Department to determine the value of the System Improvement provided by the fee payer.
C. The fee payer shall pay the cost of the appraisal.
D. After receiving the appraisal, the Official shall provide the applicant with a letter or certificate setting forth the dollar amount of the offset, the reason for the offset, where applicable, the legal description of the site donated, and the legal description or other adequate description of the project or development to which the offset may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate, and return such signed document to the Official before the Impact Fee offset will be awarded.

   The failure of the applicant to sign, date, and return such document within sixty (60) days shall nullify the offset.

E. Any claim for offset must be made not later than the time of application for Building Permit. Any claim not so made shall be deemed waived.
F. Determinations made by the Official pursuant to this section shall be subject to the appeals procedure set forth in Section 11-13-6 below.

11-13-4 Waiver

The City Council may waive Impact Fees for:

A. Construction of affordable housing, up to $5,000 per unit;
B. Construction of a public facility.

11-13-5 Appeals

A. A fee payer may appeal the Impact Fees imposed or other determinations, which the Official is authorized to make pursuant to this Chapter. However, no appeal shall be permitted unless and until the Impact Fees at issue have been paid.
B. Appeals shall be taken within ten (10) days of the Official's issuance of a written determination, by filing with the Department a notice of appeal specifying the grounds for the appeal, and providing payment of $500 or a request for a fee waiver showing a justification of hardship, which the Official may grant in his/her sole discretion. Criteria considered for hardship may include, but is not limited to qualified individuals in accordance with affordable housing deed restrictions or a lack of financial resources to pay the fee without impacting basic living expenses. The fee for appeal is refundable at a percentage proportional to any reduction in the impact fee as a result of the hearing up to 100%.
C. The Department shall fix a time for the hearing of the appeal and give notice to the parties in interest. At the hearing, any party may appear in person or by agent or attorney.
D. The Hearing Officer is authorized to make findings of fact regarding the applicability of the Impact Fees to a given Development Activity, the availability or amount of the offset, or the accuracy or applicability of an Independent Fee Calculation. The decision of the Hearing Officer shall be final, and may be appealed to the Third Judicial District Court for Summit County.
E. The Hearing Officer may, so long as such action is in conformance with the provisions of this Chapter, reverse or affirm, in whole or in part, or may modify the determinations of the Official with respect to the amount of the Impact Fees imposed or the offset awarded upon a determination that it is proper to do so based on principles of fairness, and may make such order, requirements, decision or determination as ought to be made, and to that end shall have the powers which have been granted to the Official by this Chapter.
F. Where the Hearing Officer determines that there is a flaw in the Impact Fee program or that a specific exemption or offset should be awarded on a consistent basis or that the principles of fairness require amendments to this Chapter, the Hearing Officer shall advise the City Attorney as to any question or questions that the Hearing Officer believes should be reviewed and/or amended.

11-13-6 Establishment ~~Of~~ of Impact Fees Accounts

A. Impact Fees shall be earmarked specifically and deposited in special interest-bearing accounts. The fees received shall be prudently invested in a manner consistent with the investment policies of the City.
B. Funds withdrawn from these accounts must be used in accordance with the provisions of Section 11-13-8 below. Interest earned on the Impact Fees shall be retained in each of the accounts and expended for the purposes for which the Impact Fees were collected. Money in these accounts shall not be commingled with other funds.
C. Impact Fees shall be disbursed, expended, or Encumbered within six (6) years of receipt, unless the Council identifies in written findings an extraordinary and compelling reason or reasons for the City to hold the fees beyond the 6 year period. Under such circumstances, the Council shall establish the period of time within which Impact Fees shall be expended or Encumbered.

11-13-7 Refunds

A. If the City fails to disburse, expend, or Encumber the Impact Fees within six (6) years of when the fees were paid, or where extraordinary or compelling reasons exist, such other time periods as established pursuant to Section 11-13-7(C) below, the current Owner of the property on which the Impact Fees have been paid may request a refund of such fees. In determining whether Impact Fees have been disbursed, expended, or Encumbered, such fees shall be considered disbursed, expended, or Encumbered on a first in, first out basis.

B. Owners seeking a refund of impact fees must submit a written request for a refund of the fees to the Official within 180 days of the date that the right to claim the refund arises.
C. Any Impact Fees for which no application for a refund has been made within this 180 day period shall be retained by the City and expended on the type of public facilities for which they were collected.
D. Refunds of Impact Fees under this section shall include any interest earned on the Impact Fees.
E. When the City seeks to terminate any or all components of the Impact Fee program, any funds not disbursed, expended, or Encumbered from any terminated component or components, including interest earned shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the City shall place notice of such termination, and the availability of refunds, in a newspaper of general circulation at least two (2) times. All funds available for refund shall be retained for a period of 180 days. At the end of the 180 day period, any remaining funds shall be retained by the City, but must be expended on the type of public facilities for which they were collected.
F. The City shall refund to the current Owner of property for which Impact Fees have been paid all Impact Fees paid, including interest earned on the Impact Fees attributable to the particular Development Activity, within one (1) year of the date that right to claim the refund arises, if the Development Activity for which the Impact Fees were imposed did not occur, no impact resulted, and the Owner makes written request for a refund within 180 days of the expiration or abandonment of the permit for the Development Activity.
G. A property Owner may be eligible to receive a rebate of up to fifty percent (50%) of the paid exterior water Impact Fee for installation of a drip irrigation system and drought tolerant landscaping in the area of disturbance. For a rebate to be considered an application must be submitted to the Planning Department within two (2) years of the payment of the exterior water Impact Fee and within six (6) months of the installation of drought tolerant landscaping. The completed application form and an irrigation plan must be submitted to the Planning Department for review and approval. Conversions of previously disturbed or existing landscaping do not apply; only newly disturbed area from Development Activity will be eligible for a rebate.

PCD (Amended by Ord. Nos. 04-27; 14-49)

11-13-8 Use ~~Of~~ of Funds

A. Pursuant to this Chapter, Impact Fees:
    1. Shall be used for public facilities that reasonably benefit the new Development Activity ~~development;~~ and
    2. Shall not be imposed to make up for deficiencies in public facilities serving existing developments; and
    3. Shall not be used for maintenance or operation of public facilities.
B. Impact fees may be used to recoup costs of designing, constructing and/or acquiring public facilities previously incurred in anticipation of new growth and development to the extent that the Development Activity will be served by the previously constructed improvements or the incurred costs.
C. In the event that bonds or similar debt instruments are or have been issued for the advanced provision of public facilities for which Impact Fees may be expended, Impact Fees may be used to pay debt service on such bonds, or similar debt instruments, to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the Development Activity.

PCD (Amended by Ord. Nos. 96-12; 14-49)

11-13-9 Independent Fee Calculations

A. If a fee payer believes that a fee should be charged, other than the Impact Fees determined according to this Chapter, then the fee payer shall prepare and submit to the Official an Independent Fee Calculation for the Impact Fee(s) associated with the Development Activity for which a Building Permit is sought prior to or within ten (10) days of payment of the impact fee determined according to this chapter. The documentation submitted shall show the basis upon which the Independent Fee Calculation was made. The Director is not required to accept any documentation, which the Official reasonably deems to be inaccurate, unsubstantiated, or unreliable and may require the fee payer to submit additional or different documentation prior to the Official's consideration of an Independent Fee Calculation.

B. Any fee payer submitting an Independent Fee Calculation shall pay an administrative processing fee, per calculation, of one hundred dollars ($100).

C. Based on the information within the Official's possession, the Official may recommend, and the City Manager is authorized to adjust, the Impact Fee to the specific characteristics of the Development Activity, and/or according to principles of fairness. Such adjustment shall be preceded by written findings justifying the fee.

D. Determinations made by the Official pursuant to this section may be appealed subject to the procedures set forth herein.

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

Due to market demand and buyer requests revisions, the applicant is requesting to adjust building envelopes and condominium interiors from the existing plat for units 6A, 6B, 10, 11, and 13 to reflect approved building plans for the units. Under the Deer Valley Resort Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial/support space. In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units: sixteen (16) detached single-family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private dwelling units. In 2014, the City Council approved a Condominium Plat finding it consistent with the approved 2010 CUP. In 2015, the City Council approved an amended Condominium Plat amending building envelopes and interiors from the plat approved by City Council on May 08, 2014.

On July 13, 2016, the Planning Commission reviewed the requested application and held a public hearing. The Commission forwarded a positive recommendation to the City Council; the vote was unanimous (6-0).

Respectfully:

Louis Rodriguez, Planning Analyst II

City Council
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Project Number: **PL-16-03169**
Subject: **North Silver Lake Amended and Restated Condominium Plat 1st Amendment to Units 6A, 6B, 10, 11, and 13**
Author: **Louis Rodriguez, Planning Analyst**
Date: **August 04, 2016**
Type of Item: **Legislative – Condominium Plat Amendment**

Summary Recommendations

Staff recommends the City Council hold a public hearing for the North Silver Lake Amended and Restated Condominium Plat 1st Amendment to Units 6A, 6B, 10, 11, and 13 located at 7101 Silver Lake Drive amending units 6A, 6B, 10, 11 and 13 and consider approving the requested application based on the Findings of Fact and Conclusions of Law as found in the Draft Final Action Letter.

Description

Applicant:	SR Silver Lake LLC represented by Marinel Robinson
Location:	7101 Silver Lake Drive
Zoning:	Residential Development (RD) District
Adjacent Land Uses:	Ski resort and residential
Reason for Review:	Amendment to Record of Survey's are required to be reviewed by the Planning Commission and reviewed and approved by the City Council

Acronyms in the Staff Report

RD Residential Development
CUP Conditional Use Permit
LMC Land Management Code
MPD Master Plan Development
ADA American with Disabilities Act

Executive Summary/Proposal

Due to market demand and buyer requests revisions, the applicant is requesting to adjust building envelopes and condominium interiors from the existing plat for units 6A. 6B, 10, 11, and 13 to reflect approved building plans for the units. Under the Deer Valley Resort Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial/support space. In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units: sixteen (16) detached single-family dwellings/duplexes and four (4) condominium buildings containing thirty

eight (38) private dwelling units. In 2014, the City Council approved a Condominium Plat finding it consistent with the approved 2010 CUP. In 2015, the City Council approved an amended Condominium Plat amending building envelopes and interiors from the plat approved by City Council on May 08, 2014.

Background

On May 24, 2016, a complete application was submitted to the City requesting approval of a Condominium Plat Amendment to the North Silver Lake Amended and Restated Condominium Plat Amending North Silver Lake Condominium Plat located at 7101 Silver Lake Drive. The site is located in the Residential Development (RD) District. The proposed Condominium Plat amends buildings envelopes and interiors from the existing amended Condominium Plat approved by City Council on October 13, 2015.

On July 13, 2016, the Planning Commission reviewed the requested application and held a public hearing. The Commission forwarded a positive recommendation to the City Council; the vote was unanimous (6-0). See Exhibit D – July 13, 2016 Planning Commission Meeting Minutes.

2009/2010 Conditional Use Permit

The original CUP application was before Planning Commission on five (5) different occasions: August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009. During the July 8, 2009 review, the Planning Commission approved the application with a three to one vote. One Commissioner abstained.

On July 17, 2009, neighboring property owners submitted an appeal of the CUP approval for development of the North Silver Lake Subdivision Lot 2B. The City Council reviewed the appeal on October 15, 2009 and again on November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.

The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised CUP with a four to one vote on April 28, 2010. The applicant stipulated to additional condition of approval #19 that "Lockout units have not been included within the current CUP application. The addition of lockout units would be a substantial deviation from the current plan and must be approved by the Planning Commission."

The approval was appealed by two (2) separate parties. On May 7, 2010, Mr. Eric Lee submitted an appeal on behalf of property owners in the neighborhood and on May 10, 2010, the City received an appeal from Ms. Lisa Wilson. The City Council reviewed both appeals on June 24, 2010. The Council did not find merit in the notice issues, the compatibility of revised design or other issues raised in Ms. Wilson's appeal. The City Council added an additional requirement of an opportunity for neighborhood input prior to approval of the phasing plan(s), but found that the Planning Commission adequately

addressed the issues of the remand. Accordingly, the City Council affirmed and denied in part the Planning Commission's decision to approve the North Silver Lake Lot 2B CUP. The City Council findings were ratified on July 1, 2010. The CUP approval included a condition that the approval would expire on July 1, 2011 if no building permits are issued within the development.

First CUP Extension

Land Management Code (LMC) § 15-1-10(G) allows for two (2) extensions of an approved CUP. On March 17, 2011, the Planning Department received a Request for Extension of the CUP approval. The Planning Director reviewed the extension request, Staff analyzed the application as provided within the administrative staff report, and public input was considered. On April 28, 2011, the Planning Director approved the Extension of the CUP for an additional year as conditioned.

The Planning Director's approval of the extension was appealed by Ms. Lisa Wilson and on June 8, 2011 the Planning Commission held a public hearing to consider the appeal. After hearing testimony from the appellant, the property owner, and staff, the Planning Commission reviewed the matter de novo and rendered a decision to uphold the Planning Director's decision and grant the extension of the CUP to July 1, 2012.

On June 20, 2011, the City Council received a written appeal of the Planning Commission's final action of June 8, 2011, upholding the Planning Director's decision to approve an extension of the CUP for the North Silver Lake Lot 2B development. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission's decision to uphold the Planning Director's issuance of an extension of time for the July 1, 2010 CUP. Because the appeal to uphold the Planning Director's decision was decided on July 21, 2011, the extension of the CUP was extended to July 21, 2012.

The Building Department had previously collected a bond to ensure that the existing impacts of the site will be repaired at the time of first CUP extension. The landscape plan includes re-vegetating the disturbed area including top soil and native grasses, planting eighteen (18') new trees that vary in height from ten to twelve feet (10' - 12'), and installing an irrigation system for the establishment of the grass and ongoing watering of the new trees. This work was completed by July 1, 2011 and complies with the July 1, 2010 City Council conditions of approval. The applicant has continued watering the trees and vegetation as required.

Second CUP Extension

On October 27, 2011, staff received a complete application to extend the CUP for an additional year, and on January 11, 2012, the Planning Commission heard the applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013. After a public hearing, the Planning Commission voted 4-0 to approve the request for the one-year and final extension to the original CUP for North Silver Lake, Lot 2B.

On February 9, 2012, the City Council received a written appeal of the Planning Commission's final action of January 11, 2012, approving the request for the one-year extension to July 21, 2013 of the CUP for the North Silver lake Lot 2B development.

The second appeal of the second extension was originally scheduled for the March 22, 2012 City Council meeting. The appellant was unable to make it to the meeting due to an accident. The City Council voted to continue the item to the April 5, 2012 City Council meeting and directed Staff not to accept any additional materials from the appellant or the applicant. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the CUP and upheld with the following conditions of approval:

1. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
2. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
3. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.

In March 2013, the applicant received a building permit for the first single-family dwelling. Through 2014 and 2015 several other building permits have been issued as the site has been considered an active building site since.

<u>Nightly Rental Lockout Units</u>
On February 26, 2014, the Planning Commission approved the applicant's request of thirty eight (38) Nightly Rental Lockout Units modifying the CUP approved by the City in 2010.

<u>Condominium Plat (2014)</u>
On May 8, 2014, the City Council approved the North Silver Lake Condominium Plat. The approved Condomimum Plat identified private and common space and allowed the developer to sell the units. The approval consisted of twelve (12) stand-alone single-family dwelling units and (1) stand-alone duplex dwelling (containing 2 units) and forty (40) units within the main four (4) condominium buildings instead of the original ten (10) stand-alone single-family dwelling units and three (3) stand-alone duplex (containing 2 units each) dwellings equating to sixteen (16) units and thirty eight (38) units within the main four (4) condominium buildings.

<u>Amended and Restated Condominium Plat (2015)</u>
On June 25, 2015, City Council approved the Amended and Restated North Silver Lake Condominium Plat. The approved Condominium Plat consisted of eleven (11) single-family dwellings and two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) ADA compliant units (platted as common areas), three (3)

support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.

Density
The Deer Valley Resort Large Scale MPD does not allocate for a specific residential unit type, unit size, or unit equivalent for the NSL Subdivision Lot 2B. The MPD allocates a maximum of 54 units. It should be noted that any development in Deer Valley still needs to comply with corresponding standards outlined in the LMC.

District Purpose
The purpose of the RD District is to:

A. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
B. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
C. allow commercial and recreational activities that are in harmony with residential neighborhoods,
D. minimize impacts of the automobile on architectural design,
E. promote pedestrian connections within Developments and between adjacent Areas; and
F. provide opportunities for variation in architectural design and housing types

Analysis
The proposed Condominium Plat Amendment adjusts the platted condominium units, common area, and limited common area for the development. The proposed plat identifies the private, limited common, support limited common and facilities, and common areas.

The current Condominium Plat (2015) consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) ADA compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units. The Condominium Plat approved in 2015 was consistent with the 2010 approved CUP containing 54 units.

The size of the private units within the single-family, duplex, and multi-unit dwellings range from 1,997 - 8,686 square feet. All of the unit sizes are listed in Exhibit C – Draft Condominium Declarations Third Amendment. The table below shows a size comparison from the current recorded declarations to the proposed. Please note the five (5) being amended in **bold**:

Table 1: Schedule of Units & Square Footage			
	Current	**Proposed**	**Difference**
1	6,505	6,505	0
2	6,160	6,160	0
3	6,148	6,148	0
4	6,148	6,148	0
5	6,688	6,688	0
6A	**6,106**	**6,079**	**-27**
6B	**6,106**	**6,079**	**-27**
7	6,760	6,760	0
8	8,686	8,686	0
9	6,572	6,572	0
10	**6,261**	**6,385**	**+124**
11	**6,438**	**6,436**	**-2**
12	6,851	6,851	0
13	**6,051**	**6,334**	**+283**
14	6,413	6,413	0
(Single-family dwellings/duplexes difference):			**+351**

The net increase in size is 351 square feet. The table was created by using the square footage on the recorded declarations and the drafted declarations submitted with this Condominium Plat Amendment. Staff does not find issues with the expansion of 351 square feet as the density remains the same. The Deer Valley MPD allocated a maximum of 54 units for this site (NSL Subdivision Lot 2B). This proposed Condominium Plat Amendment does not affect the approved Nightly Rental/Lockout Unit CUP in the multi-unit dwelling as the five (5) residential units being amended were not part of such approval. The requested Condominium Plat Amendment does not change parking and/or lockout unit requirements.

Condominium Plat

LMC § 15-4-12 indicates that existing structures shall not be converted to condominium ownership without first receiving the review and recommendation of the Planning, Engineering and Building Departments, City Attorney, and plat approval from the City. Furthermore, required public improvements and landscaping shall be completed at the time of conversion or security provided to ensure completion as provided by ordinance. The structure must be brought into substantial compliance with the Building code as a condition precedent to plat approval.

These structures are in the process of being built. Several building permits have been issued since the amended Condominium Plat was approved and recorded in October 2015. The applicant is actively working on the project. The structures are to be built per current building codes. Staff finds good cause for this Condominium Plat

Amendment as the development will be in compliance with the approved CUP for the development.

Process
The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-18.

Department Review
This project has gone through an interdepartmental staff review meeting. No further issues were brought up at that time.

Notice
The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record.

Public Input
No public input has been received by the time of this report.

Process
The approval of this amendment to record of survey application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 15-1-18.

Alternatives
- The City Council may approve the North Silver Lake Amended and Restated Condominium Plat 1st Amendment to Units 6A, 6B, 10, 11, and 13; or
- The City Council may deny the North Silver Lake Amended and Restated Condominium Plat 1st Amendment to Units 6A, 6B, 10, 11, and 13; or
- The City Council may continue the discussion on the North Silver Lake Amended and Restated Condominium Plat 1st Amendment to Units 6A, 6B, 10, 11, and 13; or
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts
There are no significant impacts on the City from this application.

Consequences of not taking the Suggested Recommendation
The current Condominium Plat would govern what could be built. The property owner would not be able to accommodate market demand and buyer request revisions.

Recommendation
Staff recommends the City Council hold a public hearing for the North Silver Lake Amended and Restated Condominium Plat 1st Amendment to Units 6A, 6B, 10, 11, and 13 located at 7101 Silver Lake Drive amending units 6A, 6B, 10, 11 and 13 and

consider denying the requested application based on the Findings of Fact and Conclusions of Law as found in the Draft Final Action Letter.

Exhibits

Exhibit A – Proposed Ordinance with Proposed Condominium Plat Amendment
Exhibit B – Project Description
Exhibit C – Draft Third Amendment to Declaration of Condominium for North Silver Lake
Exhibit D – July 13, 2016 Planning Commission Meeting Minutes

Exhibit A – Proposed Ordinance with Condominium Plat

Ordinance No. 2016-39

AN ORDINANCE APPROVING THE NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT 1ST AMENDMENT TO UNITS 6A, 6B, 10, 11, AND 13 AT 7101 SILVER LAKE DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as Unit 6A, 6B, 10, 11, and 13 of the North Silver Lake Amended and Restated Condominium Plat, located at 7101 Silver Lake Drive have petitioned the City Council for approval of an amended and restated condominium record of survey plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on July 13, 2016, to receive input on the North Silver Lake Amended and Restated Condominium Plat 1st Amendment; and

WHEREAS, the Planning Commission, on July 13, 2016, forwarded a positive recommendation to the City Council;

WHEREAS, the City Council on August 4, 2016 conducted a public hearing to receive input on the North Silver Lake Amended and Restated Condominium Plat 1st Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the North Silver Lake Amended and Restated Condominium Plat 1st Amendment

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. North Silver Lake Amended and Restated Condominium Plat 1st Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

<u>Findings of Fact:</u>

1. The site is located at 7101 Silver Lake Drive in Deer Valley.
2. The site is located in the Residential Development (RD) District.
3. The proposed Condominium Plat Amendment amends building envelopes and interiors from the existing plat approved by the City Council on June 25, 2015.

4. The proposed Condominium Plat Amendment adjusts the platted condominium units, common area, and limited common area for the development.
5. The proposed Condominium Plat identifies the private, limited common, support limited common and facilities, and common areas.
6. The current Condominium Plat consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
7. The Condominium Plat approved in 2014 was consistent with the 2010 approved Conditional Use Permit containing 54 units.
8. The proposed Condominium Plat consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
9. The proposed Condominium Plat Amendment is consistent with the 2010 approved Conditional Use Permit containing 54 units.
10. The massing remains in substantial compliance with the 2010 CUP approval.
11. The original CUP does not have to be re-reviewed as the proposal complies with the approved CUP. The density of 54 units still remains the same.
12. The size of the private units within the single-family, duplex, and multi-unit dwelling ranges from 1,997 - 8,686 square feet.
13. This adjustment is consistent with the 2010 CUP plan and layout.
14. The net increase in size is 351 square feet.
15. The Deer Valley MPD did not allocate a maximum house size or a UE allocation for each residential unit.
16. The Deer Valley MPD density allocation was based on a density of fifty four (54) units.
17. The applicant is actively working on the project.
18. All findings in the analysis section of the staff report are incorporated herein.

<u>Conclusions of Law:</u>

1. There is good cause for this Condominium Plat Amendment.
2. The proposed Condominium Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat Amendment.
4. Approval of the Condominium Plat Amendment subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The Condominium Plat Amendment is consistent with the approved North Silver Lake Conditional Use Permit.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Condominium Plat Amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Condominium Plat Amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A note shall be added to the condominium plat referencing that the conditions of approval of the Deer Valley MPD and the 2010 North Silver Lake CUP apply to this condominium plat amendment.
4. All conditions of approval of the City Council's July 1, 2010 order on the Conditional Use appeal shall continue to apply.
5. All conditions of approval of the Planning Commission's February 26, 2014 action modifying the CUP to allow Lockout Units shall continue to apply.
6. All conditions of approval of the City Council's May 08, 2014 and June 25, 2015 approval of the North Silver Lake Condominium Plat shall continue to apply.

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

PASSED AND ADOPTED this ____ day of _____, 2016.

PARK CITY MUNICIPAL CORPORATION

_____
Jack Thomas, MAYOR

ATTEST:

_____
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

_____
Mark Harrington, City Attorney

Attachment 1 - Proposed Condominium Plat Amendment (in red)

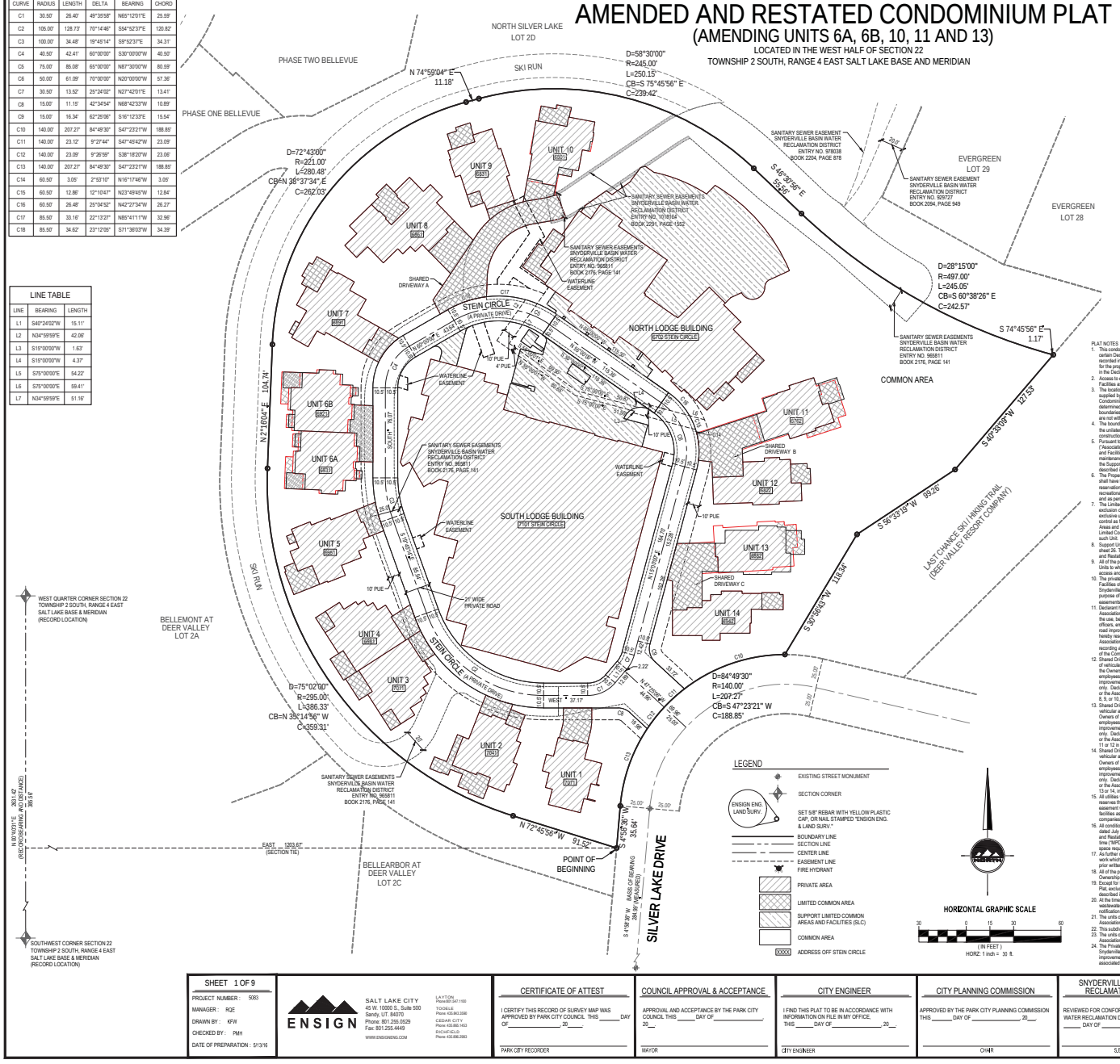
1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT

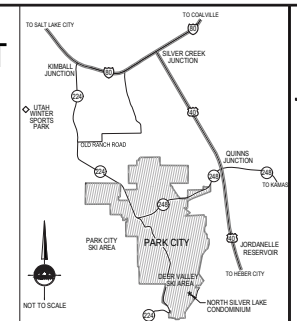
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	30.50'	26.40'	49°39'58"	N65°12'01"E	25.59'
C2	105.00'	128.73'	70°14'46"	S54°53'7"E	120.82'
C3	100.00'	34.48'	19°45'14"	S9°52'37"E	34.31'
C4	40.50'	42.41'	60°00'00"	S30°00'00"W	40.50'
C5	75.00'	85.08'	65°00'00"	N87°30'00"W	80.59'
C6	50.00'	61.09'	70°00'00"	N20°00'00"W	57.36'
C7	30.50'	13.52'	25°24'02"	N27°42'01"E	13.41'
C8	15.00'	11.15'	42°34'54"	N68°42'33"W	10.89'
C9	15.00'	16.34'	62°25'06"	S16°12'33"E	15.54'
C10	140.00'	207.27'	84°49'30"	S47°23'21"W	188.85'
C11	140.00'	23.12'	9°27'44"	S47°45'42"W	23.09'
C12	140.00'	23.09'	9°26'59"	S38°18'20"W	23.06'
C13	140.00'	207.27'	84°49'30"	S47°23'21"W	188.85'
C14	60.50'	3.05'	2°53'10"	N16°17'46"W	3.05'
C15	60.50'	12.86'	12°10'47"	N23°49'45"W	12.84'
C16	60.50'	26.48'	25°04'52"	N42°27'34"W	26.27'
C17	85.50'	33.16'	22°13'27"	N85°41'11"W	32.96'
C18	85.50'	34.62'	23°12'05"	S71°36'03"W	34.39'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S40°24'02"W	15.11'
L2	N34°59'59"E	42.06'
L3	S15°00'00"W	1.63'
L4	S15°00'00"W	4.37'
L5	S75°00'00"E	54.22'
L6	S75°00'00"E	59.41'
L7	N34°59'59"E	51.16'





VICINITY MAP

NOTE
SEE SHEETS 2 THRU 7 FOR DIMENSIONS AND AREAS OF UNITS 1 THRU 14
SEE SHEETS 8 FOR DIMENSIONS AND AREAS OF NORTH BUILDING
SEE SHEETS 9 FOR DIMENSIONS AND AREAS OF SOUTH BUILDING
SEE SHEETS 10 THRU 22 FOR FLOOR PLAN AND ELEVATIONS OF UNITS 1 THRU 14
SEE SHEETS 23 THRU 29 FOR FLOOR PLAN OF NORTH BUILDING
SEE SHEETS 30 THRU 34 FOR FLOOR PLAN OF SOUTH BUILDING
SEE SHEETS 35 THRU 40 FOR ELEVATIONS OF NORTH AND SOUTH BUILDINGS

PLAT NOTES

1. This condominium plat ("Plat") depicts the North Silver Lake condominium project ("Project") created and governed by that certain Declaration of Condominium for North Silver Lake Condominiums, as amended ("Declaration") that has been recorded in the office of the Summit County Recorder, and which sets forth the restrictions and general plan of improvement for the property described in this Plat. Capitalized terms not otherwise defined in this Plat shall have the meanings set forth in the Declaration. The Declaration sets forth the easements, restrictions and general plan of improvement for the Project.
2. Access to each Unit is by an easement granted in the Declaration over the private road within the Common Areas and Facilities as noted hereon.
3. The locations, dimensions and boundaries of the Units and square footage calculations are based solely on drawings supplied by THINK Architecture, Inc. The square footages shown on this plat are calculated in accordance with the Utah Condominium Ownership Act and the Declaration. Such calculation typically differs somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is intended that the size and boundaries of the Units shall be as constructed. All exterior finish materials are part of the Common Areas and Facilities and are not within the boundaries of the Units.
4. The boundary lines of each Unit are as initially set forth on this Plat. Except as provided in the Declaration, the Declarant has the unilateral right, without the consent of any Owner or the Association, to amend this Plat within a reasonable time after construction of one or more Units to reflect the as-built boundaries of such Units.
5. Pursuant to the Declaration, the North Silver Lake Condominium Owners Association, Inc., a Utah nonprofit corporation ("Association") is responsible for maintaining certain portions of the Project, including but not limited to, the Common Areas and Facilities, and the Association shall have a perpetual non-exclusive easement over the Property and Project for such maintenance purposes as further described in the Declaration. The Support Unit Owner has certain rights and control over the Support Limited Common Areas and Facilities and such areas are subject to certain maintenance covenants as further described in the Declaration.
6. The Property as depicted on this Plat is subject to the Developmental Rights as described in the Declaration, and Declarant shall have the right to exercise any Developmental Right provided for in the Declaration, including, without limitation, reservation and granting of certain easements, reducing or relocating improvements within the Project, adding additional recreational and service facilities and making such other development decisions and changes as Declarant shall determine and as permitted by the Declaration.
7. The Limited Common Areas and Facilities as depicted on this Plat are reserved for the use of certain Owners to the exclusion of other Owners. The Support Limited Common Areas and Facilities as depicted on the Plat are reserved for the exclusive use and occupancy of the Support Unit Owner, subject to certain maintenance standards, easements, rights and control as further described in the Declaration. Each respective improvement designated on this Plat as "Limited Common Areas and Facilities" or "Support Limited Common Areas and Facilities" is appurtenant to the respective Unit to which such Limited Common Areas and Facilities are adjacent as shown hereon and are for the use and enjoyment of the Owners of such Unit.
8. Support Unit Limited Common Areas and Facilities (SLC) are appurtenant to the Support Unit (SU-1), which is shown on sheet 26. The Commercial Units (C-1, C-2, and C-3) are support commercial spaces as described in the Eleventh Amended and Restated Large Scale Master Planned Development Permit for Deer Valley.
9. Unit of the parking spaces in the parking garages, other than the parking garages for Units 1-14 which shall be part of the Units to which they are attached, shall be Support Limited Common Areas and Facilities. Unit Owners have the right to access and utilize such parking areas in accordance with the Declaration.
10. The private road ("Private Road") depicted hereon and to be known as Stein Circle is part of the Common Areas and Facilities of the Project, and non-exclusive easements to be hereby dedicated and granted to Park City Municipal Corporation, Snyderville Basin Water Reclamation District (SBWRD), Park City Fire Protection District, and the Association for the purpose of providing access for utility and drainage installation, use, and maintenance and eventual replacement. Such easements shall not constitute a dedication of the Private Road for public use.
11. Declarant hereby grants a perpetual and non-exclusive access easement over the Private Road for the benefit of the Association and all Owners for the purpose of vehicular and pedestrian access on, over and across such Private Road for the use, benefit and enjoyment of all Owners, their family members, guests, and invitees and for use of the Association, its officers, employees, agents, and contractors. The Association shall permanently operate, maintain, repair, and replace all road improvements constructed within the Private Road, and the expense thereof shall be a Common Expense. Declarant hereby reserves to itself the unilateral right to relocate the Private Road, without the consent of any Owner or the Association, for any purpose so long as such amendment does not materially adversely affect title to any of the Property, by recording a separate amendment to such easement. The storm water facilities within the boundaries of the project are part of the Common Areas and Facilities, and shall be owned and maintained by the Association.
12. Shared Driveway A is Limited Common Area appurtenant to Units 8, 9, and 10 for access to each such Unit for the purpose of vehicular and pedestrian access on, over and across such Limited Common Area for the use, benefit and enjoyment of the Owners of Units 8, 9, and 10, their family members, guests, and invitees and for use of the Association, its officers, employees, agents, and contractors. The Association shall permanently operate, maintain, repair, and replace all improvements within Shared Driveway A and the expense thereof shall be shared among the Owners of Units 8, 9, and 10 only. Declarant hereby reserves to itself the unilateral right to amend Shared Driveway A, without the consent of any Owner or the Association, for any purpose so long as such amendment does not materially adversely affect title or access to Units 8, 9 or 10, in accordance with the Declaration.
13. Shared Driveway B is Limited Common Area appurtenant to Units 11 and 12 for access to each such Unit for the purpose of vehicular and pedestrian access on, over and across such Limited Common Area for the use, benefit and enjoyment of the Owners of Units 11 and 12, their family members, guests, and invitees and for use of the Association, its officers, employees, agents, and contractors. The Association shall permanently operate, maintain, repair, and replace all improvements within Shared Driveway B and the expense thereof shall be shared among the Owners of Units 11 and 12 only. Declarant hereby reserves to itself the unilateral right to amend Shared Driveway B, without the consent of any Owner or the Association, for any purpose so long as such amendment does not materially adversely affect title or access to Units 11 or 12 in accordance with the Declaration.
14. Shared Driveway C is Limited Common Area appurtenant to Units 13 and 14 for access to each such Unit for the purpose of vehicular and pedestrian access on, over and across such Limited Common Area for the use, benefit and enjoyment of the Owners of Units 13 and 14, their family members, guests, and invitees and for use of the Association, its officers, employees, agents, and contractors. The Association shall permanently operate, maintain, repair, and replace all improvements within Shared Driveway C and the expense thereof shall be shared among the Owners of Units 13 and 14 only. Declarant hereby reserves to itself the unilateral right to amend Shared Driveway C, without the consent of any Owner or the Association, for any purpose so long as such amendment does not materially adversely affect title or access to Units 13 or 14, in accordance with the Declaration.
15. All utilities within the Project shall be underground. Notwithstanding Declarant's grant of blanket utility easements, Declarant reserves the right to record one or more instruments which narrow and limit such grant of utility easement to the normal easement width of the utility in those specific portions of the Common Areas and Facilities which actually contain the utility facilities as described in such instrument and for the purposes described therein. Such reserved right is subject to the utility companies' rights then located under the real property depicted on this Plat.
16. All conditions of approval of the North Silver Lake Conditional Use Permit dated July 1, 2010, as amended by the approval dated July 21, 2011, and February 26, 2014 shall continue to apply. The Project is further subject to the Eleventh Amended and Restated Large Scale Master Planned Development Permit dated March 23, 2011, as it may be amended from time to time ("MPD"). In accordance with the MPD, North Silver Lake Lot 2D is designated as, and is counted toward, the open space requirement for the Project.
17. As further described in the Declaration, all Units shall comply with the Design Guide. No construction, installation, or other work which in any way alters the appearance of any property or Unit within the Project shall be made or done without the prior written approval of the Project Design Review Committee.
18. All of the property within the boundary description is designated as Withdrawable Land pursuant to the Utah Condominium Ownership Act, as more fully set forth in the Declaration.
19. Except for those Structures shown herein, no Structures may be constructed on the Common Area shown on sheet 1 of this Plat, excluding the Private Road, unless the addition and construction of such Structures has an Amendment Approval as described in the Declaration.
20. At the time of any resurfacing of the Private Road or Shared Driveway A, the Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District (SBWRD) standards. Prior notification of the adjustments and inspection by SBWRD is required.
21. The units of the North Lodge and South Lodge Buildings are served by Common Private Lateral Wastewater Lines. The Association shall be responsible for ownership, operation and maintenance of all Common Private Lateral Wastewater Lines.
22. This subdivision is subject to the conditions of approval in Park City Ordinances #14-19 and #15-23.
23. The units of the North Lodge and South Lodge Buildings are served by Common Private Lateral Wastewater Lines. The Association shall be responsible for ownership, operation and maintenance of all Common Private Lateral Wastewater Lines.
24. The Private Road, driveways to Lots 1 thru 7, and Shared Driveway A contain areas of heated pavement within the Snyderville Basin Water Reclamation District Sanitary Sewer Easement. To the extent that any wastewater system improvements in the easement require the removal, relocation, replacement, and/or destruction of the heated pavement and associated appurtenances, the Owners and Association waive any right to compensation for the loss of these improvements.

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- ENSIGN ENG. & LAND SURV. — SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- FIRE HYDRANT
- PRIVATE AREA
- LIMITED COMMON AREA
- SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
- COMMON AREA
- XXXX — ADDRESS OFF STEIN CIRCLE

HORIZONTAL GRAPHIC SCALE

30 0 15 30 60
(IN FEET)
HORZ: 1 inch = 30 ft.

SURVEYOR'S CERTIFICATE

I, KAREN F. WHITE do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 191326 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land and the following description correctly describes the land surface upon which has been or will be constructed, hereafter to be known as 1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT, a Utah condominium project. In accordance with the Utah Condominium Ownership Act, I further certify that the condominium plat for said project is accurate and complies with the provision of Section 57-8-13 (1) of the Utah Condominium Ownership Act. Reference markers as shown on this plat are located as shown and are sufficient to readily retrace or re-establish this survey.

BOUNDARY DESCRIPTION

All of the property included within the North Silver Lake Condominium Plat, according to the official plat thereof, recorded June 17, 2014 as Entry No. 997265 of the official records in the Office of the Summit County Recorder, which includes all of the following described property:

All of Lot 2B, Subdivision of Lot 2, North Silver Lake Subdivision, according to the official plat thereof, recorded September 18, 1997 as Entry No. 487578 of the official records in the Office of the Summit County Recorder.

Basis of Bearing is identical to that shown on said North Silver Lake Lodge Subdivision Plat and said North Silver Lake Condominium Plat.

Contains 5.96 Acres

DATE

KAREN F. WHITE
P.L.S. 191326

LICENSED PROFESSIONAL LAND SURVEYOR No. 191326 KAREN F. WHITE STATE OF UTAH

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that SR Silver Lake, LLC., a Utah limited liability company, as Declarant under that certain Declaration of Condominium for North Silver Lake Condominiums ("Declaration"), hereby certifies that it has caused this survey to be made of this Plat consisting of forty (40) sheets to be prepared, and does hereby unilaterally adopt this Plat and consent to the recordation hereof without the joinder or consent of any other Unit Owner pursuant to Section 8.4 of the Declaration.

In witness whereof, the undersigned has executed this Owner's Dedication and Consent to Record as of the ___ day of _____, 2015.

SR Silver Lake, LLC, formerly known as North Silver Lake Lodge, LLC, a Utah limited liability company

By: _____
Name: Jeff Dinkin
Its: Authorized Signatory

ACKNOWLEDGMENT

On this ___ day of _____, 2015, Jeff Dinkin personally appeared before me, the undersigned notary public, in and for said state and county. Having been duly sworn, Jeff Dinkin acknowledged to me that SR Silver Lake, LLC is the owner of the herein tract of land and that he, as Authorized Signatory of SR Silver Lake, LLC, is authorized to sign the above Owner's Dedication and Consent to Record freely and voluntarily.

Authorized Signatory of SR Silver Lake, LLC, a Utah limited liability company.

_____
Notary Public

_____
My Commission Expires
Residing in: _____

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT

(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 1 OF 9
PROJECT NUMBER : 5083
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 5/13/16

ENSIGN
SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT. 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNENG.COM
LAYTON Phone:801.547.1100
TOOELE Phone: 435.843.3590
CEDAR CITY Phone: 435.865.1453
RICHFIELD Phone: 435.896.2983

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 20____
PARK CITY RECORDER

COUNCIL APPROVAL & ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 20____
MAYOR

CITY ENGINEER
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. THIS _____ DAY OF _____, 20____
CITY ENGINEER

CITY PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20____
CHAIR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 20____
S.B.W.R.D.

PARK CITY ATTORNEY APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, 20____
CITY ATTORNEY

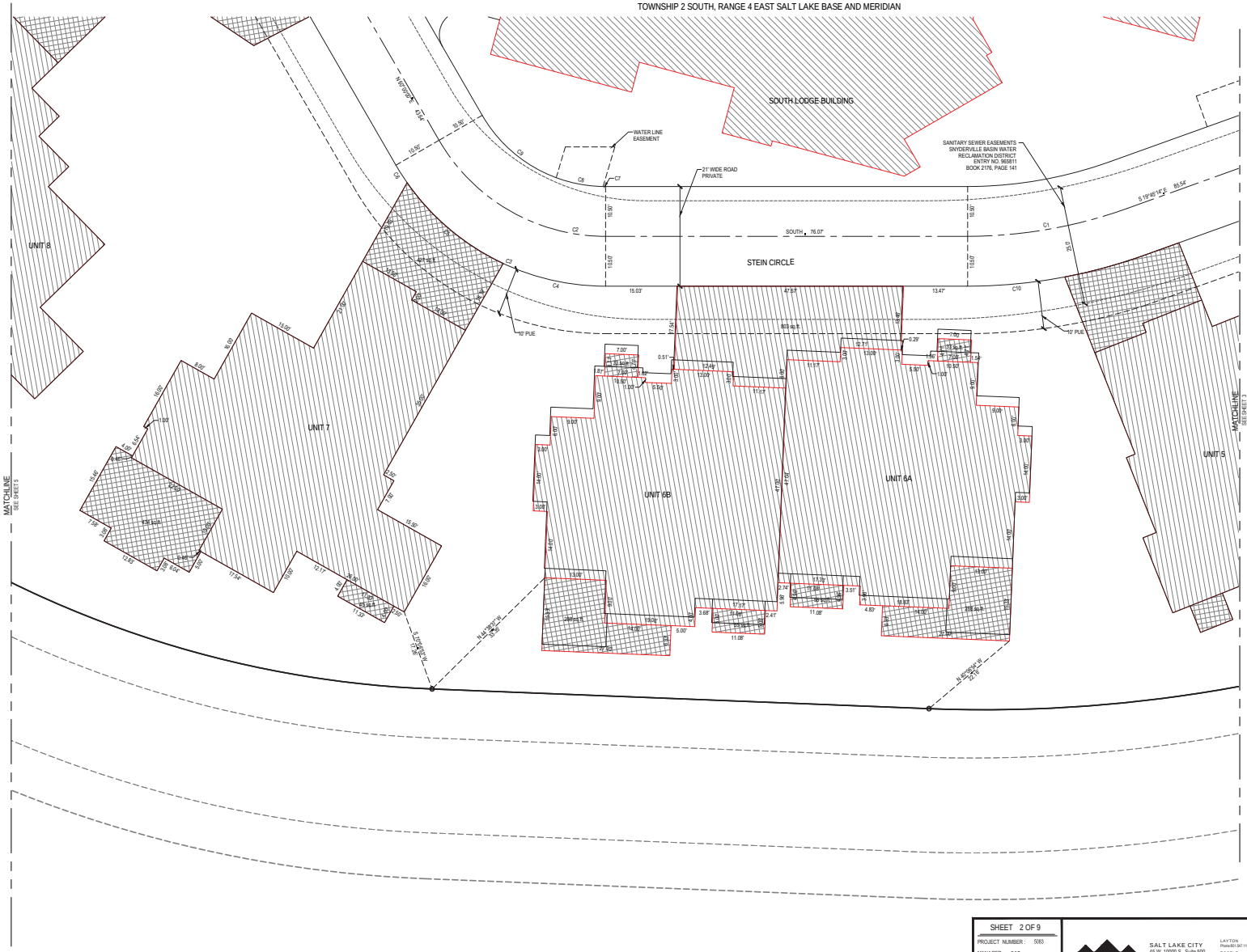
RECORDED #

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF : _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE
SUMMIT COUNTY RECORDER

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT

(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	100.00'	34.48'	19°45'14"	S9°52'37"E	34.31'
C2	40.50'	42.41'	60°00'00"	S30°00'00"W	40.50'
C3	51.00'	53.41'	60°00'00"	S30°00'00"W	51.00'
C4	51.00'	22.27'	25°01'00"	S12°30'30"W	22.09'
C5	51.00'	26.75'	30°03'21"	S40°02'41"W	26.45'
C6	51.00'	4.39'	4°55'38"	S57°32'11"W	4.38'
C7	30.00'	0.53'	1°00'11"	S0°30'05"W	0.53'
C8	30.00'	10.10'	19°17'26"	S10°38'54"W	10.05'
C9	30.00'	20.79'	39°42'23"	S40°08'48"W	20.38'
C10	110.50'	20.76'	10°45'56"	S5°22'58"E	20.73'

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- ENSIGN ENG. LAND SURV. — SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- FIRE HYDRANT
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORZ: 1 inch = 10 ft.

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 2 OF 9

PROJECT NUMBER : 5063
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 5/18/16

ENSIGN
SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT. 84070
Phone: 801.255.0529
Fax: 801.255.4449
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RICHFIELD Phone: 435.896.2983

RECORDED #

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF : _____

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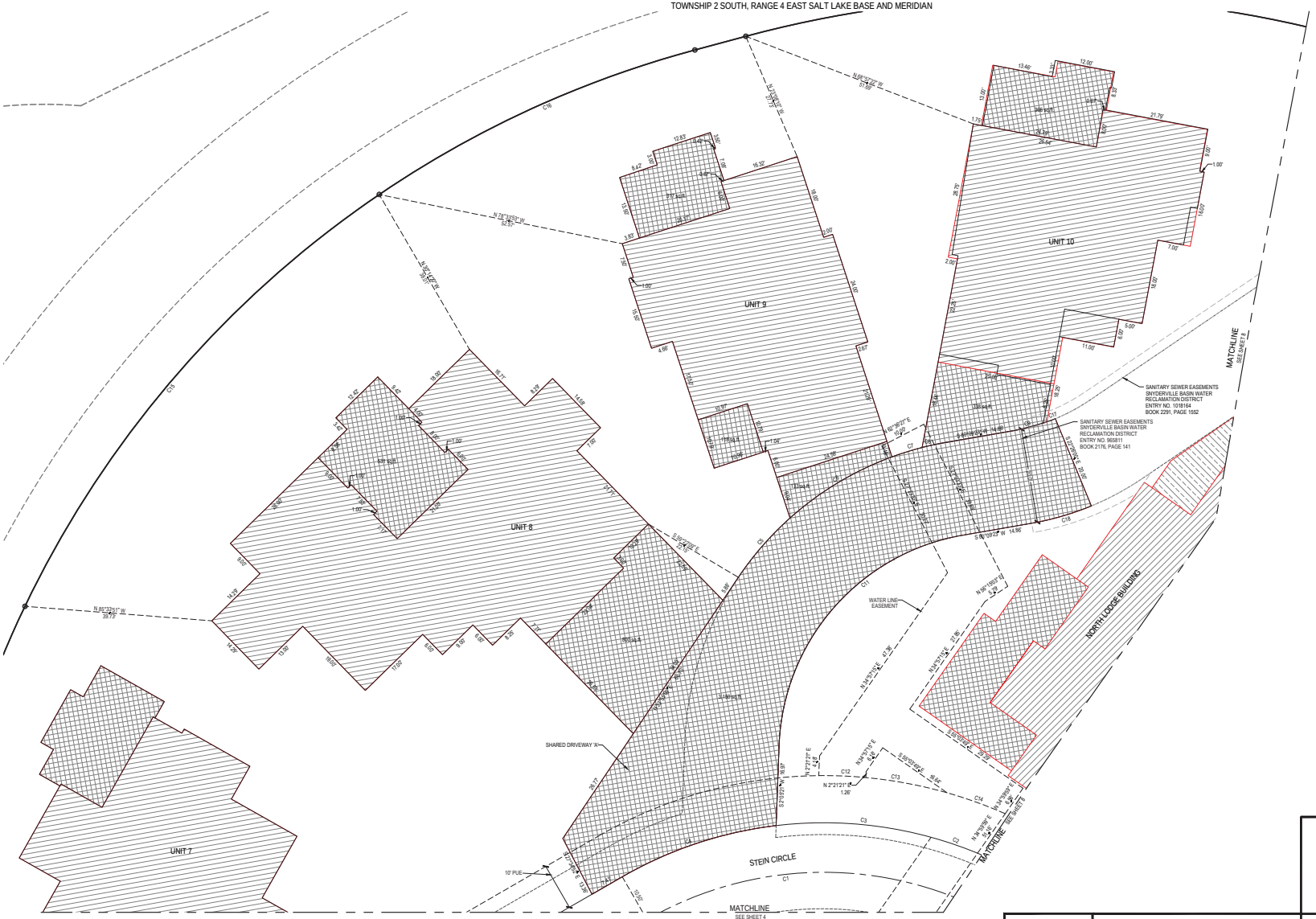
FEE _____ SUMMIT COUNTY RECORDER _____

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT

(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	75.00'	85.08'	65°00'00"	N87°30'00"W	80.59'
C2	85.50'	10.41'	6°58'43"	N71°05'06"W	10.41'
C3	85.50'	33.16'	22°13'27"	N85°41'11"W	32.96'
C4	85.50'	34.62'	23°12'05"	S71°36'03"W	34.39'
C5	67.00'	16.71'	14°17'35"	S41°03'57"W	16.67'
C6	67.00'	25.36'	21°40'59"	S69°03'14"W	25.20'
C7	67.00'	6.68'	5°42'48"	S72°45'07"W	6.68'
C8	67.00'	5.32'	4°32'52"	S77°52'57"W	5.32'
C9	40.00'	6.84'	9°48'09"	S75°15'18"W	6.84'
C11	47.00'	64.04'	78°04'02"	S41°00'22"W	59.20'
C12	95.50'	10.00'	6°00'08"	N87°39'03"W	10.00'
C13	95.50'	17.54'	10°31'33"	N79°23'13"W	17.52'
C14	95.50'	13.11'	7°51'56"	N70°11'29"W	13.10'
C15	221.00'	280.48'	72°43'00"	S38°37'34"W	262.03'
C16	221.00'	280.48'	72°43'00"	S38°37'34"W	262.03'
C17	40.00'	1.95'	2°47'14"	N68°57'37"E	1.95'
C18	60.00'	13.18'	12°35'23"	N73°51'41"E	13.16'

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- ENSIGN ENG. LAND SURV. — SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
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- CENTER LINE
- EASEMENT LINE
- FIRE HYDRANT
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORIZ. 1 inch = 10 ft.

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 3 OF 9

PROJECT NUMBER : 5063
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 5/18/16

ENSIGN
SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT. 84070
Phone: 801.255.0529
Fax: 801.255.4449
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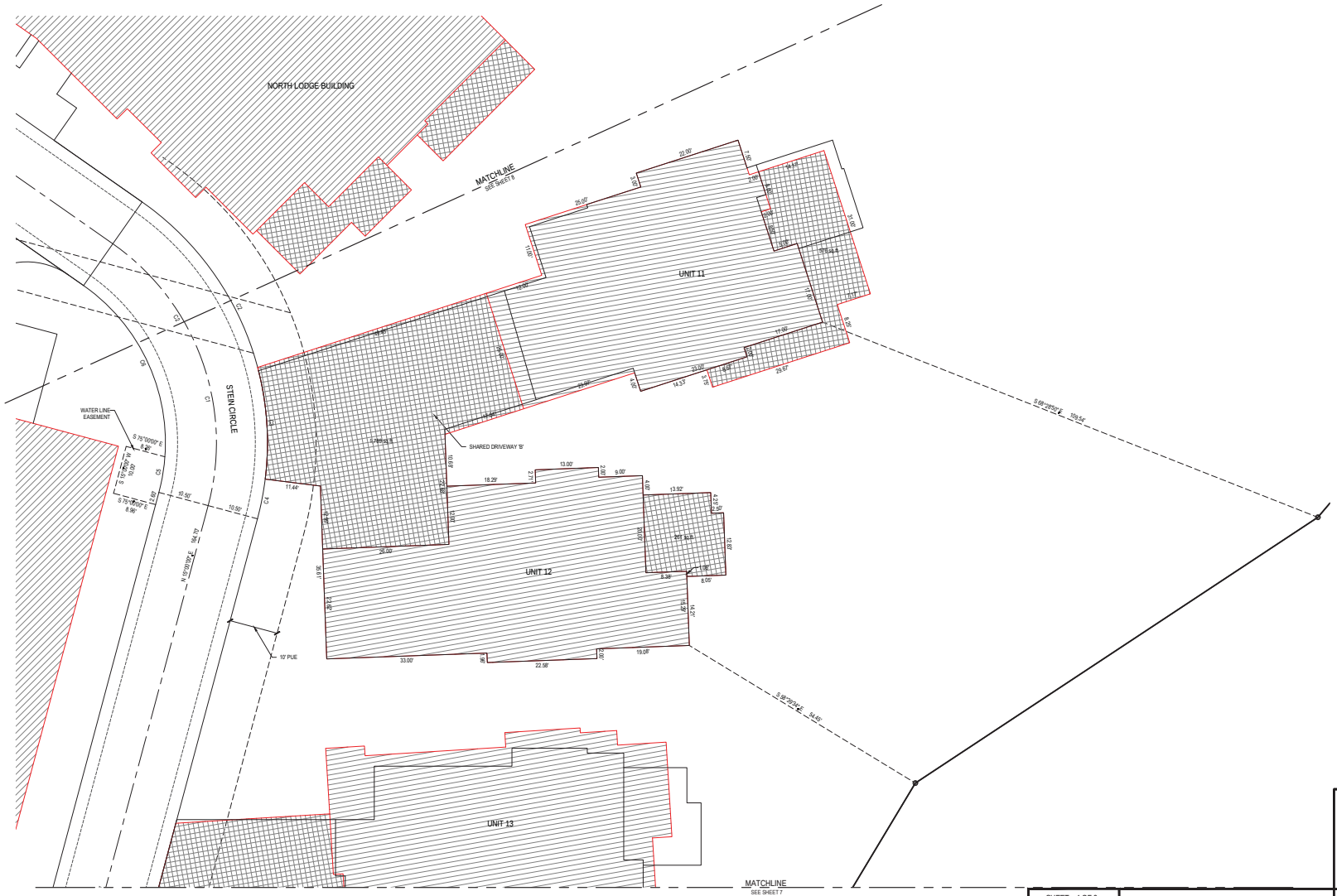
1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT

(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	50.00'	61.09'	70°00'00"	N20°00'00"W	57.36'
C2	60.50'	43.10'	40°49'08"	N34°35'26"W	42.20'
C3	60.50'	23.19'	21°57'40"	N3°52'21"W	23.05'
C4	60.50'	8.33'	7°53'31"	N11°03'14"E	8.33'
C5	39.50'	7.44'	10°47'56"	N9°36'02"E	7.43'
C6	39.50'	40.81'	59°12'04"	N25°23'58"W	39.02'

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- ENSIGN ENG. LAND SURV. — SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
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- PRIVATE AREA
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- COMMON AREA

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20
(IN FEET)
HORZ: 1 inch = 10 ft.

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 4 OF 9

PROJECT NUMBER : 5063
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 5/18/16

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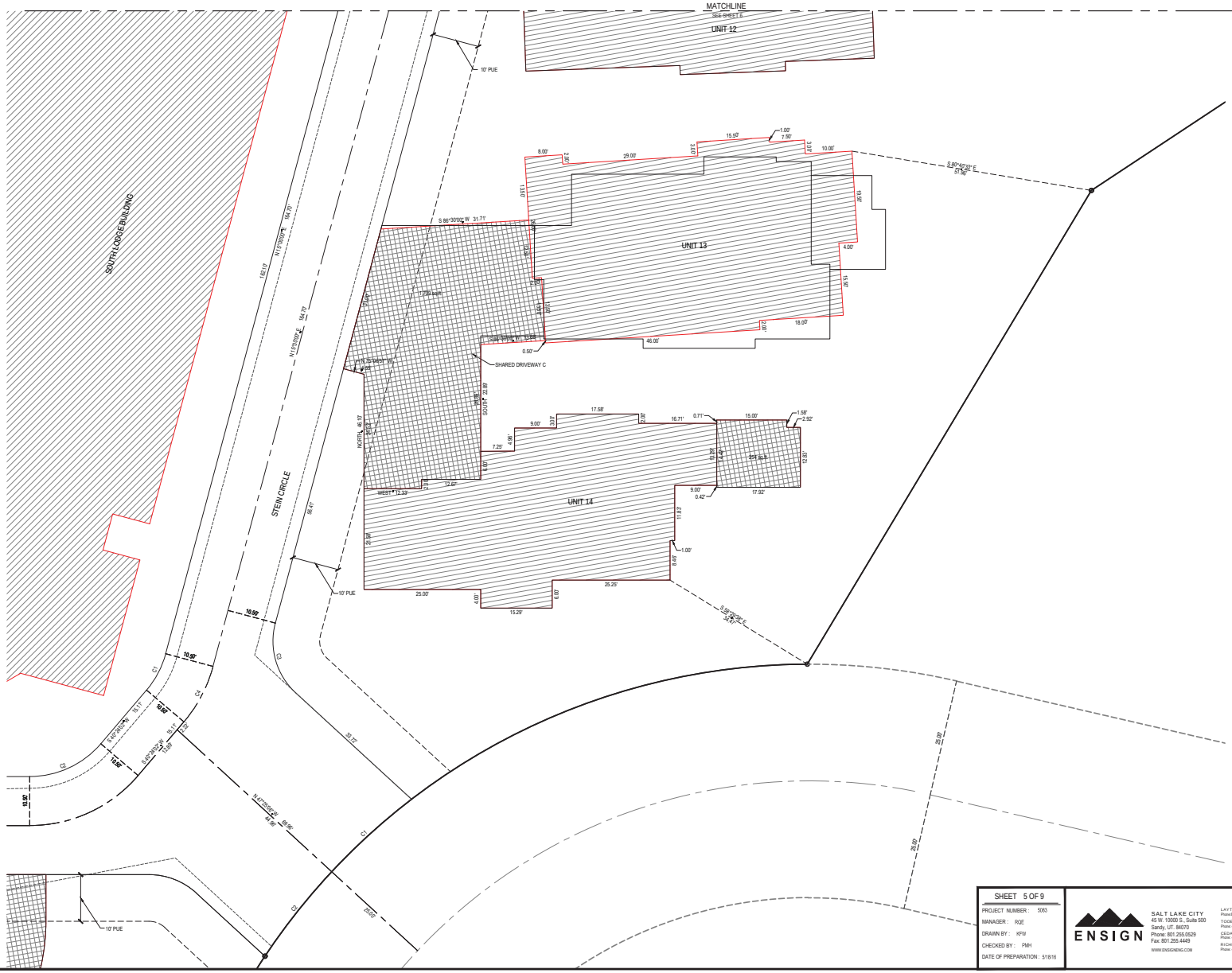
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	140.00'	23.12'	9°27'44"	S47°45'42"W	23.09'
C2	140.00'	23.09'	9°26'59"	S38°18'20"W	23.06'
C3	15.00'	16.34'	62°25'08"	S16°12'33"E	15.54'
C4	30.50'	13.52'	25°24'02"	N27°42'01"E	13.41'

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- ENSIGN ENG. LAND SURV. — SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
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HORIZONTAL GRAPHIC SCALE

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(IN FEET)
HORZ: 1 inch = 10 ft.

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 5 OF 9

PROJECT NUMBER : 5063
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 5/18/16

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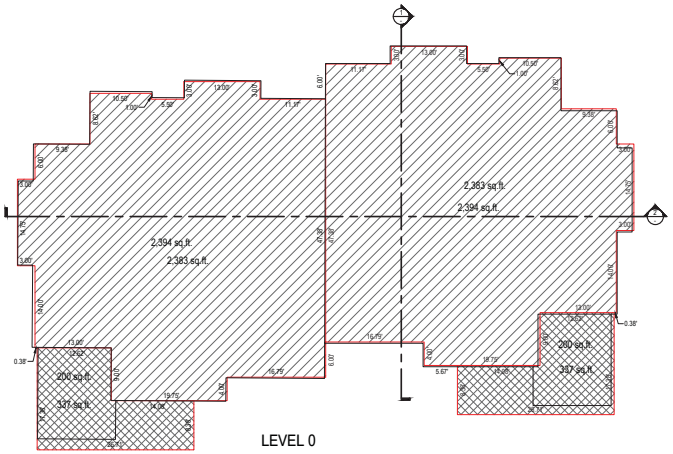
1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT

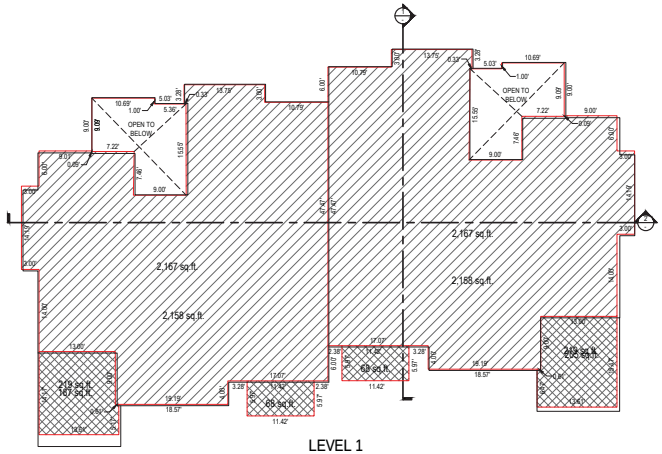
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22

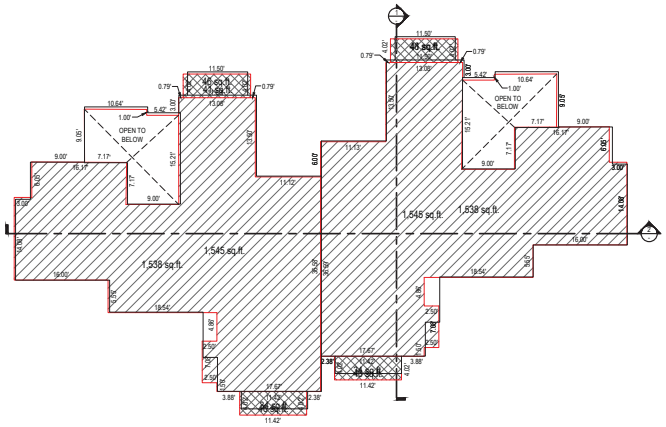
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



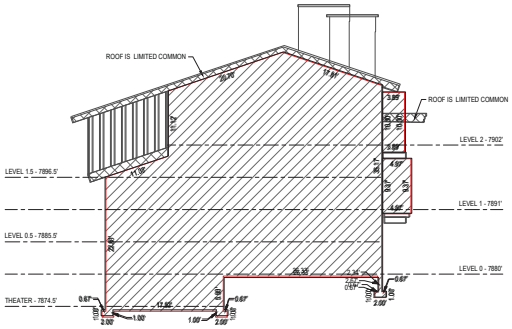
LEVEL 0



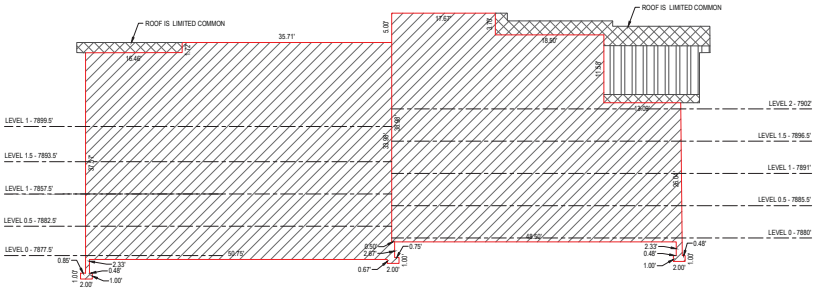
LEVEL 1



LEVEL 2



SECTION 1



SECTION 2

LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES

UNIT 6A & 6B

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)

HORZ: 1 inch = 10 ft.

SHEET 6 OF 9

PROJECT NUMBER : 5083

MANAGER : RQE

DRAWN BY : KFW

CHECKED BY : PMH

DATE OF PREPARATION : 5/23/16

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SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT. 84070
Phone: 801.255.0529
Fax: 801.255.4449
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RICHFIELD
Phone: 435.896.2983

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT

(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22

TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED #

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF : _____

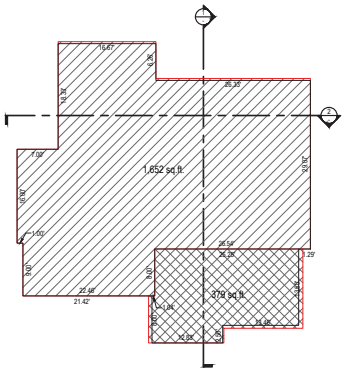
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE _____ SUMMIT COUNTY RECORDER _____

1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT

(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



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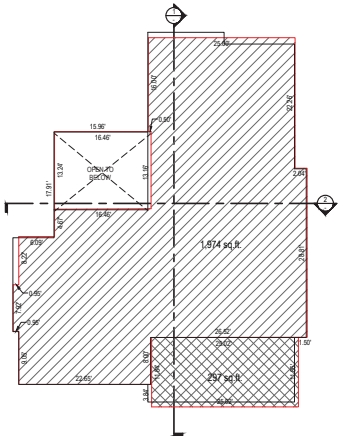

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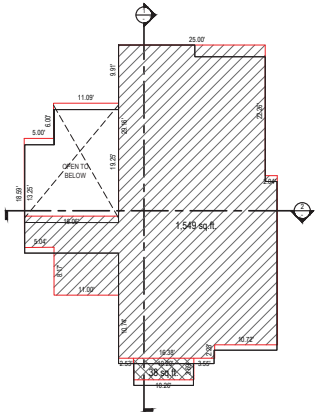

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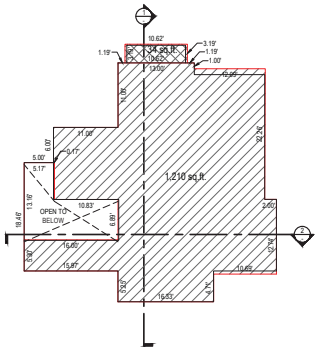
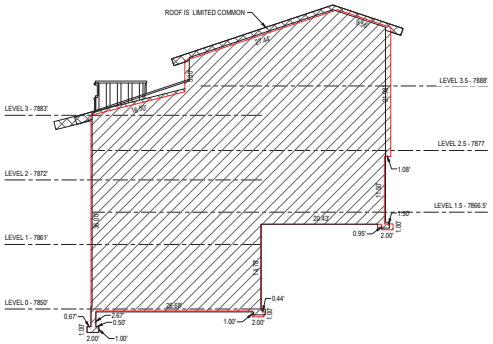


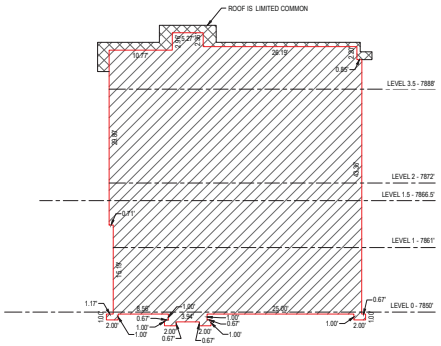
LEVEL 2

LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



SECTION 1



SECTION 2

UNIT 10

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORZ: 1 inch = 10 ft.

SHEET 7 OF 9
PROJECT NUMBER : 5083
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 5/23/16

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1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED #

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(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

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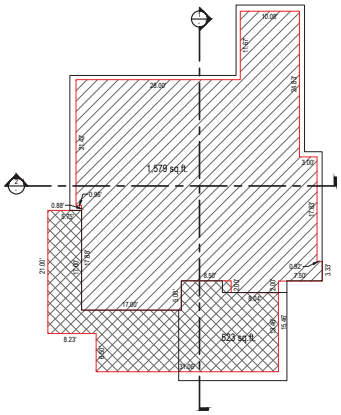
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



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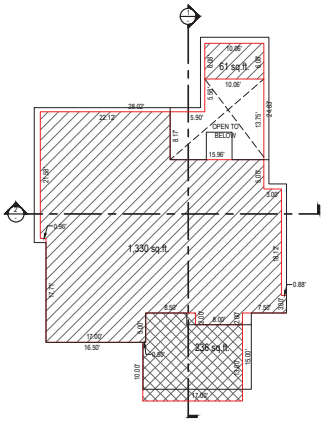

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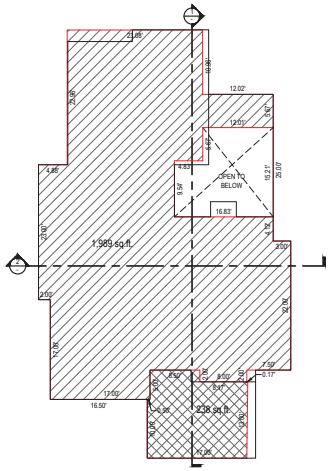

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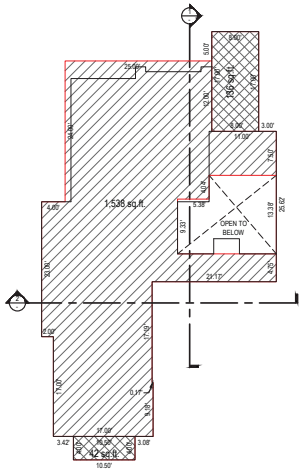
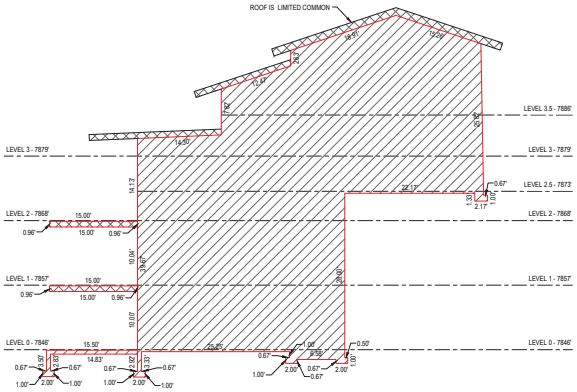


LEVEL 3

LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



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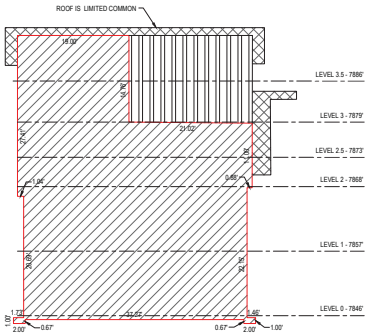

SECTION 2

UNIT 11

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORZ: 1 inch = 10 ft.

SHEET 8 OF 9

PROJECT NUMBER : 5083
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 5/23/16

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1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT
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(AMENDING UNITS 6A, 6B, 10, 11 AND 13)

LOCATED IN THE WEST HALF OF SECTION 22
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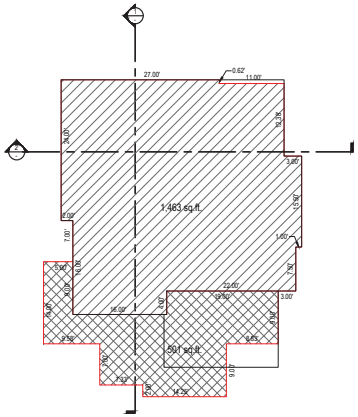

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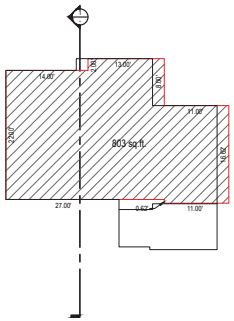

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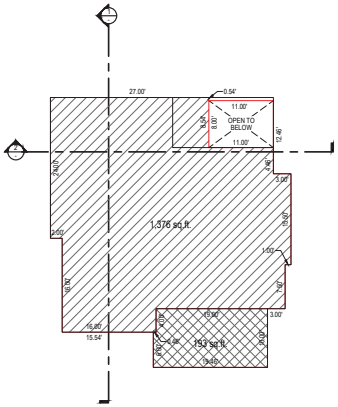

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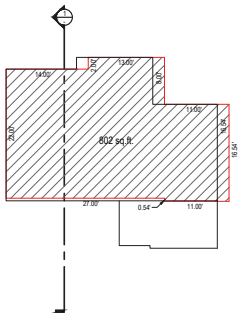

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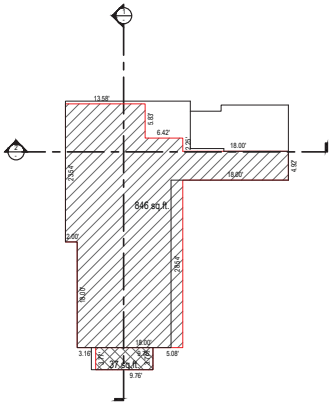

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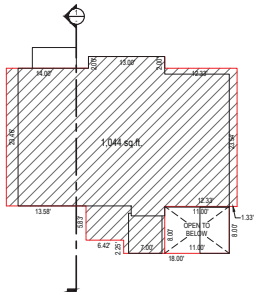

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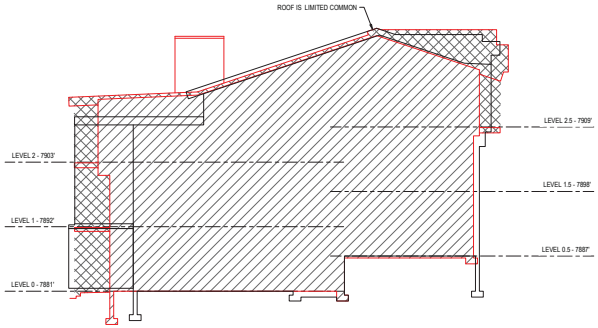
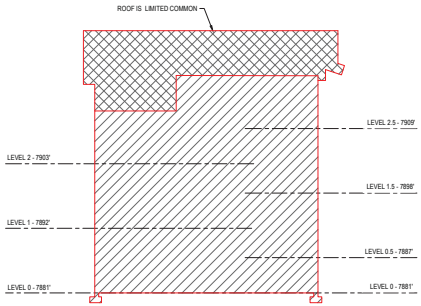


SECTION 1



SECTION 2

LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES

UNIT 13

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORZ: 1 inch = 10 ft.

SHEET 9 OF 9

PROJECT NUMBER : 5083
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 5/23/16

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SALT LAKE CITY
45 W. 10000 S., Suite 500
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1ST AMENDMENT TO NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT
(AMENDING UNITS 6A, 6B, 10, 11 AND 13)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED #

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF : _____

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FEE _____ SUMMIT COUNTY RECORDER _____

PROJECT AND PLAT DESCRIPTION

North Silver Lake Condominiums

This is an application for the approval of an amendment to the North Silver Lake Amended and Restated Condominium Plat Amending North Silver Lake Condominium Plat, recorded on October 23, 2015 as Entry No 1031075 in the Office of the Summit County Recorder ("Current Plat").

The plat amendment would slightly modify Units 6A, 6B, 10, 11 and 13 to reflect approved building plans for the units, which have been modified during the course of sales and construction. The net impact of these changes to the above units is to add an additional 351 square feet to the project. Because this amendment only modifies these five units, the plat amendment being filed herewith only includes pages showing the five modified units.

WHEN RECORDED, MAIL TO:

Thomas G. Bennett
Ballard Spahr LLP
201 So. Main, Suite 800
Salt Lake City, UT 84111-2221

THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM
FOR
NORTH SILVER LAKE

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM FOR NORTH SILVER LAKE ("**Amendment**"), is made as of this ___ day of May, 2016, by SR SILVER LAKE, LLC, a Utah limited liability company ("**Declarant**").

RECITALS:

A. SR Silver Lake, LLC is the Declarant under that certain Declaration of Condominium for North Silver Lake recorded June 17, 2014 as Entry Number 997266 in Book 2244 at Page 934 of the Official Records of the Summit County Recorder, as amended by that certain First Amendment to Declaration of Condominium for North Silver lake recorded June 24, 2014 as Entry Number 997701 in Book 2245 at Page 1273 of the Official Records of the Summit County Recorder, as further amended by that Second Amendment to Declaration of Condominium for North Silver Lake recorded October 23, 2015 as Entry Number 01031076 in Book 2321 at Page 0428 of the Official Records of the Summit County Recorder ("**Declaration**") that encumbers the real property situated in Summit County, Utah as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

B. Section 26.2 of the Declaration permits the Declarant to unilaterally amend Exhibit B to the Declaration to reflect the total square footages of each Unit after the Units have been constructed and permits Declarant to unilaterally amend the Declaration during the Declarant Control Period for any other purpose so long as such amendment does not materially adversely affect title to any property.

C. Declarant has made small revisions to the construction plans during the course of sales and construction of certain Units, resulting in changes to the Square Footage of those Units.

D. Declarant now desires to amend Exhibit B to the Declaration to reflect the as-built Square Footage of certain Units that have been constructed and to revise the projected Square Footage of other Units. Concurrently with this Amendment, Declarant is recording am amendment to the Plat to reflect the as built and projected Square Footage and boundaries of the affected Units.

AGREEMENT:

NOW, THEREFORE, Declarant hereby declares as follows:

1. Incorporation of Recitals and Definitions. The foregoing Recitals are true and correct and are incorporated herein as fully set forth hereinafter. Capitalized terms in this Amendment, unless otherwise defined herein, shall have the meaning given to them in the Declaration.

2. Replacement of Exhibit B. Exhibit B to the Declaration is hereby amended and restated in its entirety and replaced with Exhibit B attached hereto, which exhibit is incorporated herein by reference.

3. Declaration Remains in Effect. This Amendment shall be considered supplemental to the Declaration. Except as expressly amended by the foregoing, the Declaration shall remain in full force and effect and shall not be cancelled, suspended or otherwise abrogated by the recording of this Amendment. In the event of a conflict or inconsistency between the terms of this Amendment and the provisions of the Declaration, the provisions of this Amendment shall control.

4. Declarant Rights. Declarant shall retain all rights of Declarant as set forth in the Declaration, and this Amendment shall neither amend nor abrogate such rights.

5. Authority. Declarant hereby certifies that Declarant may execute this Amendment without the signature of any other party pursuant to its rights under Section 26.2 of the Declaration.

[Signatures on Following Page]

IN WITNESS WHEREOF, the undersigned has executed this Third Amendment to Declaration of Condominium for North Silver Lake as of the date first set forth above.

SR SILVER LAKE, LLC, a Utah limited liability company

By: _____
Jeffrey Dinkin, Executive Director

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 2016, before me _____, a notary public, personally appeared Jeffrey Dinkin, the Executive Director of SR Silver Lake, LLC, a Utah limited liability company, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same in his authorized capacity and that by his signature on the instrument, SR Silver Lake, LLC executed the instruction.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

_____
NOTARY PUBLIC

EXHIBIT A

DESCRIPTION OF THE PROPERTY

All of the property included within the North Silver Lake Condominium Plat, according to the official plat thereof, recorded June 17, 2014 as Entry No. 997265 of the official records in the Office of the Summit County Recorder, which includes all of the following described property:

All of Lot 2B, Subdivision of Lot 2, North Silver Lake Subdivision, according to the official plat thereof, recorded September 18, 1997 as Entry No. 487578 of the official records in the Office of the Summit County Recorder.

Basis of Bearing is identical to that shown on said North Silver Lake Lodge Subdivision Plat and said North Silver Lake Condominium Plat.

EXHIBIT B

SCHEDULE OF UNITS, SQUARE FOOTAGE, VOTES AND UNDIVIDED INTERESTS

Unit Identifying Number	Approx. Sq. Footage of Unit[1]	No. of Votes Per Unit	Undivided Interest Per Unit[2]
131	4,137	17	1.75%
132	4,630	20	1.96%
231	4,149	18	1.75%
233	3,655	15	1.54%
311	2,544	11	1.08%
312	2,181	9	0.92%
331	3,965	17	1.68%
332	3,503	15	1.48%
333	3,651	15	1.54%
334	2,445	10	1.03%
341	1,997	8	0.84%
343	2,068	9	0.87%
411	2,541	11	1.07%
412	2,176	9	0.92%
413	4,333	18	1.83%
414	4,439	19	1.88%
421	4,579	19	1.94%
422	4,510	19	1.91%
431	4,761	20	2.01%
432	3,950	17	1.67%
433	2,993	13	1.27%
441	2,006	8	0.85%
442	2,008	8	0.85%
444	4,408	19	1.86%
511	2,702	11	1.14%
512	3,756	16	1.59%
521	4,704	20	1.99%
532	4,922	21	2.08%
541	1,999	8	0.84%
542	1,998	8	0.84%
543	4,064	17	1.72%
611	2,701	11	1.14%
612	3,733	16	1.58%

Unit Identifying Number	Approx. Sq. Footage of Unit[1]	No. of Votes Per Unit	Undivided Interest Per Unit[2]
613	4,443	19	1.88%
621	4,704	20	1.99%
641	2,006	8	0.85%
642	2,000	8	0.85%
643	2,070	9	0.87%
644	4,417	19	1.87%
C-1	817	3	0.35%
C-2	909	4	0.38%
C-3	3,218	14	1.36%
SU-1	1,915	8	0.81%
1	6,505	27	2.75%
2	6,160	26	2.60%
3	6,148	26	2.60%
4	6,148	26	2.60%
5	6,688	28	2.83%
6A	6,079	26	2.58%
6B	6,079	26	2.58%
7	6,760	29	2.86%
8	8,686	37	3.67%
9	6,572	28	2.78%
10	6,385	26	2.65%
11	6,436	27	2.72%
12	6,851	29	2.90%
13	6,334	26	2.67%
14	6,413	27	2.71%
Totals:	236,951	1,000	100.00%

[1] Once the Units are completed, the Declarant has the unilateral right, but not the obligation to amend this Exhibit B to reflect the actual Square Footage of the Units, as constructed.

[2] May total slightly more or less than 100% due to rounding.

Commissioner Phillips stated that he was unable to attend the next meeting on July 27th.

Commissioner Phillips disclosed that he would be recusing himself from the Alice Claim items on the agenda this evening, and from 259, 261 & 263 Norfolk Avenue, due to a prior working relationship with the applicants.

Chair Strachan disclosed that he would be recusing himself from the Park City Mountain Resort Development Mountain Upgrade Plan and MPD amendment on the agenda due to a conflict of interest.

CONTINUATIONS - (public hearing and continue to date specified)

1. 158 Ridge Avenue – Steep Slope Conditional Use Permit for a new Single Family Dwelling (Application PL-16-03149)

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to CONTINUE 158 Ridge Avenue – Steep Slope CUP to July 27, 2016. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 7101 Silver Lake Drive – Amendment to Record of Survey – 1st Amendment to the North Silver Lake Amended and Restated Condominium Plat amending Units 6A, 6B, 10, 11 and 13 to adjust building envelopes and condominium interiors from the existing plat. (Application PL-16-03169)

Planning Analyst Louis Rodriguez reviewed the application for the North Silver Lake Amended and Restated Condominium Plat. The applicant was requesting to adjust building envelopes and condominium interiors from the existing plat for Units 6A, 6B, 10, 11 and 13 to reflect approved building plans for the units.

Mr. Rodriguez reviewed a table on page 72 of the Staff report which showed the total increase in size was 351 square feet. The smallest change was a negative -2 square feet on lot 11, and the largest was 283 square feet on Lot 13. The Staff did not find issues with the expansion of 351 square feet as the density remains the same.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance.

Tom Bennett, representing the applicant, stated that these were buyer requested changes. Mr. Bennet believed some of the prior approval dates listed in the Staff report were inaccurate. He would work with Planning Analyst Rodrigues to correct the dates prior to going to the City Council.

Chair Strachan opened the public hearing.

There were not comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the North Silver Lake Amended and Restate Condominium Plat based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended with the date corrections as mentioned. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 7101 Silver Lake Drive</u>

1. The site is located at 7101 Silver Lake Drive in Deer Valley.

2. The site is located in the Residential Development (RD) District.

3. The proposed Condominium Plat Amendment amends building envelopes and interiors from the existing plat approved by the City Council on October 13, 2015.

4. The proposed Condominium Plat Amendment adjusts the platted condominium units, common area, and limited common area for the development.

5. The proposed Condominium Plat identifies the private, limited common, support limited common and facilities, and common areas.

6. The current Condominium Plat consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as

DRAFT

common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.

7. The Condominium Plat approved in 2014 was consistent with the 2010 approved Conditional Use Permit containing 54 units.

8. The proposed Condominium Plat consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.

9. The proposed Condominium Plat Amendment is consistent with the 2010 approved Conditional Use Permit containing 54 units.

10.Even though the number of detached structures and multi-unit dwelling is changing from the Condominium Plat, the density remains the same at 54 units as specified in the Deer Valley Master Plan.

11.The massing remains in substantial compliance with the 2010 CUP approval.

12.The original CUP does not have to be re-reviewed as the proposal complies with the approved CUP. The density of 54 units still remains the same.

13.The size of the private units within the single-family, duplex, and multi-unit dwelling ranges from 1,997 - 8,686 square feet.

14.This adjustment is consistent with the 2010 CUP plan and layout.

15.The net increase in size is 351 square feet.

16.The Deer Valley MPD did not allocate a maximum house size or a UE allocation for each residential unit.

17.The Deer Valley MPD density allocation was based on a density of fifty-four (54) units.

18.The applicant is actively working on the project.

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19.All findings in the analysis section of the staff report are incorporated herein.

Conclusions of Law – 7101 North Silver Lake Drive

1. There is good cause for this Condominium Plat Amendment.
2. The proposed Condominium Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat Amendment.
4. Approval of the Condominium Plat Amendment subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The Condominium Plat Amendment is consistent with the approved North Silver Lake Conditional Use Permit.

Conditions of Approval – 7101 North Silver Lake Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the Condominium Plat Amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the Condominium Plat Amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. A note shall be added to the condominium plat referencing that the conditions of approval of the Deer Valley MPD and the 2010 North Silver Lake CUP apply to this condominium plat amendment.

4. All conditions of approval of the City Council's July 1, 2011 order on the Conditional Use appeal shall continue to apply.

5. All conditions of approval of the Planning Commission's February 26, 2014 action modifying the CUP to allow Lockout Units shall continue to apply.

6. All conditions of approval of the City Council's May 08, 2014 approval of the North Silver Lake Condominium Plat shall continue to apply.

DRAFT

DATE: August 4, 2016

TO HONORABLE MAYOR AND COUNCIL

This item includes an easement that has not been noticed properly. Please continue to the August 25, 2016 meeting.

Respectfully:

Makena Hawley, Planning Technician

City Council
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject:	**Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2**
Author:	**Makena Hawley, City Planner**
Project Number:	**PL-16-03196**
Date:	**August 4, 2016**
Type of Item:	**Legislative – Plat Amendment**

Summary Recommendations

Staff recommends the City Council hold a public hearing continuing the Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2 located at 4 Thaynes Canyon Way, and continue the amendment, based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Description

Applicant:	James and Susan Ingram, owners Marshall King, Alliance Engineering, representative
Location:	4 Thaynes Canyon Way
Zoning:	Single Family (SF) District, Master Planned Development
Adjacent Land Uses:	Single-family residential, golf course, open space
Reason for Review:	Plat amendments require Planning Commission review and City Council review and action

Executive Summary/Proposal

The applicant is requesting a plat amendment for the purpose of abandoning the current temporary turnaround easement for a fire apparatus and creating a new easement to serve as a turnaround for a fire apparatus.

Purpose

The purpose of the Single Family SF District is to:

A. maintain existing predominately Single Family detached residential neighborhoods,
B. allow for Single Family Development Compatible with existing Developments,
C. maintain the character of mountain resort neighborhoods with Compatible residential design; and
D. require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

Background

On May 26, 2016 the applicant submitted a complete application for the Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2. The property is located at 4 Thaynes Canyon Way in the Single Family (SF) District. This development is a neighboring property to the Park City Golf Course and is also at a current dead-end that

has a protection strip to allow for the road to continue when development is proposed for the lots to the west of the property.

The Thaynes Canyon Subdivision No. 6 was approved by City Council and was recorded on January 9, 1981, as entry No. 175075. Lot 2 is at the dead-end of Thaynes Canyon Way, which is a dead end street, therefore a means for fire trucks to turn around must be provided. The plat was recorded with a note and an easement stating that Lot 2 shall have a turnaround for fire apparatus with a 20-foot setback from the top back of curve to define the building pad. The temporary turnaround easement shown on the current plat is the top back of curve from which the 20-foot setback is taken. The temporary turnaround easement is intended to be abandoned upon the extension of Thaynes Canyon Way. As of this date, Thaynes Canyon Way has not been extended and currently there are no plans for the extension of Thaynes Canyon Way, however the property to the west can be developed therefore the existing street, Thaynes Canyon Way may be extended one day. The existing residence is approximately 8 feet from this setback and does not comply with the plat note requirement of a 20-foot setback from the top back of curve. In addition, the owners have put landscaping on part of the turnaround thereby blocking part of the easement. The current property owners are in the process of remodeling their residence, and are required to bring the property into compliance.

In 2010 the City Engineer approved for the owners of 4 Thaynes Canyon Way to change the type of emergency turnaround and allowed for a hammerhead to replace the pavement area of the turnaround shown on the subdivision plat. At the time the applicant was notified that the Fire Marshal would not release the fire access easement. Therefor the easement was still in place. Both of the turnarounds met the code therefore the intent of the code was being met by allowing one of the approved International Fire Code layouts.

On July 13, 2016, the Planning Commission reviewed the requested application and held a public hearing. The Commission forwarded a positive recommendation to the City Council; the vote was unanimous (5-0).

Analysis

The proposed plat amendment will allow for the abandonment of the existing temporary easement for a fire apparatus turnaround and replace it with a new temporary easement which will be recorded alongside this plat amendment which will have the required Acceptable Alternative to 120’ Hammerhead (See exhibit H for “recommended Fire Turnarounds). This will allow the property owners greater use of their property while still allowing for proper access in case of an emergency and for snow clearance.

The International Fire Code requires turnarounds acceptable for fire truck turning apparatus which the design chosen is referred to as Acceptable Alternative to 120’ Hammerhead which includes a twenty foot (20’) width and a 70 foot (70’) length to allow proper turn radius for fire trucks to use (Please see Exhibit G).

The new Acceptable Alternative to 120’ Hammerhead turnaround and reflected in the new temporary easement shall be constructed to City standards before a building permit

of the dwelling is issued. Once the turnaround is constructed to City standards it will be the responsibility of the Park City Streets Department to maintain as long as the easement is in place. This is also specified in the easement agreement that will be signed between the owners of 4 Thaynes Canyon Way and the City if this plat amendment is approved. Maintenance includes treating this easement like all other "priority III residential streets and pavement standards include 5 inches of pavement over 8 inches of compacted base. Due to the City maintaining the turnaround; a public snow storage easement of five feet deep shall be provided at the north end of the Acceptable Alternative to 120' Hammerhead as well as a ten foot (10') snow storage easement along the ROW.

Before a building permit is issued, the City Engineer must qualify the Acceptable Alternative to 120' Hammerhead is constructed to meet Fire Code and City Standards. All plat notes from the original Thaynes Canyon Sub. No. 6 shall continue to apply. The proposed plat amendment does not create any new non-compliance. This plat amendment is consistent with the Park City LMC and applicable State law regarding subdivision plats.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Memorializing the new easement will eliminate any issues with further use of the property in terms of building into platted setbacks. Additionally, the plat will help clear up the non-compliance with the current structure on the lot.

Department Review

This project has gone through interdepartmental review. The Fire District discussed recommended turnarounds to be used and the appropriate measurements were included for the new easement. In addition, the Park City Streets Department needed to address the maintenance and snow removal which was further addressed and mentioned in the analysis portion of this report. Other than these items there were no issues raised by any other departments or service providers regarding this proposal that have not been addressed by the drafted conditions of approval.

Notice

On June 29, 2016, the property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. On June 29, 2016, legal notice was published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff has only received written support from the neighbors of 4 Thaynes, whom are owners of the Lot 1 on the original Thaynes Canyon Subdivision plat. Public input may be taken at the regularly scheduled Planning Commission and City Council public hearings.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Alternatives

- The City Council may approve the Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2 as conditioned or amended; or
- The City Council may deny the plat amendment and direct staff to make findings for this decision; or
- The City Council may continue the discussion on the plat amendment to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the existing plat would remain as is. The site, 4 Thaynes Canyon Way, would remain non-complaint due to the built home into the plat required setbacks and would not be able to received building permits for future renovations within the plat required setbacks.

Recommendation

Staff recommends the City Council hold a public hearing for the Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2 located at 4 Thaynes Canyon Way, based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat
Exhibit B – Current Plat
Exhibit C – Aerial Photograph
Exhibit D – Project Intent Letter
Exhibit E – Neighbor consent letter
Exhibit F– Photos
Exhibit G – Recommended Turnarounds

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 2016-41

AN ORDINANCE APPROVING THE THAYNES CANYON SUBDIVISION NO. 6, FIRST AMENDED – AMENDING LOT 2 LOCATED AT 4 THAYNES CANYON WAY, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the 4 Thaynes Canyon Way, have petitioned the City Council for approval of the Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2; and

WHEREAS, on June 29, 2016 proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, on June 29, 2016 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on July 14, 2016 to receive input on the proposed plat amendment; and

WHEREAS, on July 13, 2016 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 4, 2016 the City Council held a public hearing on the proposed Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Thaynes Canyon Subdivision No. 6, First Amended – Amending Lot 2, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 4 Thaynes Canyon Way within the Single Family (SF) District.
2. The Current structure on 4 Thaynes Canyon Way does not comply with the 20 foot setback per the plat and lies 8 feet into the 20 foot setback.

3. The existing easement for 4 Thaynes Canyon Way will be abandoned and replaced with a new easement for the proposed Acceptable Alternative to 120' Hammerhead turnaround if this plat amendment is approved.
4. The Thaynes Canyon Subdivision No. 6 was originally approved by City Council and was recorded on January 9, 1981as entry No. 175075.
5. The total area of the Lot 2 Thaynes Canyon Subdivision No. 6 is 24,952 square feet.
6. On May 26, 2016, the applicant submitted an application to amend the existing Thaynes Canyon Subdivision No. 6 Plat.
7. The application was deemed complete on May 26, 2016.
8. The proposed plat amendment would memorialize the new Acceptable Alternative to 120' Hammerhead easement for the fire apparatus turnaround.
9. At the time the plat amendment is recorded, an abandonment of the existing temporary easement and a new temporary easement reflecting the hammerhead will be recorded.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions and condominium plats.
3. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
4. Approval of the condominium plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All notes and conditions of approval of Thaynes Canyon Subdivision No. 6, recorded January 9, 1981, as Entry No. 175075 in the office of the Summit County Recorder shall continue to apply.
4. The Acceptable Alternative to 120' Hammerhead turnaround shall be approved and constructed to Fire Code and City Standards and shall meet the requirements of Appendix D Fire Apparatus Access Road from the international fire code prior to building permit issuance.
5. The final easement will be adjusted to meet IFC requirements. Physical adjustments (length, width, squaring of turnaround, pavement standards) to the existing turnaround will be required to be completed by the owner.
6. The turnaround space shall not be used for parking and shall not be signed as private.

7. A public snow storage easement of five feet deep shall be provided at the north end of the turnaround.
8. Once completed, turnaround will be maintained by the City.
9. At the time the plat amendment is recorded, an abandonment of the existing temporary easement and a new temporary easement reflecting the hammerhead will be recorded.

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

PASSED AND ADOPTED this 4th day of August, 2016

PARK CITY MUNICIPAL CORPORATION

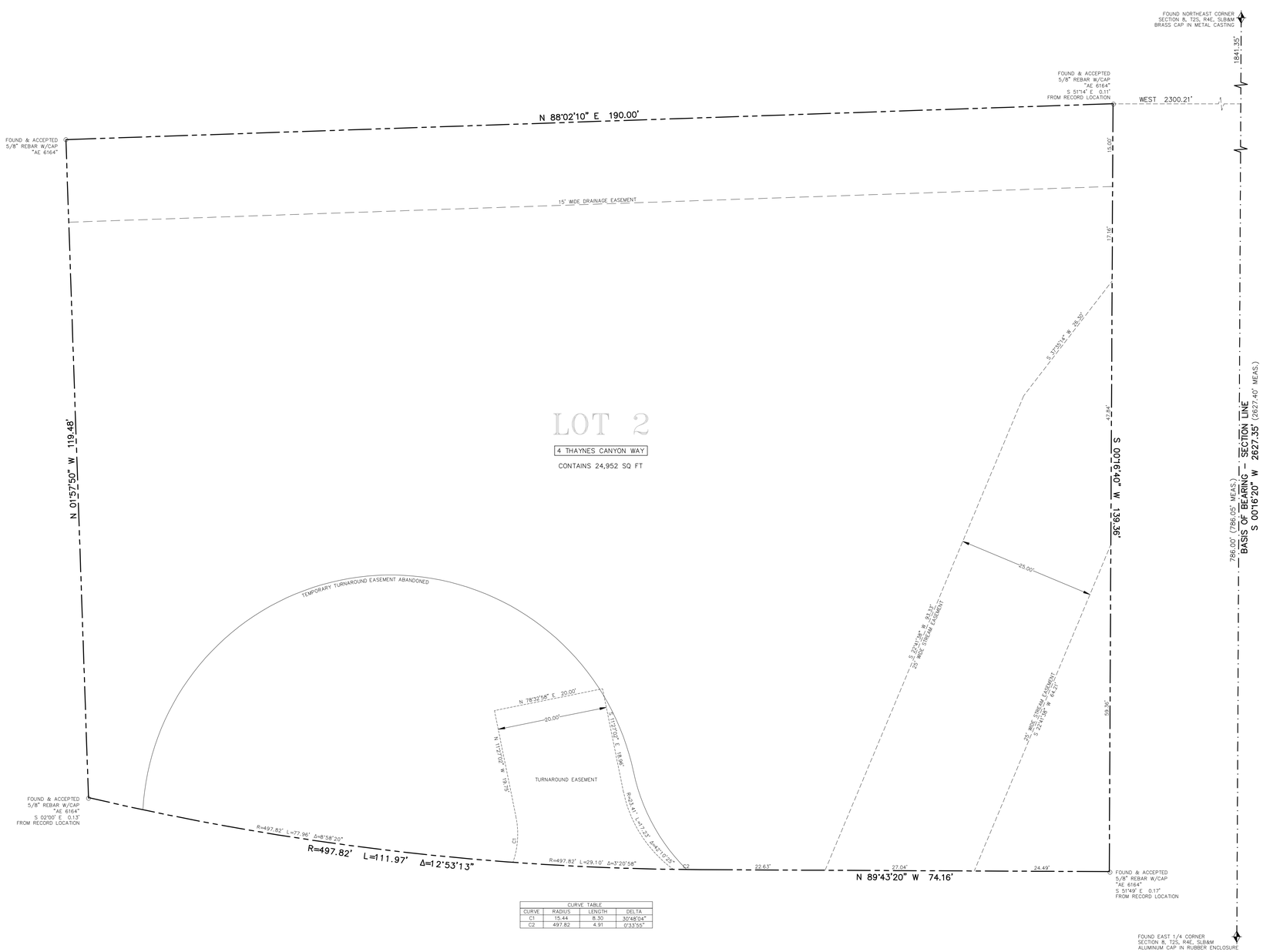
_____
Jack Thomas, MAYOR

ATTEST:

_____
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

_____
Mark Harrington, City Attorney



CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	15.44	8.30	30°48'04"
C2	497.82	4.91	0°33'55"

REGISTERED LAND SURVEYOR
No.4938739
MARTIN A. MORRISON
State of Utah

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, this plat map of FIRST AMENDED THAYNES CANYON SUBDIVISION NO. 6, LOT 2 has been prepared under my direction and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

Lot 2, THAYNES CANYON SUBDIVISION NO. 6, according to the official plat thereof, recorded in the Office of the County Recorder of Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, James A. Ingram & Susan Ingram, husband & wife, hereby certify that they have caused a survey to be made and this amended plat to be prepared and hereby consent to the recordation of this First Amended Thaynes Canyon Subdivision No. 6, Lot 2 plat.

In witness whereof, the undersigned set his hand

this _____ day of _____, 2016.

By: _____
James A. Ingram

In witness whereof, the undersigned set her hand

this _____ day of _____, 2016.

By: _____
Susan Ingram

ACKNOWLEDGMENT

State of _____:

ss:

County of _____:

On this _____ day of _____, 2016, James A. Ingram personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, James A. Ingram acknowledged to me that he is the person whose name is subscribed to this instrument, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

_____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

ACKNOWLEDGMENT

State of _____:

ss:

County of _____:

On this _____ day of _____, 2016, Susan Ingram personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Susan Ingram acknowledged to me that she is the person whose name is subscribed to this instrument, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

By: _____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

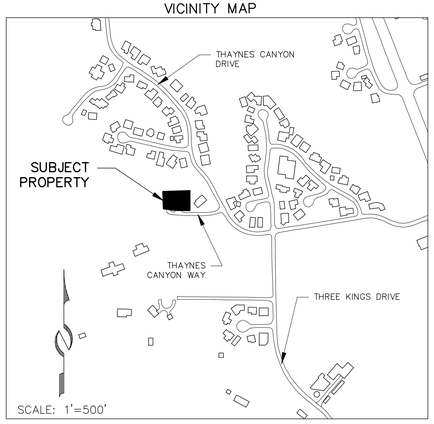
Commission No._____

NOTES

1. This subdivision is subject to the Conditions of Approval in Ordinance 16–_____.
2. Building pads within the lots will be those areas outside of the city's setback requirements in the SF zone and outside of the stream and drainage easements.
3. All notes and conditions of approval of Thaynes Canyon Subdivision No. 6, recorded January 9, 1981, as Entry No. 175075 in the office of the Summit County Recorder continue to apply.

10' 0 10' 20'

VICINITY MAP



FIRST AMENDED

THAYNES CANYON SUBDIVISION NO. 6, LOT 2

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

6/23/16 JOB NO.: 7–3–16 FILE: X:\ThaynesCanyon\dwg\srv\plat2016\070316.dwg

(435) 649–9467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060–2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____
DAY OF _____, 2016
BY _____
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____
DAY OF _____, 2016
BY _____
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____
DAY OF _____, 2016
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____
DAY OF _____, 2016
BY _____
PARK CITY ATTORNEY

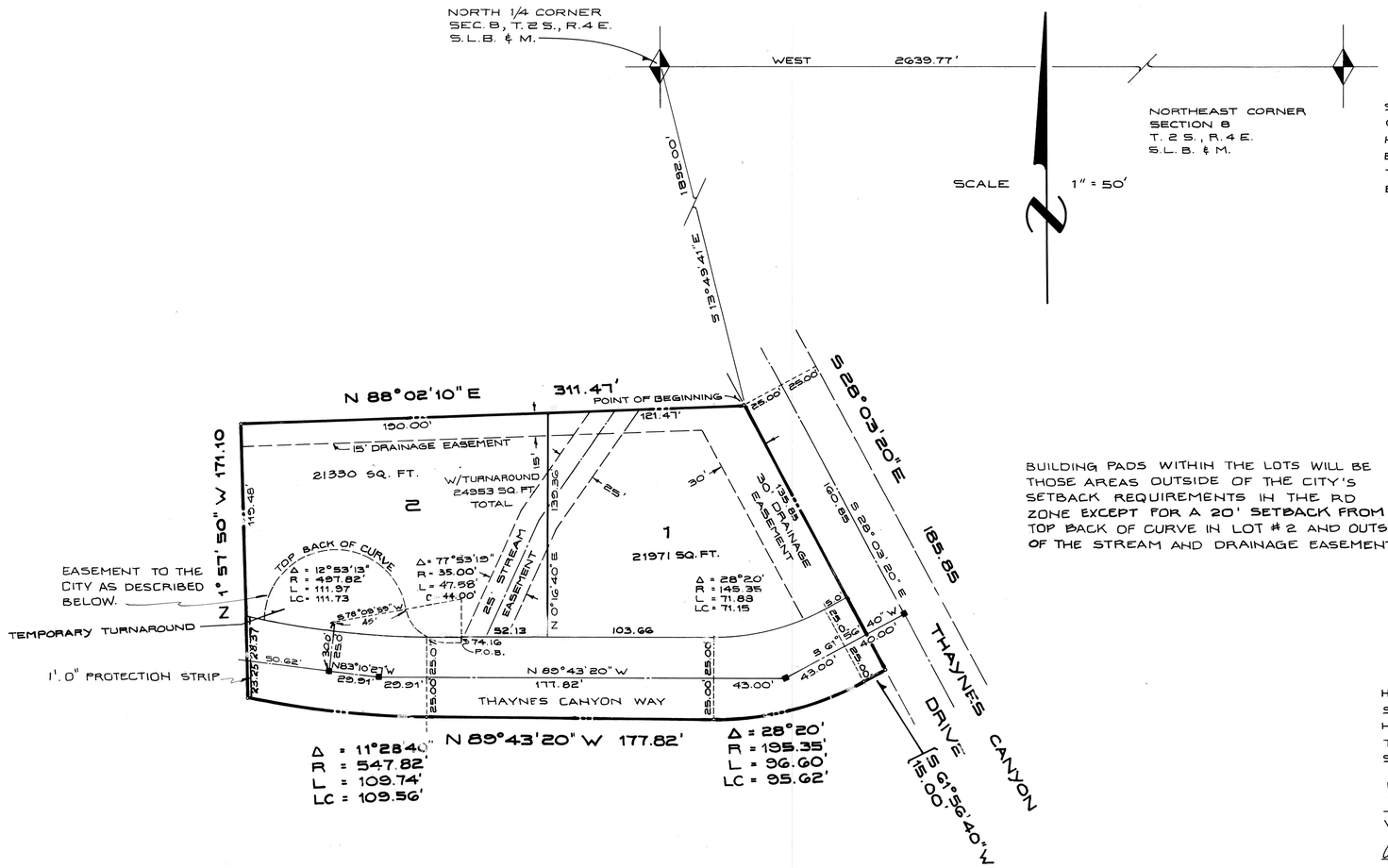
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2016
BY _____
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY
OF _____, 2016
BY _____
PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ ENTRY NO. _____
_____ FEE
_____ RECORDER

Osborne 18T5-50-1280

EXHIBIT B -Current Plat



BUILDING PADS WITHIN THE LOTS WILL BE THOSE AREAS OUTSIDE OF THE CITY'S SETBACK REQUIREMENTS IN THE RD ZONE EXCEPT FOR A 20' SETBACK FROM TOP BACK OF CURVE IN LOT # 2 AND OUTSIDE OF THE STREAM AND DRAINAGE EASEMENTS.

SURVEYOR'S CERTIFICATE

I, JAMES G. WEST, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 3082 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS THAYNES CANYON SUBDIVISION No. 6 AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THAYNES CANYON DRIVE, SAID POINT BEING SOUTH 13°49' 41" EAST 1892.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 28° 03' 20" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE 185.85 FEET; THENCE SOUTH 61°56'40" WEST 15.00 FEET TO THE POINT OF A 195.35 FOOT RADIUS CURVE TO THE RIGHT; RADIUS POINT BEARS NORTH 28°03'20" WEST 195.35 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 96.60 FEET; THENCE NORTH 89°43'20" WEST 177.82 FEET TO A POINT OF A 547.82 FOOT RADIUS CURVE TO THE RIGHT, THE CENTER BEARS NORTH 0°16'40" EAST 547.82 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 109.74 FEET;

THENCE NORTH 1°57'50" WEST 171.10 FEET, THENCE NORTH 88°02'10" EAST 311.47 FEET TO THE POINT OF BEGINNING. ALSO TOGETHER WITH A 25 FOOT WIDE STREAM EASEMENT THROUGH LOTS 1 AND 2, THE CENTER LINE OF SAID EASEMENT IS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS NORTH 88° 02'10" EAST 42.453 FEET FROM THE NORTHWEST CORNER OF LOT 1 AND RUNNING THENCE SOUTH 35°00' WEST 82.990 FEET; THENCE SOUTH 25°00' WEST 80.151 FEET TO A POINT WHICH IS NORTH 89°43'20" WEST 38.371 FEET FROM THE SOUTHWEST CORNER OF LOT 2. CONTAINS 1.523 ACRES IN SUBDIVISION.

James G. West — Aug 11, 1980
JAMES G. WEST - LICENSE № 3082 — DATE

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THAYNES CANYON SUBDIVISION No. 6 DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 26th DAY OF NOVEMBER A.D., 19 80.

Vincent D. Donile — VINCENT D. DONILE
Herbert S. Armstrong — HERBERT S. ARMSTRONG
William M. Armstrong — WILLIAM MELBOURNE ARMSTRONG

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF SUMMIT }

ON THE 26th DAY OF November A.D., 19 80 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SUMMIT IN SAID STATE OF UTAH, THE SIGNER'S OF THE ABOVE OWNER'S DEDICATION, THREE IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES Jan 26, 1981 — NOTARY PUBLIC Carol L. Spencer
RESIDING IN Salt Lake

DESCRIPTION FOR A TEMPORARY TURNAROUND EASEMENT TO BE ABANDONED ON EXTENSION OF THAYNES CANYON WAY.

BEGINNING AT THE P.C. OF LOT 2 OF THAYNES CANYON NO. 6 SUBDIVISION, SAID POINT MORE SPECIFICALLY DESCRIBED AS BEING DUE SOUTH 1980.433 FEET, AND DUE EAST 278.00 FEET FROM THE N4 CORNER OF SECTION 8, T2S, R4E, S.L.B. & M, AND RUNNING THENCE S 0° 16' 40" W 10.00 FEET TO A POINT ON A 35.00 RADIUS CURVE TO THE RIGHT, (CENTER BEARS N 0° 16' 40" E 35.00 FEET); THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 47.58 FEET TO A POINT OF A 45.00 FOOT RADIUS REVERSE CURVE TO THE LEFT, (CENTER BEARS S 78° 09' 59" W 45.00 FEET); THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 129.668 FEET TO A POINT ON A 497.82 FOOT RADIUS CURVE TO THE LEFT, (CENTER BEARS N 12° 00' 50" E 497.82 FEET); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, 106.797 FEET TO A POINT OF TANGENCY; THENCE S 89° 43' 20" E 22.02 FEET TO THE P.O.B.

LEGEND

1. 15' DRAINAGE EASEMENT ON BACK LOT LINE AS SHOWN.
2. 30' DRAINAGE EASEMENT ON SIDE LOT LINE OF LOT 1 AS SHOWN.
3. 25' DRAINAGE EASEMENT AS SHOWN
4. FIRE HYDRANT
5. EXISTING MONUMENT
6. MONUMENT TO BE SET

THAYNES CANYON SUBDIVISION No. 6

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8 TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.L.B.& M.

Prepared By:	City Planning Commission	Engineers Certificate	Approval as to Form	Certificate of Attest	Council Approval & Acceptance	No. 175075 Recorded
J.J. Johnson & Associates Civil Engineering Planning Surveying 1700 Park Avenue P.O. Box 1661 Park City, Utah 84060	Approved & Accepted by the Park City Planning Commission this 26 Day of Nov. A.D. 1980 Burnis Watts Chairman	Approved & Accepted by the Park City Engineering Department this 1st Day of Oct A.D. 1980 John Robinson Park City Engineer	Approved as to Form this 6 Day of JAN A.D. 1981 Mark D. Morris Park City Attorney	Attest this 8th Day of Jan A.D. 1981 Ann Lobb Park City Recorder	Approved & Accepted by the Park City Council this 8th Day of Jan A.D. 1981 John A. Green Mayor	State of Utah, County of Summit, Recorded and Filed at the request of: Summit County Title Date 1-9-81 Time 4:00 $12.00 Fee Summit County Recorder

THAYNES CANYON 6

EXHIBIT C - Aerial Photograph

(435) 649-9467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MARSHALL KING
JESSE MORENO

DATE: 4/26/16

AERIAL PHOTOGRAPH
THAYNES CANYON NO. 6, LOT 2
4 THAYNES CANYON WAY

FOR: OTTO-WALKER ARCHITECTS
JOB NO.: 7-3-16
FILE: X:\ThaynesCanyon\dwg\exhibits\Thaynes Canyon No6 Lot 2-ortho.dwg

SHEET 1 OF 1

EXHIBIT D - Project Intent Letter

First Amended Thaynes Canyon Subdivision No. 6, Lot 2

(4 Thaynes Canyon Way)

Project Intent and Scope of Work

Thaynes Canyon Subdivision No. 6 is a two-lot subdivision recorded January 9, 1981, as Entry No. 175075. Lot 2 is at the dead-end of Thaynes Canyon Way and therefore requires a turnaround for fire apparatus. This plat was recorded with a note stating that Lot 2 shall have a 20-foot setback from the top back of curve to define the building pad. The temporary turnaround easement shown on the current plat is the top back of curve from which the 20-foot setback is taken. The temporary turnaround easement was intended to be abandoned on the extension of Thaynes Canyon Way. As of this date, Thaynes Canyon Way has not been extended and there are no current plans for the extension of Thaynes Canyon Way. The existing residence is approximately 8 feet from this setback and does not comply with the 20-foot setback note.

The owners are in the process of remodeling the residence, and to bring the property into compliance, wish to amend the plat by abandoning the the current temporary turnaround easement and create a new easement to serve as a turnaround for fire apparatus.

RECEIVED
MAY 2 6 2016
PARK CITY
PLANNING DEPT.

EXHIBIT E- Neighbor consent letter

From: Leonard & Carol Raizin <raizin54@icloud.com>
To: captainji <captainji@aol.com>
Sent: Wed, May 25, 2016 6:39 pm
Subject: Plat Amendment application

City of Park City, Planning Commission or other Agency

To Whom it May Concern:

Leonard and Carol Raizin, trustees of the Raizin Family Trust, owner of 2 Thaynes Canyon Way, are aware of the Plat Amendment Application by James and Susan Ingram for 4 Thaynes Canyon Way and have no objection to it.

Furthermore, we hope this application can be approved as soon as possible so their construction can be completed without delay.

Sincerely,

Leonard H Raizin
Carol A Raizin

Leonard & Carol Raizin
raizin54@icloud.com

EXHIBIT F - Photos

Thaynes Canyon No. 6, Lot 2 – Looking north

RECEIVED
MAY 2 6 2016
PARK CITY
PLANNING DEPT.

Thaynes Canyon No. 6, Lot 2 – Looking northeasterly

Thaynes Canyon No. 6, Lot 2 – Looking northwesterly

Thaynes Canyon No. 6, Lot 2 – Looking southeasterly

Thaynes Canyon No. 6, Lot 2 – Looking northeasterly

Thaynes Canyon No. 6, Lot 2 – Looking north

Thaynes Canyon No. 6, Lot 2 – Looking northwesterly

Thaynes Canyon No. 6, Lot 2 – Looking southeasterly

EXHIBIT G - Recommended Turnarounds

From: Amanda Monsen
To: Makena Hawley
Subject: Recommended Turnarounds for 4 Thaynes Canyon Way
Date: Tuesday, June 14, 2016 12:00:21 PM
Attachments: 1373_001.pdf

Hi Makena,

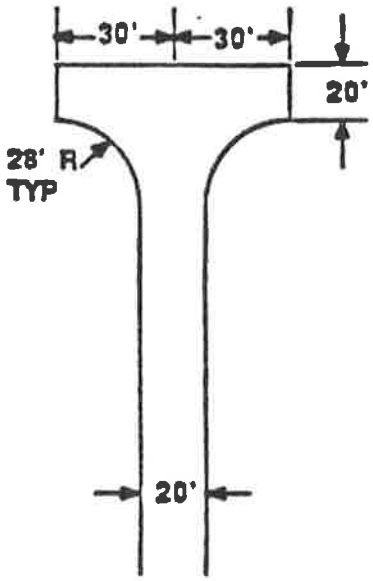
I've attached our recommended turnarounds for the 4 Thaynes Canyon Way, request to abandon the current easement, from the DRC Meeting today.

Please let me know if you have any questions.

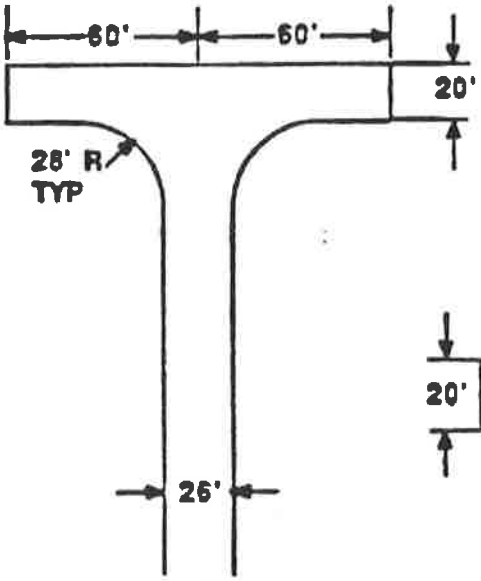
Thanks,

Amanda Monsen
Fire Prevention Specialist
(435) 940.2532 Reception
(435) 940.2462 Office
www.pcfd.org

RECOMMENDED TURNAROUNDS

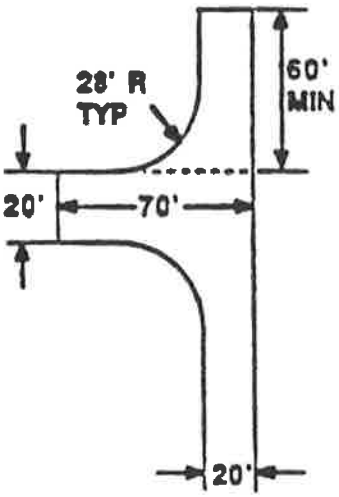


60'
HAMMERHEAD



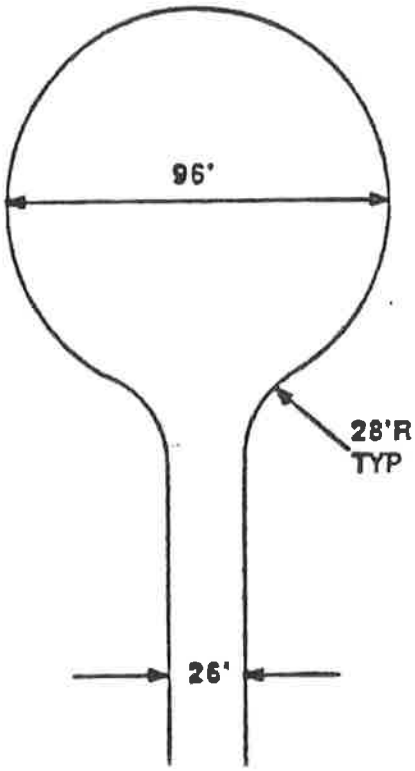
120'
HAMMERHEAD

Residental



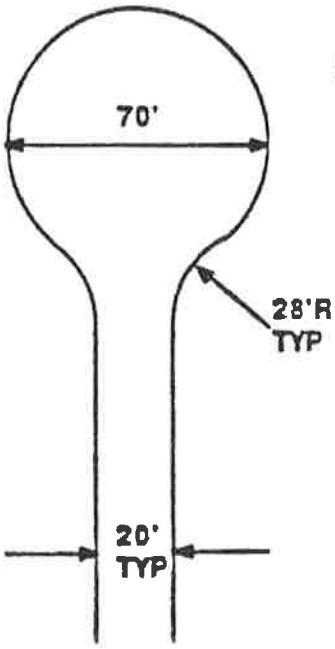
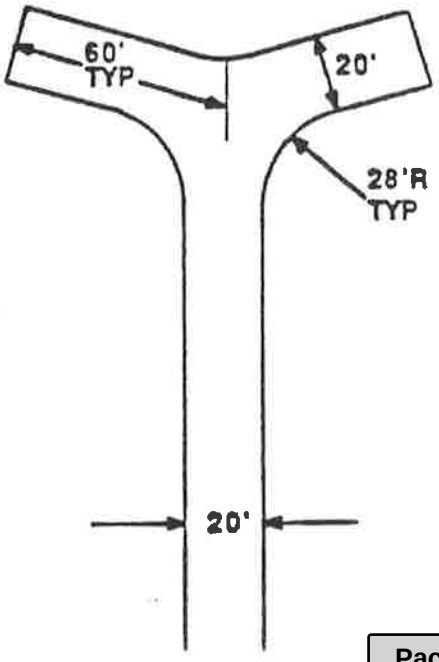
ACCEPTABLE
ALTERNATIVE TO
120' HAMMERHEAD

96' CUL-DE-SAC



Residental

70' CUL-DE-SAC



ACCEPTABLE
ALTERNATE TO
120' HAMMERHEAD