



To: Summit County Council (SCC)
Report Date: Thursday, March 29, 2012
Meeting Date: Wednesday, April 4, 2012
From: Adryan Slaght, Principal Planner
RE: Proposed amendments to Eastern Summit County Development Code – Creation of “Cabin Area” Zone
Type of Item: Work Session
Additional Meetings: Changes to the Development Code require public hearings before the ESCPC and the Summit County Council

EXECUTIVE SUMMARY: On December 7, 2011, the Eastern Summit County Planning Commission (ESCPC) forwarded a positive recommendation to the Summit County Council (SCC) on the proposed creation of a new “Cabin Area” zone within the Eastern Summit County Development Code. This new zone language was accompanied by proposed amendments to the Development Code Use Chart (*Section 11-3-13*). The intent of the proposed changes is to recognize and more accurately reflect conditions on the ground within Eastern Summit County. **Staff is requesting discussion and feedback on the proposed changes. A public hearing has tentatively been scheduled for April 18, 2012.**

A. Project Description

Project Name: Eastern Summit County Development Code Amendment – creation of “Cabin Area” zone

- **Applicant(s):** N/A
- **Property Owner(s):** N/A
- **Location:** N/A
- **Zone District & Setbacks:** N/A
- **Adjacent Land Uses:** N/A
- **Existing Uses:** N/A
- **Parcel Number and Size:** N/A
- **Lot of Record Status:** N/A

B. Community Review

Staff has received limited public comment that is generally favorable of the proposal.

On November 16, 2011, 12 potentially affected Home Owner’s Associations (HOAs) were invited to provide comment via mailed postcard. No members of the public spoke during that meeting, and staff has not been contacted by members of any of those HOAs since.

C. Background

The intent of the Cabin Zone is to recognize subdivisions in Eastern Summit County that were platted prior to County zoning, and tend to have small lot sizes and higher density. The subdivisions that would be eligible for consideration of “Cabin Area Zone” designation are located in the AP-40, AG-100, and AG-160 zones (*Exhibit B, C*). In determining probable eligibility, the Eastern Summit County Planning Commission originally started with a review of a number of higher density known recreational cabin areas existing within and outside of approved and platted subdivisions. This resulted in the identification of roughly 4,710 parcels,

encompassing almost 15,000 acres being identified as potential candidates (*Exhibit B*). Following discussion of these areas, the ESCPC recommended limiting eligibility for the proposed zone to existing subdivisions with smaller lots (typically five acres and less). This resulted in roughly 4,344 parcels encompassing approximately 6,730 acres being identified as candidates for the Cabin Area Zone designation. Uses would be limited to residential/recreational activities. Some of the activities allowed or permitted in the AP and AG zones today, such as commercial agriculture, oil wells, gas wells, refineries, quarries, etc. would be prohibited. These lots would not be eligible for re-subdivision under the proposed language. Almost none of the lots being considered would be eligible for re-subdivision under the current zoning, unless multiple lots of record for one parcel existed. The intent of the ESCPC was to first create the zone and accompanying use chart, and then begin a process of incrementally proposing rezones of the cabin areas.

The ESCPC discussed the creation of the cabin zone during work session or public hearing eight times during 2011 (*Exhibits E-L*). On December 7, 2011, the ESCPC forwarded a positive recommendation to the SCC on the proposed zone. On February 15, 2012 staff brought the language back to the Commission for review prior to presenting to the Council. During that meeting the Commission asked staff to ask that Houses of Worship and Wind Generation Facilities >45 ft require a CUP rather than be Allowed (*Exhibit M*). These recommended changes can be found in the callout boxes within the proposed Use Chart of *Exhibit A*.

D. Identification and Analysis of Issues

In general, discussion at the planning commission level focused on what uses in use chart (*section 11-3-13*) would be appropriate within this zone, if created.

E. Consistency with the General Plan

The proposed creation of this zone to recognize on-the-ground conditions does not appear to be contrary to any of the goals and objectives of the General Plan.

F. Findings/ Code Criteria and Discussion

Section 11-5-1 of the Eastern Summit County Development Code establishes the authority and process for amendments to the development code or zoning map. These are listed below.

11-5-1: AUTHORITY:

The County Council may from time to time amend, supplement or repeal the provisions and regulations of this title and the Zone District Map of Eastern Summit County. No change to the text of this title which affects a portion or all of the real property regulated by this title and no rezoning of a specific parcel of real property by a change in zoning classification resulting in a change to the Zone District Map shall be valid unless approved by the County Council pursuant to the provisions set forth herein, except that an application for amending an approved specially planned area plan shall be processed pursuant to the provisions of Chapter 4 of this Title. (Ord. 278, 5-6-1996)

11-5-2: INITIATION OF AMENDMENTS:

Any amendment to the text of this Title or the Zone District Map may be initiated in the following ways:

- A. By a motion of the County Council;
- B. Upon the request of the Planning Commission;
- C. By the CDD or designated planning staff member or County Manager; or
- D. Upon the request of the individual having deed title of real property within the area to be rezoned. (Ord. 470,11-19-2003)

11-5-3: AMENDMENT PROCEDURES:

A. Amendment to Text of Code: Whenever there is initiated an amendment to the text of this title, such amendment shall be accomplished in the following manner:

1. A copy of the proposed amendment shall be delivered to the Planning Commission for its review and recommendation. Prior to making a recommendation, the Planning Commission shall hold a public hearing regarding the proposed amendment.
2. The Planning Commission's recommendation shall be delivered to the County Council. The County Council shall hold a public hearing on the proposed amendment. Following the public hearing, the County Council shall either approve or deny the amendment. (Ord. 278, 5-6-1996)

C. Amendments by Ordinance: All amendments to the text of this title and to the Zone District Map shall be authorized by ordinance, in the manner prescribed by state law. (Ord. 278, 56-1996)

G. Recommendation(s)/Alternatives

Staff is asking that the SCC conduct a work session and provide staff with specific direction on the proposed language and use chart in anticipation of a public hearing.

Attachment(s)

- Exhibit A – Cabin Area Zone – proposed zone district language & Use Chart (based on 12/7/11 & 2/15/12 ESCPC meetings)*
- Exhibit B – Spreadsheet of potential cabin areas (original & revised)*
- Exhibit C – Map of original identified potential cabin areas*
- Exhibit D – Email from Hutch Foster, dated 9/5/11 & 11/14/11*
- Exhibit E – Minutes of the Eastern Summit County Planning Commission Meeting dated 7/6/11*
- Exhibit F – Minutes of the Eastern Summit County Planning Commission Meeting dated 8/3/11*
- Exhibit G – Minutes of the Eastern Summit County Planning Commission Meeting dated 9/7/11*
- Exhibit H – Minutes of the Eastern Summit County Planning Commission Meeting dated 10/5/11*
- Exhibit I – Minutes of the Eastern Summit County Planning Commission Meeting dated 10/19/11*
- Exhibit J – Minutes of the Eastern Summit County Planning Commission Meeting dated 11/2/11*
- Exhibit K – Minutes of the Eastern Summit County Planning Commission Meeting dated 11/16/11*
- Exhibit L – Minutes of the Eastern Summit County Planning Commission Meeting dated 12/7/11*
- Exhibit M – Draft Minutes of the Eastern Summit County Planning Commission Meeting dated 2/15/12*

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11-3-x: CABIN AREA Zone

- A. District Intent: The Cabin Area (CA) zone district is established for the purpose of recognizing those subdivisions that were established typically in remote areas, and largely prior to the existence of planning and zoning in Eastern Summit County. The CA zone is to apply only to the subdivisions identified at the time of the creation of this zone. Subdivisions created after the adoption of this zone are not eligible to be rezoned to the Cabin Area. Uses permitted in the zone are those typically associated with seasonal or year-round residential and recreation.
- B. Area: Minimum land area for each dwelling unit for density purposes is the recorded lot size of the existing subdivision plats. No further subdivision of these lots is permitted for density purposes. Lot line adjustments that do not result in an increase of density may be permitted, pursuant to the requirements of this Title.
- C. Setbacks: Unless otherwise noted on a recorded plat, minimum setback shall be as provided below:
 - 1. Wetlands and Streams: The minimum setback from wetlands shall be forty feet (40'). The minimum setback from any other naturally occurring year-round stream, lake, pond or reservoir shall be one hundred feet (100') from the ordinary high water mark.
 - 2. Lot Setbacks
 - a. Default setbacks shall be applied as described below:
 - (1) Front Setback: The minimum front setback shall be at least thirty feet (30') from the front property line. In cases where the property lines extend to the center of a public road or private driveway, the minimum setback shall be fifty-five feet (55') from the centerline of the road.
 - (2) Side and Rear Setbacks: The minimum side and rear setbacks shall be twelve feet (12') from the property line.
- D. Height: Maximum building height shall be thirty-two feet (32').

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CHART OF ALLOWED AND CONDITIONAL PERMITTED USES*

<u>Permitted Uses</u>	<u>AP</u>	<u>AG-100</u>	<u>AG-160</u>	<u>CA</u>	<u>HC</u>	<u>C</u>	<u>SC</u>	<u>I</u>	<u>Additional Reference</u>
Accessory buildings and uses to the principal residential dwelling unit or subdivision, not to exceed 2,000 square feet	A	A	A	<u>A</u>	A	L			
Accessory buildings and uses to the principal residential dwelling unit or subdivision, exceeding 2,000 square feet	C	C	C	<u>C</u>	C	C			
Accessory Dwelling unit	L	L	L	<u>L</u>		L	L		Section 11-6-5
Agricultural Employee Dwelling unit	C	C	C		C				Section 11-6-5
Agricultural Employee Facility for the purpose of providing shelter for more than one family	C	C	C		C				
Agriculture buildings and uses customarily associated with traditional agriculture operations as defined in Appendix A	A	A	A		A				
Auto Impoundment Yard and towing services							C	C	
Automotive Sales							C		
Auto Repair, Service and Detailing							C		
Auto Wrecking Yard								C	
Banks and Financial Services						C	C		
Bars, Taverns, Private Clubs						C	C		
Bed and Breakfast Inn	C	C	C		C	C	C		
Butcher, Retail						A	A		

Cabin Zone Proposed Use Chart based on 12/7/11 & 2/15/12 ESCPC Meetings

<u>Permitted Uses</u>	<u>AP</u>	<u>AG-100</u>	<u>AG-160</u>	<u>CA</u>	<u>HC</u>	<u>C</u>	<u>SC</u>	<u>I</u>	<u>Additional Reference</u>
Cemetery	C	C	C		C	C			
<u>Commercial Agriculture</u>	<u>A</u>	<u>A</u>	<u>A</u>		<u>A</u>				
Commercial Kennels	C	C	C		C	C	C	C	
<u>Commercial Riding Arenas</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>			
Commercial Stables	C	C	C						
Child Care, Commercial						<u>C</u>	<u>C</u>		
Child Care, Family (fewer than 9 children)	L	L	L		L				
Child Care, Family (with 9-16 children)	L	L	L		L				
Child Care, In-home (4 children or less)	L	L	L		L				
Dwelling unit, multi-family	C				C				
Dwelling unit, one-family	A	A	A	<u>A</u>	A				
Dwelling unit, single-family, attached	L				L				
Food Processing, Commercial						L	L	L	
Funeral Services	C	C	C		C	C	C		
Gas and fuel, storage and wholesale						C	C		
Gasoline Service Station with Convenience Store						C	C		
Guest ranches or lodge intended to attract visitors/patrons on a daily basis or an extended stay	C	C	C						
Historic Structures, preservation of, including related accessory and supporting uses	A	A	A		A	A	A	A	

Cabin Zone Proposed Use Chart based on 12/7/11 & 2/15/12 ESCPC Meetings

<u>Permitted Uses</u>	<u>AP</u>	<u>AG-100</u>	<u>AG-160</u>	<u>CA</u>	<u>HC</u>	<u>C</u>	<u>SC</u>	<u>I</u>	<u>Additional Reference</u>
Home Occupation	A	A	A	A	A				Section 11-6-3
Houses of Worship including churches and other religious institutions	C	C	C	A	C	C	C		
Hospitals						C	C		
Hotel, Motel, or Inn						C	C		
Indoor Entertainment such as bowling alleys, skating rinks, movie theater, performing arts center						C	C		
Industrial Uses and operations including storage, and processing								C	
Institutional Uses including fire stations, private schools and public or quasi-public buildings	C	C	C		C	C	C		
Logging Camp	C	L	L						
Manufacturing, custom						L	L	L	
Manufacturing, light							L	L	
Manufacturing, heavy								C	
Mobile Home Park	C				C				
Mobile Home with foundation (refer to Prefabricated Home definition.)	A	A	A	A	A	L	L		
Mobile Home without foundation	C	C	C	C	C		C		
Municipal Landfill								C	
Nursery/greenhouse	C	C	C		C	A	A		
Oil wells, natural gas wells and steam wells	C	C	C					C	Section 11-4-10.F

Change to C?

Cabin Zone Proposed Use Chart based on 12/7/11 & 2/15/12 ESCPC Meetings

<u>Permitted Uses</u>	<u>AP</u>	<u>AG-100</u>	<u>AG-160</u>	<u>CA</u>	<u>HC</u>	<u>C</u>	<u>SC</u>	<u>I</u>	<u>Additional Reference</u>
Open Recreation uses	C	L	L	<u>C</u>	C	C	A		
Petroleum Refineries		C	C					C	
Professional Offices						L	L		
Railroad Industrial Uses including shipping and distribution								L	
Recreation and Athletic Facilities						C	L		
Rehearsal or teaching studio for creative, performing and/or martial arts with no public performances						L	L		
Recycling Facility, Class I	A	A	A	<u>A</u>	A	A	A	A	
Recycling Facility, Class II						C	C	L	
Residential Care Facilities	C	C	C		C	C	C		Section 11-6-16 & Appendix A
<u>Restaurant, not exceeding 2,000 sq. ft.</u>						<u>A</u>	A		
<u>Restaurant, exceeding 2,000 sq. ft.</u>						<u>L</u>	L		
<u>Restaurant with a drive through</u>						<u>C</u>	C		
Retail commercial establishments, exceeding 2,000 square feet						L	L		
Retail commercial establishments, not to exceed 2,000 square feet						A	A		
Rock quarries, gravel pits, and associated surface mining uses including, but not limited to, filtering, sifting, and processing of soil	C	C	C					L	
Sexually Oriented Businesses								C	Appendix B
<u>Shooting Ranges, Indoor</u>						<u>C</u>	<u>C</u>	<u>L</u>	

Cabin Zone Proposed Use Chart based on 12/7/11 & 2/15/12 ESCPC Meetings

<u>Permitted Uses</u>	<u>AP</u>	<u>AG-100</u>	<u>AG-160</u>	<u>CA</u>	<u>HC</u>	<u>C</u>	<u>SC</u>	<u>I</u>	<u>Additional Reference</u>
<u>Shooting Ranges, Outdoor</u>	<u>C</u>	<u>C</u>	<u>C</u>						
<u>Snowmobile Operations, Commercial</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>			<u>C</u>	
Telecommunication Facilities - Co-Location	A	A	A	<u>A</u>	A	A	A	A	Section 11-6-7
Telecommunication Facilities - Stealth	A	A	A	<u>A</u>	A	A	A	A	Section 11-6-7
Underground transmission lines exceeding 12 inches diameter, (i.e., gas, oil, water, etc.)	C	C	C	<u>C</u>	C	C	C	C	
Underground utility uses, including transmission lines for natural gas, water, sewer, telephone, power, etc.	A	A	A	<u>A</u>	A	A	A	A	
Utility structures and related facilities	C	L	L	<u>C</u>	C	C	L	L	Section 11-6-6
Utility Towers and associated transmission and distribution lines 45 feet in height or less	L	A	A	<u>L</u>	L	L	L	A	
Utility Towers and associated transmission and distribution lines greater than 45 feet in height	C	C	L	<u>C</u>	C	C	C	L	
Veterinarian Clinic	L	L	L	<u>C</u>	L	L	L		
Warehousing and commercial storage				<u>C</u>			C	C	
Wind power generation facilities 45 feet in height and less	A	A	A	<u>A</u>	A	A	A	A	
Wind power generation facilities greater than 45 feet in height.	C	L	L	<u>A</u>			L	L	Section 11-4-10.G
Water and Wastewater Treatment Plant	C	C	C	<u>C</u>	C	C	C	C	

Change to C?

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Eastern Summit County Cabin Areas/Historic Subdivisions (original)

Subdivision Area: Echo Canyon	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Echo Creek Ranches	AG-160	209	4,761.1	22.8
Non-Subdivision	AG-160	29	725.9	25.0
Total		238	5,487.0	23.1

Subdivision Area: Forest Meadows/ Pine Meadows	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Forest Meadow Ranch	AG-100	214	546.7	2.6
Pine Meadow Ranch	AG-100	609	786.7	1.3
Terra Del Sol II	AG-100	2	19.5	9.7
Sub-Total		825	1,352.9	1.6
Non-Subdivision	AG-100	46	563.0	12.2
Total		871	1,915.9	2.2

Subdivision Area: Garff-Rodgers Ranch	Predominant Zone	# of Lots	Acreage	Avg-Parcel-Size
Promontory	AG-100	11	397.0	36.1
Non-Subdivision (Garff)	AG-100	169	7,193.4	42.6
Total		180	7,590.4	42.2

Subdivision Area: Kamas East	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Kamas East	AP-40	158	192.4	1.2
Piute Creek Estates	AP-40	5	40.0	8.0
Splendor View	AP-40	10	48.5	4.8
Sub-Total		173	280.8	1.6
Non-Subdivision	AP-40	38	118.2	3.1
Total		211	399.0	1.9

Subdivision Area: Manorlands/ Uintalands	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Beaver Knoll	AG-160	9	13.3	1.5
Cabins at Bear River Lodge	Commercial	19	2.4	0.1
Mackay Manorlands	AG-160	19	10.4	0.5
Pine Plateau Estates	AG-160	135	65.4	0.5
Uintalands	AG-160	256	1,258.6	4.9
Wilderness Acres	AG-160	543	1,540.4	2.8
Sub-Total		981	2,890.4	2.9
Non-Subdivision	AG-160	92	681.9	7.4
Total		1,073	3,572.3	3.3

Subdivision Area: Provo River	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Diamond Bar X	AG-100	38	29.9	0.8
Stewart Ranch Park	AG-100	45	47.1	1.0
Sub-Total		83	77.0	0.9
Non-Subdivision	AG-100	15	74.1	4.9
Total		98	151.1	1.5

Subdivision Area: Samak	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Samak Acres	AG-100	70	37.1	0.5
Samak Country Estates	AG-100	142	136.1	1.0
Samak Hills Addition	AG-100	156	79.3	0.5
Samak Park	AG-100	74	44.7	0.6
Sub-Total		442	297.1	0.7
Non-Subdivision	AG-100	4	16.5	4.1
Total		446	313.7	0.7

Subdivision Area: West Hills	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Indian Springs	AG-100	4	195.2	48.8
Sage Creek Ranches	AG-100	5	200.8	40.2
Sub-Total		9	396.0	44.0
Non-Subdivision	AG-100	68	2,842.0	41.8
Total		77	3,238.0	42.1

Subdivision Area: Weber Canyon	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Alpine Acres	AG-160	135	115.7	0.9
Aspen Acres	AG-160	158	88.1	0.6
Aspen Mtn	AG-160	138	92.3	0.7
Beaver Spring Rancheros	AG-160	42	122.6	2.9
BeaverSprings Ranch	AG-160	94	8.9	0.1
Canyon Rim Ranch	AG-160	100	506.3	5.1
Hidden Lake	AG-160	177	86.0	0.5
Little Dipper Hills	AG-160	34	34.8	1.0
Meadow View Ranch	AG-160	30	20.0	0.7
Mtn Valley Ranch	AG-160	47	46.1	1.0
Mtn View Ranch	AG-160	25	29.2	1.2
Pine Mtn	AG-160	477	338.9	0.7
Upper Brooklawn	AG-160	7	39.5	5.6
Sub-Total		1,464	1,528.4	1.0
Non-Subdivision	AG-160	78	199.7	2.6
Total		1,542	1,728.2	1.1

Subdivision Area: Wanship/Rockport	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Bridge Hollow	AG-100	36	826.1	22.9
Lake Rockport Estates	AG-100	335	321.5	1.0
Rockport Ranches	AG-100	85	1,692.2	19.9
Wanship Cottages	AP-40	52	15.8	0.3
Wanship View Estates	AP-40	5	28.1	5.6
Sub-Total		513	2,883.6	5.6
Non-Subdivision	AP/AG-100	22	171.8	7.8
Total		535	3,055.4	5.7

	# of Lots	Acreage	Avg Parcel Size
Subdivision	4,710	14,864.4	3.2
Non-Subdivision	546	12,512.4	22.9
TOTAL	5,271	27,450.9	5.2

Eastern Summit County Cabin Areas/Historic Subdivisions

Potential Cabin Zone Designees

Subdivision Area: Forest Meadows/ Pine Meadows	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Forest Meadow Ranch	AG-100	214	546.7	2.6
Pine Meadow Ranch	AG-100	609	786.7	1.3
Sub-Total		823	1,333.5	1.6

Subdivision Area: Kamas East	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Kamas East	AP-40	158	192.4	1.2
Splendor View	AP-40	10	48.5	4.8
Sub-Total		168	240.8	1.4

Subdivision Area: Manorlands/ Uintalands	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Beaver Knoll	AG-160	9	13.3	1.5
Mackay Manorlands	AG-160	19	10.4	0.5
Pine Plateau Estates	AG-160	135	65.4	0.5
Uintalands	AG-160	256	1,258.6	4.9
Wilderness Acres	AG-160	543	1,540.4	2.8
Sub-Total		962	2,888.0	3.0

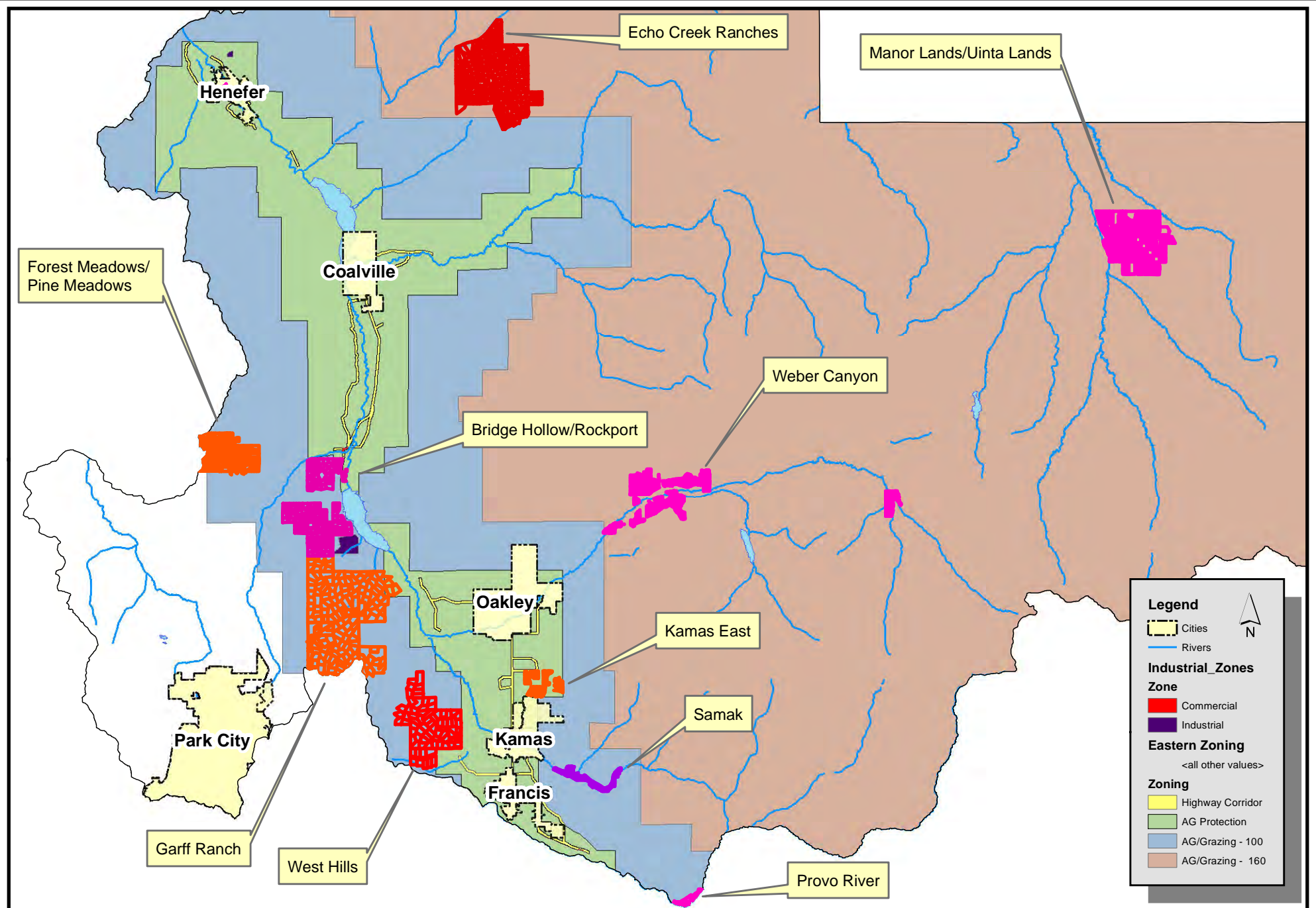
Subdivision Area: Provo River	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Diamond Bar X	AG-100	38	29.9	0.8
Stewart Ranch Park	AG-100	45	47.1	1.0
Sub-Total		83	77.0	0.9

Subdivision Area: Samak	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Samak Acres	AG-100	70	37.1	0.5
Samak Country Estates	AG-100	142	136.1	1.0
Samak Hills Addition	AG-100	156	79.3	0.5
Samak Park	AG-100	74	44.7	0.6
Sub-Total		442	297.1	0.7

Subdivision Area: Weber Canyon	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Alpine Acres	AG-160	135	115.7	0.9
Aspen Acres	AG-160	158	88.1	0.6
Aspen Mtn	AG-160	138	92.3	0.7
Beaver Spring Rancheros	AG-160	42	122.6	2.9
BeaverSprings Ranch	AG-160	94	8.9	0.1
Canyon Rim Ranch	AG-160	100	506.3	5.1
Hidden Lake	AG-160	177	86.0	0.5
Little Dipper Hills	AG-160	34	34.8	1.0
Meadow View Ranch	AG-160	30	20.0	0.7
Mtn Valley Ranch	AG-160	47	46.1	1.0
Mtn View Ranch	AG-160	25	29.2	1.2
Pine Mtn	AG-160	477	338.9	0.7
Upper Brooklawn	AG-160	7	39.5	5.6
Sub-Total		1,464	1,528.4	1.0

Subdivision Area: Wanship/Rockport	Predominant Zone	# of Lots	Acreage	Avg Parcel Size
Lake Rockport Estates	AG-100	335	321.5	1.0
Wanship Cottages	AP-40	52	15.8	0.3
Wanship View Estates	AP-40	5	28.1	5.6
Sub-Total		392	365.3	0.9

		# of Lots	Acreage	Avg Parcel Size
TOTAL		4,334	6,730	1.6

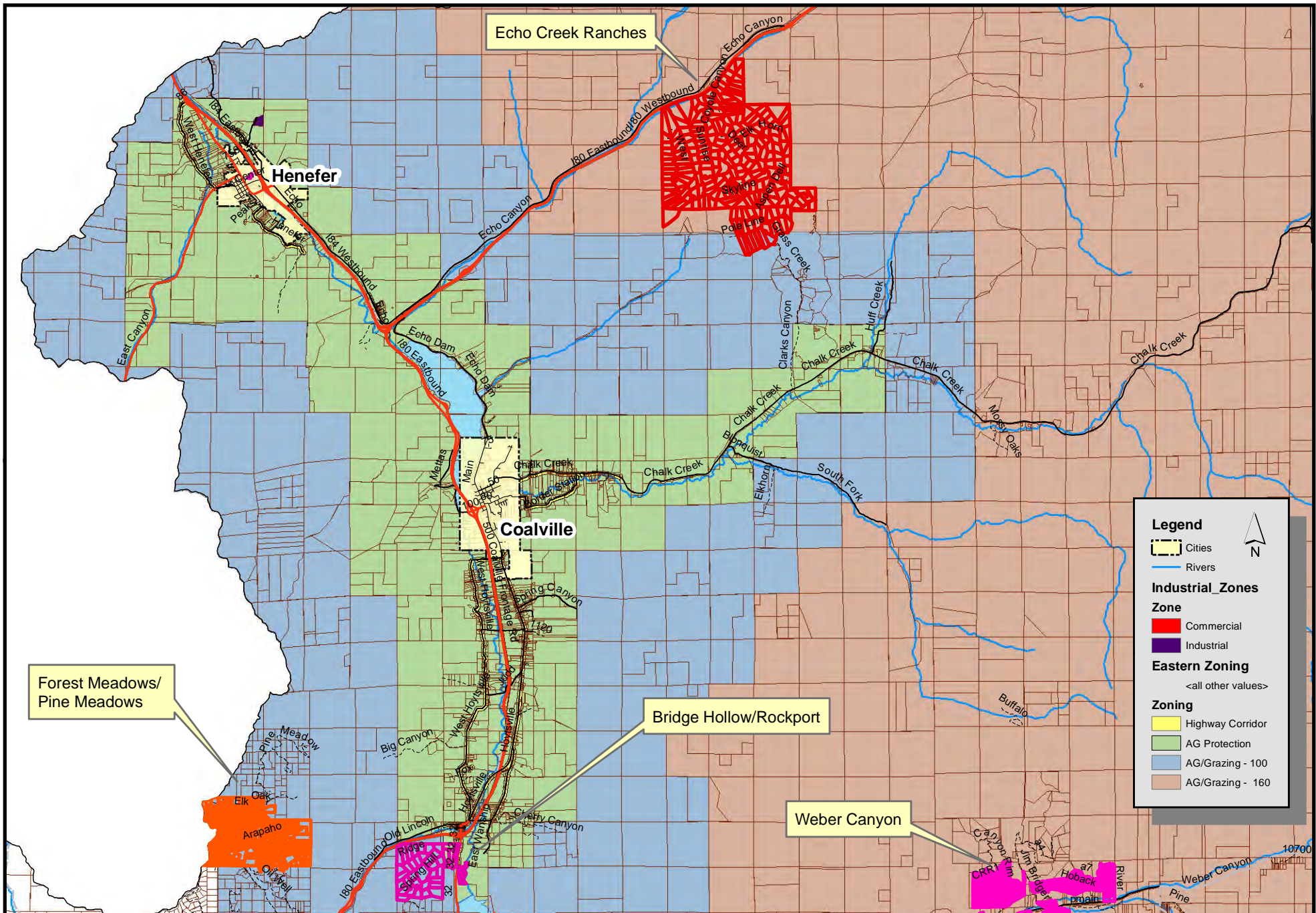


Summit County, Utah
Cabin Areas Map
 Prepared by Summit County
 Community Development Department

10/27/11

Exhibit C.1

This drawing is neither a legally recorded map, nor a survey, and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources including Summit County. Summit County is not responsible for the timeliness or accuracy of information shown.



Echo Creek Ranches

Henefer

Coalville

Forest Meadows/
Pine Meadows

Bridge Hollow/Rockport

Weber Canyon

Legend

Cities
 Rivers

Industrial_Zones

Zone

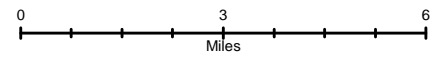
Commercial
 Industrial

Eastern Zoning

<all other values>

Zoning

Highway Corridor
 AG Protection
 AG/Grazing - 100
 AG/Grazing - 160

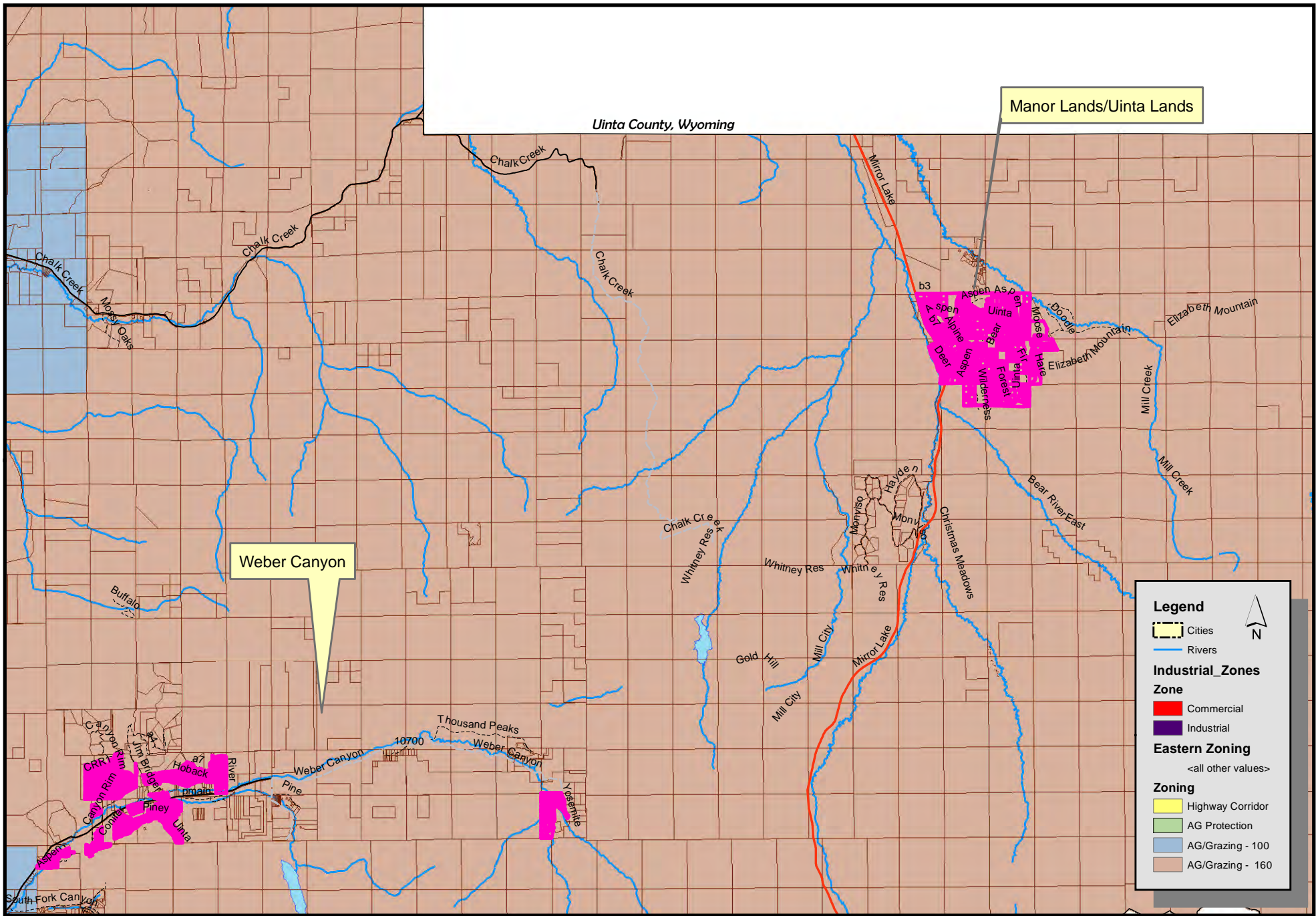


**Summit County, Utah
Cabin Areas Map (north)**

Prepared by Summit County
Community Development Department

Exhibit C.2

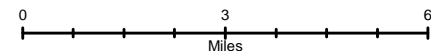
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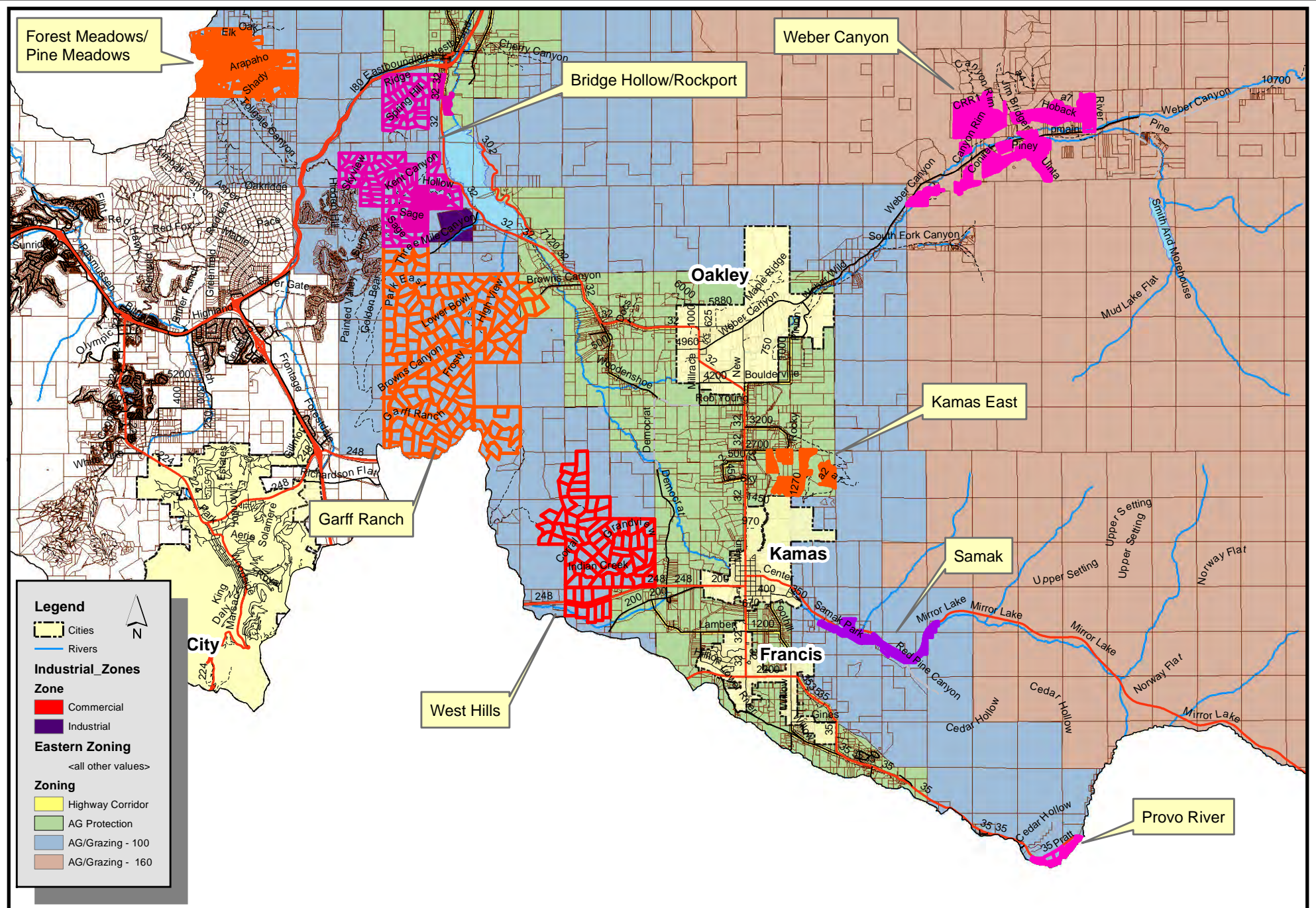
Summit County, Utah
Cabin Areas Map (east)

Prepared by Summit County
 Community Development Department

Exhibit C.3



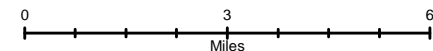
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Summit County, Utah Cabin Areas Map (south)

Prepared by Summit County
Community Development Department

Exhibit C.4



This drawing is neither a legally recorded map, nor a survey, and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources including Summit County. Summit County is not responsible for the timeliness or accuracy of information shown.

Adryan Slaght

From: Hutch Foster [foster@mwutah.com]
Sent: Monday, September 05, 2011 5:44 PM
To: Adryan Slaght
Subject: Comments on the proposed creation of a zone for current cabin areas.

Dear Mr. Slaght and Eastern Summit County Planners,

I would like to comment briefly on the proposal to create a new zone for the cabin area subdivisions within Summit County. As a year round resident of Pine Meadow Ranch in Tollgate Canyon I am fully supportive of this effort to acknowledge that these subdivisions function very differently from the historic underlying zoning (AG-100 in my area) and that the allowed and conditional uses should be updated to align more closely with the reality of these neighborhoods. I believe that the proposed modifications to the use table in the staff report are much more appropriate for a community like ours without infringing on the property rights that would be expected in a residential / recreational community.

In addition, I would like to comment in support of Commissioner Clyde's proposal that short-term rentals not be an Allowed or Conditional Use, but be prohibited in the "Cabin Area Zone." I believe that for three reasons the nightly rental use is inappropriate for these cabin areas and, while this use is currently limited to a few properties, the impacts are already negatively affecting our community.

1. **Public Safety:** These areas, having been subdivided in a time of less stringent road safety requirements, pose serious safety hazards to the uninformed renter. The roads are typically dirt or snow pack, in varying stages of repair and frequently require four wheel drive with quality tires in any month of the year. Renting visitors are rarely equipped with such vehicles and are, in our neighborhood, frequently involved in accidents. Additionally, these neighborhoods rarely have land-line telephones making 911 a subscription service that is opt-in for residents that bother to do so. Renters are likely to be unaware that enhanced 911 is not an option, and they are generally unable to describe to dispatch or even the tow truck where they are. Typical ambulance response in Tollgate Canyon is 45 minutes assuming there is a guide to show them to the emergency. They are also generally uninformed of other safety threats to these communities that are outside their life experience elsewhere such as wildfire. Short term renters in our neighborhood have been a common threat in their use of aerial fireworks and outdoor campfires in spite of HOA attempts to regulate this hazard.

2. **Infrastructure:** Ours, and I believe most, of the roads in these communities are maintained privately and not to normal County class B standards. While they are accessible to the public, they are not public roads and receive no public support. Water systems also are generally much more limited than those serving other areas of the County. The impacts of nightly rentals on these areas are intensified by the regular turnover of large groups and the ignorance of these groups to the limitations of a small water system. Not many years ago an individual attempted to fill a small pond from a yard hydrant and caused the system to be shut down including fire hydrants for some 400 lots over the Fourth of July Weekend. I cannot speak to the by-laws of other areas, but we are incapable of creating any kind of "surcharge" for this intensified use.

3. **Commercial Use:** In the proposed table of Allowed and Conditional Uses, the shift in uses is away from the agricultural, industrial and commercial that are possible in the AG-100 or other zones and toward a narrower residential and recreational use. I believe that eliminating the short-term rental is in keeping with this overall vision of the new Cabin Area Zone in the same way that eliminating Day Care, Commercial Kennel, Multi Family Agricultural Dwelling, Guest Ranches and Bed-and-Breakfast as you've proposed do so. These uses, like nightly rentals, intensify impacts on marginal infrastructure and are not consistent with the expectations and understanding of those who have purchased these properties over the years.

Thank you for the work that you do and I hope to be able to attend a public input session on this topic in the future.

Adryan Slaght

From: Hutch Foster [foster@mwutah.com]
Sent: Monday, November 14, 2011 6:15 PM
To: Adryan Slaght
Subject: Cabin Area proposal, one more thought from Pine Meadow

Hi Adryan,
Not to belabor points already made, but the attached photo is an incident that occurred in Tollgate Canyon on roads that we maintain. Fortunately, no one was injured, but 7 had to be rescued from this minivan which was entirely unprepared for the roads to a cabin that, I have been told, was a short term rental.



Hutch Foster
Pine Meadow Ranch

11/15/2011

Exhibit D.2

Commissioner Foster said this should be worded in such a way that the County Council knows that they need more time to create a better worded, more thought-through ordinance. Commissioner Clyde suggested that the Council be told that this ordinance needs more definitional strength. Their time is better spent on more immediately pressing issues, such as zoning and lot-of-record. It would be better if this ordinance were repealed.

Chair Brown said that he can see both the good and the bad in the SPA. He doesn't want to take a tool away until they have something to replace it with. He would rather let the moratorium die. Once the ordinance is removed, the odds of it returning to the Code are rather slim. Commissioner Henrie asked, "What is it that the County Council would be leaving in? It is a loophole." Commissioner Clyde agreed. He said it is so poorly written, he is uncertain as to what it says.

Commissioner Hanson made a motion to forward a recommendation to the County Council to remove the SPA from the Development Code. Commissioner Henrie seconded the motion. Commissioner Foster suggested that a brief statement be made on the progress made on zoning and how this addresses some of the prior existing tools that were available in the SPA. This demonstrates that they want to provide tools for the public.

Chair Brown reiterated the motion: It is to send this language forth to a Public Hearing. At that Public Hearing they will present to the citizens, the Planning Commission's recommendation to withdraw the SPA provision to a date certain of October 19, 2011 and February 1, 2012. The Staff Report will include the reasons why the Commission desires to eliminate this from the Code and will provide a progress report on zoning.

Chair Brown called for a vote. Those voting in favor were: Commissioner Foster, Commissioner Henrie, Commissioner Clyde, and Commissioner Hanson. Those voting against were: Commissioner Ure, Commissioner Wharton, and Chair Brown.

- **MOTION CARRIED (4 – 3)**

It was decided that the Public Hearing will take place at the August 3, 2011 meeting to be held in Kamas. It was discussed if the Planning Commission should request that the County Council hold a special meeting on the SPA moratorium in order to facilitate the deadline.

5. Discussion of Zoning/Infrastructure – Adryan Slaght, Principal Planner

Principal Planner Slaght said at the last meeting the Commission requested that Staff provide maps of subdivisions and cabin areas in Eastern Summit County that do not match the underlying zone. He distributed maps which showed the location of these developments. He said that Promontory Ranches had not been included in these maps. He pointed out that an information table was included, which demonstrated how many of the parcels in these areas don't meet the surrounding zone. He requested feedback from the Commission on where they want to go from here.

Commissioner Clyde said he hopes the end result will be a new zone or an overlay zone. He said some of these subdivisions are actually urban densities in their lot sizes, although they are located in the Agricultural Protection Zone. He said the uses allowed on these smaller parcels are defined by a Use Chart that was created for a 160-acre zone. He said a one-acre parcel should be dealt with differently than a 160-acre parcel.

Commissioner Clyde commented that some of these areas will have covenants that will govern certain activities, but some of the areas won't. Commissioner Henrie said that a smaller lot should probably not qualify for greenbelt status.

Commissioner Foster said if they continue in this vein, they will clean up a problem that they run into occasionally, but they could also create a zone where someone could apply for a re-zone. This may meet some of the needs that may be eliminated if the SPA is no longer available. She gave a hypothetical example of a "Mountain Residential Zone," which might be one acre in size. Someone could apply for a re-zone. She said that although this would not be an approved use, it does provide an alternative.

Commissioner Clyde added that the minimum lot size could be the existing plat, with no further subdividing being allowed. A discussion ensued on how and if an existing plat could be re-zoned. Chair Brown said this would be more like a spot zone. Commissioner Clyde said the boundaries of the zone would be the same as the boundaries for the subdivision plat. Principal Planner Slaght said that some of these areas are 2,000 – 3,000 acres. He wouldn't necessarily call that a spot zone. Commissioner Wharton responded that a better term might be an overlay zone. He said they could change the zone to what it is. If a subdivision has 40-acre lots, it could be changed to AP-40. Commissioner Clyde said this would recognize that what is on the ground is dramatically different than what the zone calls for.

Commissioner Foster said what they are trying to do is to eliminate traditional uses that are allowed in an Agricultural Zone that wouldn't fit into a dense subdivision. Commissioner Clyde agreed, but added that what is allowed may be different depending on the parcel sizes in the subdivision. Keeping a horse on a 40-acre Garff Ranches parcel is different than keeping a horse on a quarter-acre parcel below Echo Reservoir. Commissioner Ure said he felt they would be overstepping their authority to tell someone what they can or cannot do with their property. Commissioner Hanson agreed. Commissioner Foster said they wouldn't have to weigh in on something that would normally be restricted by CC&Rs.

Commissioner Clyde said if a subdivision has no CC&Rs, there should be a Chart of Allowed Uses. Fire Warden Bryce Boyer said these are recreation lots. The Commission should focus on what it really is. Some of the uses that have been mentioned are highly unlikely.

Commissioner Clyde said he would like to create a Use Chart as a next step. The Commission may want to have a Use Chart that reflects the different lot sizes: one chart for lots under five acres, one chart for lots that are more.

A discussion ensued on coordinating the Use Chart with the local CC&Rs. Commissioner Foster said the County does not typically recognize CC&Rs, but the Commission may end up creating something that is worse for these subdivisions than what they have. She would like to have a discussion on these. Planner Slaght said if they stick with the Use Charts that are already created for these zones they wouldn't be compounding any problems. Commissioner Clyde said that most of these subdivisions don't have any CC&Rs, or they are extremely weak. He feels that a Use Chart should be created.

Commissioner Clyde said it would be helpful to have an idea of how many of these are improved lots versus unimproved lots. Other subdivisions to be included in this list were suggested. Chair Brown said they need to make sure they are not creating problems.

COMMISSION ITEMS

Chair Brown announced that a joint meeting will be held with the County Council on July 19th. He said that concerns have been raised with subcommittees and this will be addressed. Other upcoming meeting dates and locations were outlined.

STAFF ITEMS

Planner Slaght distributed future agendas and Code Amendments to each of the Commissioners.

ADJOURN

At 9:10 p.m. the meeting was adjourned.

Signature of approval

Zone's only use has been placed in the Industrial Zone and Railroad Industrial has been deleted. The Service Commercial Zone will include three different manufacturing uses with different intensities. Metal works would fall under one of them.

Planner Caus said that Staff invited Charles Olson from Rees's Metal Works to stay informed. He said that Mr. Olson provided proof that Rees's Metal Works was once zoned Light Industrial. Charles Olson asked if a zone can be removed without the public being made aware. Chair Brown asked Attorney Strachan to review Mr. Olson's document. He invited Mr. Olson to give input as they reviewed the Staff Report.

The Planning Commission reviewed the Staff Report. Chair Brown said they would start at the beginning of the report and move on. As they did so, comments and suggestions were offered by the Commission, Mr. Olson, and Staff. Notes were taken of the changes and the further discussion that the Planning Commission desired. Chair Brown instructed Planner Caus to return with the suggested changes.

At 9:00 p.m. Commissioner Foster made a motion to continue the meeting until 9:15 p.m. Commissioner Henrie seconded the motion. All voted in favor.

- **MOTION CARRIED (7 – 0)**

3. Discussion of Zoning/Infrastructure. – Adryan Slaght, Principal Planner

Principal Planner Adryan Slaght said that he believed the Planning Commission did not wish to allow an increase of density in the established cabin areas. He pointed out that some of these areas have individual units with 20 acre lots. He listed some of these areas. He wondered if the Commission would like to consider an increase of density in the areas with larger density. He asked if they want to consider adding a Cabin Zone.

Commissioner Clyde suggested that the minimum lot size is established according to the existing plat. Chair Brown agreed that the lot sizes should be tied to the existing plat.

Commission Items

The upcoming agendas were distributed.

Commissioner Ure asked for an update if the light readings had been taken at the Oakley arena. Principal Planner Slaght said they had been taken.

Adjourn

At 9:05 p.m. Commissioner Hanson made a motion that was seconded by Commissioner Clyde to adjourn. All voted in favor.

- **MOTION CARRIED (7 - 0)**

Planner Slaght was directed to bring draft language for the Commission's approval at the October 5, 2011 meeting.

3. Zoning/Infrastructure discussion. – *Adryan Slaght, Principal Planner*

Principal Planner Adryan Slaght said that Staff had questioned if Garff Ranches and the West Hills should be included in the Cabin Area Zone. He mentioned that Commissioner Clyde had suggested limiting large livestock, along with intensive agriculture in these areas. It was also suggested that nightly rentals should be prohibited.

Commissioner Foster said that Garff Ranches and the West Hills are different from the other areas they have been discussing. They are not a platted subdivision, they are 40-acre lots. She said that most of the subdivisions they are discussing are platted subdivisions. They want to keep this process simple. If they include Garff Ranches or the West Hills, it is like throwing something into the mix that doesn't fit.

Attorney Helen Strachan asked if they are creating a zone and then rezoning the zone to fit the new zone. Planner Slaght said they are creating a zone and then changing the use to fit the zone. Attorney Strachan asked if this is being done by petition of the County or by petition of the landowners. Planner Slaght answered it is being done by petition of the County. Examples of these areas were given as: Tollgate Canyon, Kamas East, and Samak. These are areas that don't meet the current zoning. Planner Slaght said when the Commission first discussed this item, the minimum acreage was set as five acres. Recently they have discussed that the minimum would be whatever it was platted at the time of approval of the zone.

Commissioner Wharton asked why the Use Chart lists a mobile home with a foundation and one without. He suggested that the mobile home without a foundation is merely a recreational vehicle. Planner Slaght answered that a mobile home on a foundation is supposed to have a higher level of evaluation.

The Planning Commission requested that this item is placed earlier on the agenda in an upcoming meeting to afford a more lengthy discussion. Planner Slaght said that an e-mail was received from the Pine Meadows HOA in support of the proposed Cabin Area Zone. They are also in support of limiting nightly rentals due to public safety concerns.

Commission Items

The upcoming agendas were discussed.

Adjourn

At 9:40 p.m. Commissioner Wharton made the motion to adjourn. All voted in favor.

- **MOTION CARRIED**

that the SPA process cannot be used to effectuate a transfer of development. Commissioner Foster said she would rather use a Development Agreement to transfer density.

Commissioner Wharton asked what the difference is between a DA and a SPA. Principal Planner Slaght said they are essentially the same thing. The review process is identical. Attorney Strachan said a TDR requires both a SPA and a DA. Commissioner Clyde said he believes a TDR application should be required to demonstrate a community benefit. After discussion, the Commission decided to keep the TDR process connected to the SPA process.

Planner Slaght referred to Section 11-3-9. He asked if the intent of the zone and the criteria of approval should be separated. Commissioner Foster said these should not be separated because a SPA is legislative and is very subjective. The intent should be part of the criteria of the SPA.

Attorney Strachan said she doesn't like that an applicant is required to meet two sets of criteria, one for the SPA and is referred to a separate document for a DA. Could both sets of criterion be added to the language? This would make the language clearer. Vice-Chair Clyde requested that Planner Slaght and Attorney Strachan add the second set of criteria.

4. Zoning/Infrastructure discussion – Adryan Slaght, Principal Planner

Vice-Chair Clyde referred to “Section B” of the proposed Cabin Area Zone document. He said he would like to add that no further subdivision is permitted, although lot-line adjustments (that do not increase density) may be made. He added that requiring 100-foot setbacks on this size of lots doesn't make sense. He suggested that the default setback settings are used. Principal Planner Slaght clarified that this would be 30 or 55 feet for front setbacks and 12 feet for side and back setbacks.

Vice-Chair Clyde said he would also like to have language added that prohibits commercial-scale agriculture, such as feed lots. Commissioner Henrie said a landowner in the AG-100 Zone should be able to have a horse or even a pet mink, if they desire. Vice-Chair Clyde agreed, if there is enough land for the animal. Commissioner Hanson remarked that she doesn't believe it is the Planning Commission's place to designate how much land is needed, as long as the zone allows animals. Commissioner Henrie agreed that a commercial operation would not be appropriate. Commissioner Foster said that CC&Rs will most likely take care of this concern. Attorney Strachan commented that as this is a rezone, anyone already having some type of agriculture enterprise would be considered a legal use.

Commissioner Henrie asked if this area is appropriate for duplexes or rental units. Vice-Chair Clyde said if duplexes are allowed, it would double the traffic; however, some of the parcels may have enough land to have a caretaker's unit. Planner Slaght said that most of the lots are fairly small. Vice-Chair Clyde said that anything in the AP-40 Zone should not be included in the Cabin Zone. The size of greenbelt parcels was discussed. These parcels need to be at a minimum five acres unless there is a house on it; in that case, the minimum is six acres.

Vice-Chair Clyde asked what the next step is, after the language is refined. Should they advertise that this zone has been created? Do they take it on a case-by-case basis? Attorney Strachan said that would be spot zoning. Commissioner Foster suggested that perhaps they should apply the zone and then everyone gets noticed. Commissioner Hanson said if they simply apply the zone, how will the public be noticed? Planner Slaght said postcards would probably be mailed. Attorney Strachan added that a public hearing will be required. Following the public hearing, the County Council will make the final decision. It was suggested that Staff can notify any impacted HOAs, which can notify their people.

Commissioner Henrie asked what is the advantage to the public of a rezone. What is the disadvantage? Commissioner Foster said there are Conditional Use Permits that would not be allowed in the rezone, such as an oil refinery. The rezone offers protection. Vice-Chair Clyde said the advantage to the public is to preserve the residential use of their subdivision. These properties are non-conforming and will become conforming. This may be beneficial as far as insurance and appraisals.

Nightly rentals were discussed. The Commission felt that these shouldn't be allowed. Attorney Strachan said if a resident already has a permit for nightly rentals, they would be able to continue as a legal non-conforming business. She said the Commission would not be able to prohibit long-term rentals.

Commissioner Henrie suggested that wind power should be listed as a conditional use in this zone. This is a place where wind power may be wanted. Commissioner Wharton said that wind generators that are built for residential applications are about 45 feet tall. The Commission decided to add this to the Use Chart as a conditional use.

Staff Items

- The Snyderville Basin Planning Commission would like to meet with the Eastern Side Planning Commission.
- The upcoming agendas were discussed.

Adjourn

At 8:55 p.m., Commissioner Wharton made a motion, which was seconded by Commissioner Hanson, to adjourn. All voted in favor.

- **MOTION CARRIED (5 – 0)**

commercial entity such as Food Town. He said he isn't certain of how this will be funded; however, the power of this plan is that it facilitates long-range financial planning.

Commissioner Ure said Highway 248 has been constructed to handle five lanes. He asked how he as a farmer, will he be able to get his cows and equipment across the road. He said this goes against the Planning Commission's General Plan to preserve and protect agriculture.

Commissioner Ure asked that speed limits are not placed on the bike trails. He said it causes the bikers to use the highways instead of the bike trails. He said he understood the reason that a speed limit was placed was so that adult bikers wouldn't run over the little bikers. He said that bikes on the road puts the bikers in danger and causes problems.

Commissioner Henrie said this is a wonderful first draft; however, the growth projections don't agree with Vision 2040 or the projections of Rocky Mountain Power. He said the agricultural committee needs to be involved in the process. Chair Brown said he likes the statement that Engineer Wilkerson made that science needs to be brought into the equation. Engineer Wilkerson said the political will can override the science. The leaders of the County or a Community can determine how they want the County or the Community to look. The benefits of a round-about versus signal lights were discussed. Engineer Wilkerson said that each intersection is looked at before either method is approved.

Commissioner Foster asked if there any parts of this project that Federal funding might be available. If so, what needs to be done to obtain that funding? Engineer Wilkerson said the first step is to have the vision in place. He said the second step is work through the Capital Facilities Plan. He said that half the cost in this draft plan will be paid for by the Utah Department of Transportation (UDOT). He said that UDOT just came out with a 2040 Master Plan. They have projected that for this area, the cost between now and 2040 will be approximately \$111,000,000. He said his estimate is \$115,000,000. Planner Lewis said it is vital to have this plan in place in order put the project on UDOT's planning list.

Planner Lewis said they will take this report to all of the municipalities. Commissioner Foster and Commissioner Clyde recommended that a Highway 32 discussion is held as soon as possible. Commissioner Clyde said depending on whose assumptions are correct, there will be a different set of problems to fix.

The Planning Commission thanked Engineer Wilkerson and said this is a great start.

2. Zoning/Infrastructure (Cabin Zone) Discussion – Adryan Slaght, Principal Planner

Commissioner Ure asked that the Commission be brought up to date on the Cabin Zone. Principal Planner Adryan Slaght said at the last meeting a discussion ensued that because of this new zone, there would no longer be non-conforming lots in these areas. He said further subdividing would not be allowed. What is currently on the plat map will be all that is allowed; the density cannot be increased.

Commissioner Ure asked if this will be the case with both new and existing developments. Planner Slaght said he believed the intent was to create the Cabin Zone for existing cabin areas, not for any new developments. Commissioner Ure said he had a question about the Chart of Allowed Uses. He said that guest ranches, lodges, houses of worship, and fire stations are prohibited in the Cabin Zone. He asked if the County has jurisdiction over houses of worship.

Commissioner Ure said there are already some of these structures in existence in the Cabin Zone areas. If they become prohibited, the County would be creating non-conforming structures, which they don't want to do. He said it is one thing if the home owners associations won't allow nightly rentals, but the County should not prohibit it. Commissioner Foster this zone isn't for every cabin area and these applications are few and far between. Planner Slaght said that churches are allowed in any residential zone.

Chair Brown said this is different than what he envisioned. If a landowner has 20 acres in a Cabin Zone, this would essentially be placing a deed restriction on that property. Commissioner Foster responded that this zone isn't for areas with 20-acre parcels. Planner Slaght said the average lot sizes are less than five acres. The intent has been to focus on the smaller, 1-5 acre lot subdivisions. Commissioner Clyde commented that presently all of these lots are non-conforming. Commissioner Foster said it would be best to bring this to a Public Hearing quickly in order to hear from the public. Commissioner Clyde recommended they first get word from the County Council, if this is something that they want to pursue.

3. Specially Planned Area Discussion – *Adryan Slaght, Principal Planner*

Principal Planner Adryan Slaght said that a Work Session has been scheduled to be held on November 2, 2011, with the Summit County Council to discuss the Service Commercial Zone, the Cabin Area Zone, and the Specially Planned Area.

Commission Items

The upcoming agendas were reviewed.

Staff Items

Principal Planner Adryan Slaght said he was asked to give an update on Danny Johnson's landscaping bond. Planner Slaght said Mr. Johnson had completed the landscaping and had addressed the driveway issue, and the bond was subsequently released in mid-September. He announced that a Transfer of Density Work Session will be held shortly.

Adjourn

At 9:30 p.m., Commissioner Wharton made the motion which was seconded by Commissioner Clyde to adjourn. All voted in favor.

of both the people doing this activity and the public. They want to get this right. Mr. Richins said that CWMUs bring business to the communities. There are a lot of dollars generated.

A five minute break was declared.

4. Zoning and infrastructure (Cabin Zone) discussion – Adryan Slaght, Principal Planner

Principal Planner Slaght said new subdivisions will not be allowed to use the Cabin Zone designation. The purpose is to turn these areas to what they are, residential not agricultural areas. Commissioner Clyde said when the Commission was reviewing the Use Chart, it occurred to him that dairy bottling, food processing, and a butcher shop would be allowed in these residential areas. He said hard-core agriculture use doesn't fit there.

Chair Brown said this is essentially spot zoning for every platted lot. Perhaps they should simply have a residential zone, not a cabin zone. He said the plat should show the designation as to whatever the existing boundary is. Commissioner Foster said that is exactly what they are doing, but naming it the Cabin Zone.

Commissioner Clyde said that Manor Lands Subdivision has an average acreage is 2.9 acres; there are 981 lots. All of Manor Lands would be in the Cabin Zone. The lots in Echo Creek Ranches are larger and have 209 lots. He said they should exclude the larger lots from the Cabin Zone, such as Garff Ranches, which generally has 40 acres per lot.

Commissioner Clyde pointed out that any parcel greater than 5 ½ acres can qualify for the greenbelt status. He said he wouldn't want to take away this possible designation. Commissioner Hanson said the taxes on these lots would change. Planner Slaght said the greenbelt status wouldn't be affected by the zone. He said anything over two acres in a subdivision and anything over five acres outside of a subdivision can have greenbelt status.

Chair Brown said if a parcel is residential it should not have an agricultural designation. Commissioner Clyde agreed and said that is what they are trying to do. Commissioner Foster said they should pick a test area and see how the residents feel about the creation of the Cabin Zone. Different possible subdivisions were considered like Manor Lands or Wanship View Estates. Commissioner Ure said they should pick a subdivision that has five-acre or greater lots and an area with half-acre lots. They would be enabled to hear from both sides.

Commissioner Clyde said they can relay this information in a non-controversial, non-threatening way. He suggested letting the landowner know they are currently in an agricultural zone, which would allow mink ranching, feed lots, and sorting pens. The goal of the new zone is to convert the designation of this area to the preexisting residential nature and apply more residential building standards. He said the landowner should also understand these are presently non-conforming lots. If the landowner ever wants to obtain a building permit, they will have to go through the hassle of modifying a non-conforming use. With the change to this new zone, their property becomes conforming. He said he doesn't think people will find the idea objectionable.

Planner Slaght said there have been a few people that have called regarding the Deer Meadow SPA application that have also heard about the proposed rezone. All comments on the rezone have been positive. Chair Brown said he objects to the wording in Section B of the ordinance. He doesn't think that further subdividing for increased density should be prohibited. He said if this is contingent on whatever the zoning of the day allows, then he doesn't have an issue.

Commissioner Clyde said clarification is also needed in Paragraph A of the ordinance. The Commission wants to make sure that people understand this zone applies only to pre-existing subdivisions. People shouldn't be under the misconception that they can apply for a cabin subdivision on 100 acres. It isn't intended to create new subdivisions.

Commissioner Clyde asked if calling this an overlay zone would further complicate the issue it for people. Planner Slaght said Staff has discussed this and felt that a straight zone would be better than an overlay zone. Commissioner Foster said maybe it could be referred to as a restricted zone.

Commissioner Clyde asked Planner Slaght to e-mail the cleaned up text to him. He could circulate it to the homeowners' associations that he deals with frequently in order to get their initial reaction. Commissioner Foster said if the input is negative, this wouldn't give the public a chance to provide input. How to gain public feedback was discussed. Planner Slaght said Staff has a list of HOAs which could be notified. Commissioner Clyde suggested that a letter of explanation of why the Cabin Zone is being proposed should be provided along with the notice there is more information on the County's website.

Commissioner Wharton asked if people living in the Cabin Zone would be allowed to have animals. He was told they would have to figure out the details in the Use Chart. There was a discussion on what subdivisions they may want to focus on initially. Samak, Rockport Estates, and Wanship Cottages were considered.

Commissioner Clyde suggested they invite the HOAs to come to a work session for the purpose of providing feedback. Chair Brown asked that the notice states that public comment will be accepted at this work session. The Planning Commission decided they will focus on smaller lots for the time being. Commissioner Clyde suggested eliminating anything that is 15 acres or larger from being included in the Cabin Zone. He said after they talk to the public, they may want to eliminate anything that is five acres or larger. Commissioner Foster noted the majority of these lots are small.

Commissioner Wharton said he has eight acres with a lot of farm animals. He said five acres can be agriculturally productive. As a Commission, they should be careful not to inhibit this. Both Commissioner Wharton and Commissioner Ure said they should only include parcels in the cabin zone that are less than 5 acres.

Commission Items

Direction was given to Engineer Wilkerson on what the Planning Commission would like. Engineer Wilkerson said there are great options and opportunities in this area. He said Staff will be visiting with the different municipalities to get their feedback.

4. Discussion of proposed Cabin Zone – Adryan Slaght, Principal Planner

Principal Planner Adryan Slaght said he sent postcards to the different Home Owners Associations that would be affected by this policy. He only received one comment back. Planner Slaght distributed an e-mail from Hutch Foster (President of the Pine Meadow Ranch Owner's Association) who stated the idea of the proposed Cabin Zone make sense. Planner Slaght said he has not heard from any of the other entities. It was decided to move this item to a public hearing.

Commission Items

The upcoming agenda was discussed.

Staff Items

Planner Lewis said that people will soon be able to apply for a Conditional Use or Low Impact Permit online. This will provide better customer service.

Adjourn

At 9:40 p.m., Commissioner Henrie made the motion which was seconded by Commissioner Clyde to adjourn. All voted in favor.

- **MOTION CARRIED (6 – 0)**

Signature/ Approval

Community Development Director Sargent outlined the procedure for the application. Mr. Gilwald said the applicants have been frustrated and confused because the SPA and the DA are connected to each other. This makes it a difficult process.

Commissioner Ure made a motion to continue this item. The applicant is to provide the draft Development Agreement, which will be consistent with the proposal that has been presented. Commissioner Henrie seconded the motion.

Those voting in favor of the motion were:

***Commissioner Henrie
Commissioner Ure
Commissioner Hanson
Chair Brown
Commissioner Wharton***

Those voting against the motion were:

***Commissioner Foster
Commissioner Clyde***

- **MOTION CARRIED (5 – 0)**

5. Public Hearing and Possible Recommendation regarding the creation of a “Cabin Area Zone” in the Eastern Summit County Development Code. – *Adryan Slaght, Principal Planner*

Principal Planner Adryan Slaght said that no formal comments have been received. He said that 12 Home Owners Associations which would be affected by the creation of this new zone had been contacted. There has only been a response from the Pine Meadows Ranch Association, who has indicated this may be a good idea. He said Staff was instructed to conduct a public hearing on this item.

A discussion ensued on how the Planning Commission may want to proceed in the processing of this item. Commissioner Clyde said it might be good to have a general idea from the County Council if the Commission should proceed on this item, before the public gets stirred up. Commissioner Ure said he is uncomfortable with some areas of the Use Chart. He suggested the larger lots are removed from the rezone, until they hear from the people. If a landowner wants to become a part of the Cabin Zone, they can make application. Commissioner Ure said he is concerned with the loss of the agricultural zoning for the larger lots. He suggested anything over five acres is not included in the rezone.

Chair Brown opened the public hearing. There were no comments made and the public hearing was closed.

Commissioner Henrie said that the first step is to create the Cabin Zone. The second step is to decide the way the zone will be applied. He suggested each HOA be contacted to see if they want to apply to be rezoned. Perhaps this should be done one association at a time. That way people can vote yes or no. Chair Brown said they should encourage the parcels to be called what actually exists on the ground. He said right now everything is zoned for agriculture. He suggested that a residential zone should be created instead. Commissioner Foster said that would be creating a different zone with different issues. Commissioner Clyde suggested that the Cabin Zone might be created using the existing residences. A Residential Zone could be for new subdivisions.

Commissioner Hanson said a definition should be created for an accessory dwelling unit. She was told that one already exists. The definition is “a mother-in-law apartment with 1,000 square feet maximum.” Commissioner Foster stated that mountain cabins tend to be more recreational than residential. It was noted that some cabin areas, like Samak, are mostly residential.

Commissioner Clyde said it would be helpful to determine how many of the structures are primary residences. Commissioner Foster cautioned that the Planning Commission isn’t derailed from completing the creation of the Cabin Zone. She said they should go forward and get this completed, and then work on creating the Residential Zone.

Commissioner Henrie asked if nightly rentals would be allowed as part of the Cabin Zone. The Commission felt that question should be answered best by the public and the HOAs. Commissioner Henrie said he thought that Class I recycling should be allowed; the Commission agreed. A discussion ensued if storage units should be allowed. Commissioner Wharton suggested it might be listed as a Conditional Use Permit in the Use Chart.

Commissioner Hanson said she thought that a veterinarian clinic would be welcomed in the Cabin Zone. ***She made a motion that a veterinarian clinic would be an allowed use in the Cabin Zone. Commissioner Ure seconded the motion.***

A vote was taken. Those voting in favor of the motion were Commissioner Hanson and Commissioner Ure. Those voting against were Commissioner Clyde, Commissioner Wharton, Commissioner Foster, Commissioner Henrie, and Chair Brown.

- **MOTION FAILED (2 – 5)**

Commissioner Foster made a motion that a veterinarian clinic would be listed as a CUP in the Use Chart. Commissioner Wharton seconded the motion. ***A vote was taken. Those voting in favor of the motion were Commissioner Clyde, Commissioner Wharton, Commissioner Foster, Commissioner Henrie, and Chair Brown. Those voting against were Commissioner Hanson and Commissioner Ure.***

- **MOTION CARRIED (5 – 2)**

Commissioner Clyde made a motion to forward a positive recommendation to the Summit County Council for the creation of a Cabin Zone, with the following conditions:

- 1. An accessory dwelling unit will be a Low Impact Use***
- 2. A Home Occupation will be an Allowed Use***
- 3. Class I recycling will be an Allowed Use***
- 4. Commercial Storage will require a CUP***
- 5. Wind Power facilities 45 feet in height or less will be an Allowed Use***

Commissioner Henrie seconded the motion. Commissioner Ure said he would like the language to come back to the Planning Commission before it is passed on to the County Council.

A vote was taken. Those voting for the motion were Commissioner Clyde, Commissioner Henrie, Commissioner Foster, Commissioner Hanson, Commissioner Wharton, and Chair Brown. Voting against was Commissioner Ure.

- **MOTION CARRIED (6 – 1)**

WORK SESSION

1. Indian Hollow Major Development discussion. – Jennifer Strader, County Planner

Commissioner Hanson recused herself saying that she does not feel that she is able to look at this item objectively. Commissioner Foster stated she is working with Doug Rosecrans and Attorney Call on an item with her fulltime job, but she feels she can make a fair and impartial judgment. Commissioner Ure said the area designated as the Indian Hollow Subdivision borders his property. He also feels he can judge this item objectively.

Planner Jennifer Strader gave the background of the application. She said in 1998, an application was submitted to develop 37 lots. The parcel was a combination of the Highway Corridor Zone and the AP Zone. She explained that in 1998, the Highway Corridor Zone was 1 unit per .5 acre and the AP Zone was 1 unit for 40 acres. She added that because the plan was submitted under the 1998 Code (and has been ongoing since that time) the application is vested to be processed under the 1998 Code, although the density is not vested.

In 2002, the plan was submitted for 85 lots. There were numerous work sessions and public hearings held. On December 2, 2009, the Planning Commission unanimously sent a negative recommendation to the County Manager. A public hearing and final decision was scheduled before the County Manager on February 3, 2011. At that time, the applicants indicated they were willing to modify their proposal for further consideration. The County Manager reached the decision to remand the plan back to the Planning Commission if the revisions were substantially different.

The applicants submitted a revised plan on April 6, 2011 to the Community Development Director. Director Sargent deemed there were substantial enough changes to warrant a work

DRAFT

Conditions:

1. ^{CMRS - 1 - Am} This permit is for ~~SS-2264-A~~ and ~~SS-2265-A~~ as a primary base. The applicant is responsible to amend this permit to include any parcels on which guest ranch activities take place for more than 14 days out of a calendar year.
2. All Service Provider requirements shall be met prior to issuance of this CUP.

Commissioner Ure added the following condition:

3. If any new structures are planned, the planning department will be notified so that it could be determined if building permits are needed.

Commissioner Wharton seconded the motion. A vote was called for. All voted in favor.

- MOTION CARRIED (4 – 0)

5. Approval of Minutes: December 7, 2011

Commissioner Hanson made a motion to approve the minutes as corrected. The motion was seconded by Commissioner Ure. All voted in favor.

- MOTION CARRIED (5 – 0)

WORK SESSION

1. Review of proposed Cabin Area Zone language. – Adryan Slaght, Principal Planner

Commissioner Ure said he believed the Planning Commission had already voted to forward the Use Chart with the accompanying language to the County Council. He said if he remembers this accurately, then the Commission will be unable to make any alterations. Principal Planner Adryan Slaght confirmed that the Commission did vote to send this on the County Council and that no corrections can be added at this time; nevertheless, the Commission requested to have the completed language brought back before them. Attorney Strachan suggested in the future, the Commission should review the completed language before it is voted on.

Commissioner Ure said if the Commission wants to make changes all they can do is offer suggestions for Staff to pass along to the County Council. He said at this point they cannot alter the approved language. Commissioner Henrie said he would like to have it noted that the Use Chart lists wind towers, regardless of their height, as an allowed use. He thought the directive of the Planning Commission was that wind towers greater than 45 feet in height would require a Conditional Use Permit (CUP). Several of the Commissioners agreed that was their intention. Commissioner Hanson noted some inconsistency with utility towers and wind towers. In the Use Chart, utility towers over 45 feet are a conditional use and wind towers over 45 feet are an allowed use.

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Commissioner Clyde stated an item of concern for him was the houses of worship. He would like to have this concern passed on to the County Council. He said houses of worship are listed as an allowed use in a zone where there may be an inadequate road system. He noted that in all other zones, a house of worship is a conditional use.

Commissioner Hanson said she wants to it be made clear, if this is approved, what will happen to the Stillman Ranch, which is operating commercial stables. She noted that under the Use Chart commercial stables are not allowed in the Cabin Zone. Commissioner Clyde said the Stillman Ranch isn't a platted subdivision and it wouldn't fall in the Cabin Zone.

Commissioner Hanson asked about the Bate Ranches. She said they have snowmobiling, horse-drawn sleigh rides, among other activities. Commissioner Ure said existing activities would be grandfathered. He added that as he understood the intent of the Cabin Zone, an application would have to be made to come into the Cabin Zone. It wouldn't automatically take place. Commissioner Clyde agreed and said the Cabin Zone would only be applied in areas where there is an existing platted subdivision.

Planner Slaght said the Cabin Zone would first be created, then, a list of subdivisions would be reviewed with an eye towards which would be appropriate to become a part of the Cabin Zone. A single subdivision would be selected and recommended for Cabin Zone designation. A public hearing would then be held to see how the people feel about this designation. If the majority were against it, most likely, it would not be approved. If the majority was in favor, most likely, it would be approved. He said the Commission wanted to take this in small bites, rather than all at once.

Commissioner Henrie said there are three things that concern him:

1. Why do this? What is the purpose of creating the Cabin Zone? Is the main purpose to help these units become conforming structures?

Commissioner Clyde answered that is one reason, but these are areas that allow the most aggressive agriculture. This will protect people from someone putting a feedlot next to them. It will prevent oil drilling in a residential area. Planner Slaght read the district intent. Commissioner Henrie said it doesn't come right out and say they want to create a Cabin Zone for any particular reason. Commissioner Wharton said this could be explained to the County Council when this is presented to them.

2. Commissioner Henrie said there is no designation of parcel size. It is whatever currently exists. He asked if a landowner with ten acres could subdivide his property, particularly if his neighbors have smaller lots.

Commissioner Clyde said the language of the ordinance froze the plat. Lot lines can be adjusted, but density cannot increase. Planner Slaght read language from the ordinance that stated an increase in density will not be allowed.

DRAFT

3. Commissioner Henrie asked if it would be possible for someone with 600 acres of mountain land to apply for Cabin Zone designation. Commissioner Clyde said this zone is being created to only be applied for what already exists on the land. In this circumstance, a landowner would have to use the SPA or some other method to develop their property. He said the Cabin Zone is only for existing subdivisions, not new subdivisions. Attorney Strachan added that zoning does not grant any type of subdivision.

Commissioner Henrie said he believes once the zone is on the records someone will want to create a subdivision utilizing this zone. Commissioner Clyde said the Commission doesn't intend to use this to create a Cabin Area zone in the future. He asked that a note be made on the Use Chart concerning institutional uses. Fire Stations would be appropriate in the Cabin Zone, but a school may not be. He would like to have these separated on the Use table. Schools should be treated separately from the rest.

Staff Items

Upcoming agendas were discussed.

Engineer Kent Wilkerson asked Planner Slaght to distribute an update on the Transportation Master Plan. Mr. Wilkerson will be on the agenda for the March 21 meeting. Vice-Chair Clyde requested that the annexation maps for Coalville, Kamas, and Oakley be made available at that meeting. Those maps will help define where the roads should go.

Adjourn

At 7:20 p.m. Commissioner Wharton made the motion, which was seconded by Commissioner Ure, to adjourn. All voted in favor.

- **MOTION CARRIED (5 – 0)**

Approval Signature

Auditor

Blake Frazier



March 22, 2012

County Council;

Please consider approving the 2011 BOE Stipulations. They will be prepared for your review by Travis Lewis. They are on the April 4th agenda.

Thank You,

A handwritten signature in black ink that reads "Kathryn Rockhill". The signature is written in a cursive, flowing style.

Kathryn Rockhill
BOE Clerk



2011 BOE Adjustments

Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value
RCC-1B-C1	\$ 83,571.00	\$ 190,000.00	\$ (106,429.00)	\$ 83,571.00	\$ 190,000.00
RCC-1B-C2	\$ 226,637.00	\$ 500,000.00	\$ (273,363.00)	\$ 226,637.00	\$ 500,000.00
RCC-1B-C3	\$ 119,200.00	\$ 200,000.00	\$ (80,800.00)	\$ 119,200.00	\$ 200,000.00
RCC-1B-C5	\$ 126,392.00	\$ 350,000.00	\$ (223,608.00)	\$ 126,392.00	\$ 350,000.00
RCC-1B-CS-10	\$ 62,555.00	\$ 140,000.00	\$ (77,445.00)	\$ 62,555.00	\$ 140,000.00
RCC-1B-CS-11	\$ 62,555.00	\$ 140,000.00	\$ (77,445.00)	\$ 62,555.00	\$ 140,000.00
RCC-1B-CS-2	\$ 135,765.00	\$ 230,000.00	\$ (94,235.00)	\$ 135,765.00	\$ 230,000.00
RCC-1B-CS-3	\$ 412,525.00	\$ 910,000.00	\$ (497,475.00)	\$ 412,525.00	\$ 910,000.00
SCO-A-2A-AM-IMP	\$ 8,300,000.00	\$ 15,000,000.00	\$ (6,700,000.00)	\$ 8,300,000.00	\$ 15,000,000.00
Totals for 4-4-2012	\$ 6,020,000.00	\$ 8,080,000.00	\$ -2060000	\$ 6,020,000.00	\$ 8,080,000.00
Totals for 12/28/2012	\$ 9,529,200.00	\$ 17,660,000.00	\$ (8,130,800.00)	\$ 9,529,200.00	\$ 17,660,000.00
Totals for 3/14/2012	\$ 1,311,752.00	\$ 6,930,104.00	\$ -5598352	\$ 3,680,104.00	\$ 3,960,104.00
Totals for 03/7/2012	\$ 241,385,261.00	\$ 272,247,838.00	\$ (30,862,577.00)	\$ 266,805,492.00	\$ 272,247,838.00
Totals for 2/8/2012	\$ 33,211,366.00	\$ 41,044,466.00	\$ (7,833,100.00)	\$ 33,211,366.00	\$ 17,332,593.23
Totals for 1/18/2012	\$ 230,747,813.00	\$ 244,764,244.00	\$ (14,016,431.00)	\$ 329,944,614.23	\$ 244,084,815.30
Totals for 1/11/2012	\$ 77,590,904.00	\$ 92,549,668.00	\$ (14,958,764.00)	\$ 71,239,944.00	\$ 92,549,668.00
Totals for 12/14/2011	\$ 27,384,253.00	\$ 31,143,110.00	\$ (3,758,857.00)	\$ 27,032,050.00	\$ 268,183.00
Totals for 12/7/2011	\$ 46,165,733.00	\$ 56,032,964.00	\$ (9,867,231.00)	\$ 40,357,231.00	\$ 56,032,964.00
Totals for 11/30/2011	\$ 74,045,506.00	\$ 113,265,689.00	\$ (39,220,183.00)	\$ 65,334,025.00	\$ 57,713,979.98
Totals for 11/16/2011	\$ 28,200,432.00	\$ 57,293,470.00	\$ (29,093,038.00)	\$ 25,479,889.00	\$ 57,293,470.00
Totals for 11/9/2011	\$ 64,789,101.00	\$ 68,855,543.00	\$ (4,066,442.00)	\$ 59,073,582.00	\$ 63,846,159.00
Totals for 11/2/2011	\$ 22,659,413.00	\$ 27,176,420.00	\$ (4,517,007.00)	\$ 20,000,329.00	\$ 27,176,420.00
Totals for 10/26/2011	\$ 163,884,443.00	\$ 229,949,534.00	\$ (66,065,091.00)	\$ 155,706,959.00	\$ 163,884,443.00
Totals for 10/12/2011	\$ 102,565,931.00	\$ 124,219,936.00	\$ (21,653,465.00)	\$ 91,729,629.00	\$ 1,072,192.35
Totals for 10/5/2011	\$ 52,000,489.00	\$ 59,929,053.00	\$ (7,928,564.00)	\$ 50,875,257.00	\$ 504,120.82
Totals for 9/21/2011	\$ 164,340,877.00	\$ 219,139,928.00	\$ (54,799,051.00)	\$ 139,345,499.00	\$ 219,139,928.00
Totals for 9/14/2011	\$ 85,729,024.00	\$ 119,777,161.00	\$ (34,048,137.00)	\$ 71,377,372.00	\$ 119,777,161.00
Totals for 8/31/2011	\$ 84,373,698.00	\$ 101,976,442.00	\$ (8,743,072.00)	\$ 65,653,679.00	\$ 101,976,442.00
Running Total	\$ 1,515,935,196.00	\$ 1,892,035,570.00	\$ (367,220,162.00)	\$ 1,532,396,221.23	\$ 1,524,600,481.68

Annette,

So far this year(2011)the Market value decrease is (\$ 367,220,162) As of 04/04/2012

Annamarie Dean, 1252 Aerie Drive

From: Corrie Kirklen
Sent: Wednesday, March 21, 2012 12:33 PM
To: Annette Singleton
Subject: RE: 1252 Aerie Drive

The owner of the property at 1252 Aerie Drive, Park City (parcel AER-4) requests relief of penalty and interest for 2010 and 2011 property taxes due to the death of her co-owner and husband, Thomas Dean. He passed away in a plane crash on 3/16/11, and left the estate somewhat in disarray. The owner was unaware until very recently that the property was headed to foreclosure and the taxes were unpaid. The owner made payment in full for the taxes owed on 3/20/12, and requests relief on the balance of interest and penalties owed.

Because this is a non-primary home, the Treasurer does not have the authority to abate interest and penalties without Council approval. I would support the abatement of the \$2,215.79 (as of 3/21/12).

Thanks!

Corrie Kirklen
Summit County Treasurer
P.O. Box 128
60 N. Main St.
Coalville, UT 84017
435.336.3266
ckirklen@summitcounty.org
www.summitcounty.org/treasurer

From: annamarie dean [<mailto:annamariedean38@gmail.com>]

Sent: Monday, March 19, 2012 1:36 PM

To: Corrie Kirklen

Cc: michael@ppcre.com

Subject: 1252 Aerie Drive

Dear Ms.Kirklen,

Thank you for taking the time to present my situation to the council. As Michael explained I have run into extremely tough times over the past 12 months. My husband Tom was tragically killed in a plane crash heading up to Park City on March 16 of last year. I have been trying to get a handle on our business and finances along with caring for our four boys. Tom had always handled the business aspect of everything.

I had to sell our family home in Long beach, Ca and had planned on moving my family up to Park City. Unfortunately, do to our current financial situation we can not afford to keep the house. I will Fedex a check for both 2010 and 2011 property taxes. I am sorry they are late but I truly did not know they had not been paid. I found out when the bank that had agreed to give me a 6 month forbearance to not foreclose on the house notified me that the property taxes have not been paid. The bills were mailed to Tom's accountants and they did not inform me that they were owed, I updated the address with your office on Friday. It would be greatly appreciated if the both the interest and penalties can be waived.

Thank you,
Annamarie Dean

Coalville, Utah

April 4, 2012

A regular meeting of the County Council of Summit County, Utah (the ‘Council’) acting as the governing board of the North Summit Recreation Special Service District (the ‘District’) was held on Wednesday, April 4, 2012, at the hour of 6:00 p.m. at its regular meeting place, at which meeting there were present and answering roll call the following members who constituted a quorum:

David Ure	Chair
Claudia McMullin	Vice Chair
John Hanrahan	Councilmember
Sally Elliott	Councilmember
Chris Robinson	Councilmember

Also present:

Kent Jones	County Clerk
Bob Jasper	County Manager

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this April 4, 2012, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by Councilmember _____ and seconded by Councilmember _____, was adopted by the following vote:

AYE:

NAY:

The resolution was then signed by the Chair and recorded by the County Clerk in the official records of the County. The resolution is as follows:

RESOLUTION NO. 2012-5

A RESOLUTION PROVIDING FOR A SPECIAL BOND ELECTION TO BE HELD ON JUNE 26, 2012, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE NORTH SUMMIT RECREATION SPECIAL SERVICE DISTRICT, SUMMIT COUNTY, UTAH (THE "DISTRICT"), A PROPOSITION REGARDING THE ISSUANCE OF NOT TO EXCEED \$15,000,000 GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF ACQUIRING, CONSTRUCTING, EQUIPPING, AND FURNISHING A COMMUNITY CENTER AND A FIELD HOUSE AND RELATED IMPROVEMENTS AND OTHER RECREATION PROJECTS IN THE DISTRICT, AND PAYING THE COSTS AND EXPENSES; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING; APPROVING THE FORM OF AND DIRECTING THE PUBLICATION OF A NOTICE OF ELECTION AND THE BALLOT PROPOSITION; AND RELATED MATTERS.

WHEREAS, the Administrative Control Board of the North Summit Recreation Special Service District, Summit County, Utah (the "District"), has requested that the Council, acting as the governing body of the District, call a special bond election within the District on June 26, 2012, to authorize the issuance of General Obligation Bonds (the "Bonds") in the total principal amount of up to \$15,000,000 and to levy a tax to pay the same and to pay operation and maintenance costs of the District; and

WHEREAS, the Council desires to submit a proposition concerning the issuance of the Bonds to the vote of the qualified electors of the District pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended and applicable provisions of the Utah Election Code, Title 20A, Utah Code Annotated 1953, as amended and the Special Service District Act, Title 17D, Chapter 1, Utah Code Annotated 1953, as amended (collectively, the "Act");

NOW, THEREFORE, It Is Hereby Resolved by the County Council of Summit County, acting as the governing body of the North Summit Recreation Special Service District, Summit County, Utah, as follows:

Section 1. Definition of Terms. The terms defined or described in the recitals hereto shall have the same meaning when used in the body of this Resolution.

Section 2. Election Call. On June 26, 2012, there shall be held in the District a special bond election (the "Bond Election") between the hours of 7:00 a.m. and 8:00 p.m., at which there shall be submitted to the qualified electors of the District the proposition appearing in the ballot proposition portion of the Notice of Election as substantially set out in Section 5 hereof. The terms defined or described in the recitals hereto shall have the same meaning when used in the body of this Resolution.

Section 3. Voting Places and Election Judges. For purposes of the Bond Election, the voting precincts, the voting places, the election judges, and alternate election judges and poll workers to serve at said voting places shall be as specified in the Notice of Election when published.

Section 4. Authorization and Reimbursement of Expenses. The Bond Election shall be conducted and the registration therefor shall be governed in conformity with the laws of the State of Utah, including particularly the Act, and the officials of the County or the District, as applicable, shall and are hereby authorized and directed to perform and do all things necessary to the proper calling and conduct of the Bond Election and the canvass of the results thereof.

In the event the proposition is approved at the Election, the District reasonably expects to reimburse from proceeds of Bonds, capital expenditures advanced by the District to construct and equip the improvements therein described in a principal amount of not more than \$15,000,000.

Section 5. Public Hearing. The County shall hold a public hearing on May 2, 2012, to receive input from the public with respect to (a) the issuance of the Bonds and (b) the potential economic impact that the improvements, facilities, or properties to be financed with bond proceeds will have on the private sector, which hearing date shall not be less than fourteen (14) days after notice of the public hearing is first published and shall not be sooner than thirty (30) days or later than five (5) business days before the first publication of the Notice of Election as described in this Resolution, such notice to be published (i) once a week for two consecutive weeks in The Park Record, a newspaper of general circulation within the County, (ii) on the Utah Public Meeting Notice website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (iii) on the Utah Legal Notices w (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended, and shall cause a copy of this Resolution to be kept on file in the office of the County Clerk of Summit County, Utah, for public examination during the regular business hours of the County until at least thirty (30) days from and after the publication thereof. The 'Notice of Public Hearing' shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, that on April 4, 2012, the County Council of Summit County ("County"), acting as the governing body of the North Summit Recreation Special Service District, Summit County, Utah (the "District"), adopted a resolution (the "Resolution") in which it authorized calling an election (the "Election") concerning the issuance of the District's General Obligation Bonds (the "Bonds") and called a public hearing to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the improvements, facilities or properties financed in whole or in part with the proceeds of the Bonds (see below) may have on the private sector.

TIME, PLACE, AND LOCATION OF PUBLIC HEARING

The County shall hold a public hearing on May 2, 2012, at the hour of 6:00 p.m. at the Summit County Courthouse, 60 North Main, Coalville, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the improvements, facilities, or properties financed in whole or in part with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE BONDS, MAXIMUM AMOUNT AND SECURITY

The Bonds are to be issued in the aggregate principal amount of not to exceed \$15,000,000 for the purpose of financing all or a portion of the costs of acquiring constructing, equipping, and furnishing a community center and a field house and related improvements and other recreation projects within the District, and paying costs of issuance of the Bonds. The Bonds shall be secured by ad valorem property taxes of the District to the extent authorized by law.

The Bonds may be issued in one or more series and be sold from time to time, all as the Council may determine.

DATED this April 4, 2012.

/s/ Kent Jones
County Clerk

Section 6. Notice of Election. In accordance with Section 11-14-202 of the Act, notice of the Bond Election shall be (i) published in The Park Record, a newspaper having general circulation within the County, three (3) times, once a week for three (3) consecutive weeks, with the first publication being not less than twenty-one (21) nor more than thirty-five (35) days before the Bond Election, (ii) posted on the Utah Legal Notices website (www.utahlegals.com) and (iii) posted on the Utah Public Meeting Notice website (<http://pmn.utah.gov>).

In addition, the Election Officer (defined herein) is to (i) publish the sample ballot immediately before the election in The Park Record, as required in Section 20A-5-405 of the Act and (ii) publish notice of and perform the election voting device and tabulation equipment test procedures as required by Section 20A-3-201 and Section 20A-4-104 of the Act.

All such election notices shall be given in substantially the following form (with such completion, amendments, updates, changes, additions or alterations as may be required to conform such notices to the Act (including amendments thereto prior to such publication) and actual election information or calendar items to be confirmed prior to the first publication of such notice):

ELECTION NOTICE

To all qualified electors of the North Summit Recreation Special Service District, Summit County, Utah:

Take notice that on June 26, 2012, a special bond election (the 'Bond Election') will be held in the North Summit Recreation Special Service District, Summit County, Utah (the 'District'), at the places set out below for the purpose of submitting to the qualified electors of the District the question contained in the following ballot proposition:

OFFICIAL BALLOT FOR THE NORTH SUMMIT RECREATION SPECIAL SERVICE
DISTRICT, SUMMIT COUNTY, UTAH
SPECIAL BOND ELECTION
JUNE 26, 2012

/s/ Kent Jones
County Clerk

PROPOSITION

Shall the North Summit Recreation Special Service District, Summit County, Utah, (the "District"):

(i) be authorized to issue general obligation bonds of the District in an amount not to exceed Fifteen Million Dollars (\$15,000,000) (the "Bonds") for the purpose of financing all or a portion of the costs of acquiring, constructing, equipping, and furnishing a community center and a field house and related improvements and other recreation projects within the District (collectively, the "Project"), and paying related costs and expenses reasonably incurred in connection with the authorization and issuance of said Bonds; said Bonds to be due and payable in not to exceed twenty-one (21) years from the date of said Bonds; and to retire said Bonds, shall the District be authorized to levy a tax on all taxable property within the District?

and

(ii) In order to operate and maintain the Project, be authorized to levy a property tax within the boundaries of the North Summit Special Recreation District (the "District") [(calculated to be .0006 per dollar of taxable value for tax year 2012)] to a maximum amount of not to exceed .0006 per dollar of taxable value, beginning in 2013, with the funds from this increase being used for operation and maintenance costs of the District?

Property Tax Cost of Bonds. If the Bonds described in the election Proposition are issued as planned, a property tax to pay debt service on the Bonds will be required over a period of twenty-one (21) years in the estimated annual amount of \$181.00 on a \$232,000 residence and in the estimated amount of \$250.00 on a business property having the same value as said residence.

The information in this notice with respect to increases in taxes related to the Bonds is an estimate only based on current assumptions of the District as to the financing plan and estimates, including estimated market interest rates for the Bonds and the taxable values of property within the County. The information is intended to provide an elector with some indication of the impact the issuance of the Bonds may have on taxes paid. However, there is no limit on the tax rates the District may be required to levy to pay debt service on the Bonds.

FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS AND THE
LEVY OF AN OPERATION AND MAINTENANCE TAX

AGAINST THE ISSUANCE OF GENERAL OBLIGATION BONDS AND
THE LEVY OF AN OPERATION AND MAINTENANCE TAX

Voting at the special bond election shall be by electronic ballots and other ballot forms.

For purposes of this Bond Election, the polling places for the Bond Election shall be the same as the polling places for the County election held on said date and are as follows:

<u>Voting Precincts</u>	<u>Polling Place</u>
25-Henefer	Henefer Fire Station 355 South Henefer Road Henefer, Utah
24-North Summit North	Henefer Fire Station 355 South Henefer Road Henefer, Utah
19-Coalville	Coalville LDS Church 40 North Main Coalville, Utah
20-Chalk Creek	Coalville LDS Church 40 North Main Coalville, Utah
17-Wanship	Wanship Fire Station 2000 South Hoytsville Road Wanship, Utah
18-Hoytsville	Wanship Fire Station 2000 South Hoytsville Road Wanship, Utah

The polls will be open from 7:00 a.m. to 8:00 p.m.

There will be no special registration of voters for the Bond Election and the official register last made or revised shall constitute the register for the Bond Election. The County Clerk will make available at the above-described polling places, a registration list or copy thereof listing all registered electors entitled to use such voting places.

Voting will be allowed to take place at the times, places, and manner as provided by the Utah Election Code, Title 20A, Utah Code Annotated 1953, as amended. For information about alternate times and forms of voting (including by absentee ballot and early voting) and information on registering to vote, voters may contact the County Clerk's office, located at 60 North Main, Coalville, Utah. Pursuant to Section 20A-3-604, Utah Code Annotated 1953, as amended, the schedule for early voting including dates, times, and locations, shall be noticed and published by the County Clerk.

NOTICE is given that on July 9, 2012, that being a day no sooner than seven (7) days and no later than fourteen (14) days after the Bond Election, the County Council will meet at its regular meeting place at 6:00 p.m. to canvass the returns and declare the results of the Bond Election.

Pursuant to applicable provisions of the Local Government Bonding Act, the period allowed for any contest of the Bond Election shall end forty (40) days after August 18, 2012 (the date on which the returns of the election are to be canvassed and the results thereof declared). No such contest shall be maintained unless a complaint meeting the requirements of applicable law is filed with the Clerk of the District Court of Summit County within the prescribed forty (40) day period.

GIVEN by order of the County Council of Summit County, Utah, this April 4, 2012.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
County Clerk

Publication Dates in The Park Record: May 30, June 6 and 13, 2012

Section 7. Mailing of Voter Information Pamphlet. The Council hereby authorizes the County Clerk to mail at least seven (7) but not more than thirty (30) days before the scheduled Bond Election, a voter information pamphlet to each household with a registered voter who is eligible to vote on the Bonds. Said voter information pamphlet shall include: (a) the date and place of the Bond Election, (b) the hours during which the polls will be open, (c) the title and text of the ballot proposition, and (d) an explanation of the property tax impact, if any, on the issuance of the Bonds including (i) expected debt service on the Bonds to be issued, (ii) a description of the purpose, remaining principal balance, and maturity date on any outstanding general obligation bonds of the County, (iii) funds other than property taxes available to pay debt service on general obligation bonds, (iv) timing and expenditure of bond proceeds, (v) property values, and (vi) any additional information the Council determines may be useful to explain the property tax impact of issuance of the Bonds.

Section 8. Ballots. The ballots to be used at the Bond Election shall comply in all respects with the requirements of the Act at the time of the Bond Election, including, but not limited to, Title 20A, Chapter 6 and Section 11-14-206 of the Act, and the proposition and election instructions with respect to the Bond Election shall be in substantially the form contained in the Notice of Election set forth in Section 6 hereof.

Section 9. Qualified Electors. Only registered, qualified electors of the District eighteen (18) years of age or older shall be permitted to vote at the Bond Election.

Section 10. Challenged Electors. Any person seeking to vote at any polling place designated for the conduct of the Bond Election whose qualifications to vote are challenged for reasons indicated by Section 20A-3-202(1)(b) of the Act by any one or more of the poll worker, or by any other person, shall be allowed to vote with a provisional ballot and the counting of that person's vote shall be determined in accordance with applicable law.

When a person's right to vote is challenged as provided in the paragraph above, the poll worker shall follow the procedures set forth in Section 20A-3-105.5 of the Act.

Section 11. Appointment of Election Officials and Election Officer. The election officials shall each be a qualified elector of the District. Pursuant to Sections 20A-1-102 and 20A-5-400.5 of the Act, the County Clerk will act as the election officer (the "Election Officer"). The County Clerk of the County, or other officials of the County are hereby directed and authorized to coordinate with the Election Officer as required for the Bond Election. The Election Officer shall be authorized and directed to give appropriate notices as required by the Act.

Section 12. Absentee Ballots/Early Voting. Any qualified elector of the District may vote by absentee ballot in accordance with Section 20A-3-301, et. seq. and, if applicable, Section 20A-3-401 et seq. of the Act. In addition, early voting in connection with the Bond Election shall be permitted as designated by the Election Officer in conformance with the Act

Section 13.Canvass. The ballots shall be counted and the results delivered to the County, in accordance with the procedures of Title 20A, Chapter 4, Part 1 and Part 2 of the Act. The Council, acting as the governing body of the District, shall meet as a Board of Canvassers no sooner than seven (7) nor later than fourteen (14) days after the date of said election on July 9, 2012, at the hour of 6:00 p.m., at its regular meeting place in Coalville, Utah, and if the majority of the votes at the Bond Election are in favor of the proposition submitted, then the County Clerk shall cause an entry of that fact to be made upon its minutes. Thereupon, the District shall be authorized and directed to issue such Bonds.

Section 14.Registration of Electors. The Election Officer shall prepare such official registers and/or posting lists of voters as required by Section 20A-5-401 for each respective polling place that will participate in the Bond Election. The Election Officer shall also make available at each polling place herein established for the conduct of said election, registration lists, or copies thereof, listing all registered electors entitled to use such voting place.

Section 15.Severability. It is hereby declared that all parts of this resolution are severable, and if any section, clause, or provision of this resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause, or provision shall not affect the remaining sections, clauses, or provisions of this resolution.

Section 16.Conflict. All resolutions, orders, and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation, or part thereof heretofore repealed.

Section 17.Captions. The headings herein are for convenience of reference only and in no way define, limit, or describe the scope or intent of any provisions or sections of this resolution.

Section 18.Recording of Resolution; Effective Date; Notice to Lieutenant Governor and Election Officer. Immediately after its adoption, this Resolution shall be signed by the Chair and County Clerk, shall be recorded in a book for that purpose, and shall take immediate effect. The County Clerk shall immediately furnish a certified copy of this Resolution to the Lieutenant Governor and the Summit County Clerk in accordance with Section 11-14-201 of the Act by no later than April 13, 2012, a date at least 75 days before the Bond Election.

Section 19.Further Authority. The Council hereby authorizes the Chair to make changes to any notice or the ballot proposition described herein to cure any ambiguity or defect therein or to make any other changes to such notice or ballot proposition as may be required or allowed by the laws of the State of Utah.

PASSED AND APPROVED this April 4, 2012.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
County Clerk

Pursuant to motion duly made and seconded, the meeting was adjourned.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
County Clerk

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Kent Jones, hereby certify that:

(a) I am the duly qualified and acting County Clerk of Summit County, Utah (the“County”);

(b) the above and foregoing constitutes a true and correct copy of a portion of the minutes of a regular meeting of the County Council including a resolution adopted at said meeting held on April 4, 2012, as said minutes and resolution are officially of record in my possession;

(c) a certified copy of the within Resolution was filed with the Lt. Governor and the Summit County Clerk, as the election officer, as described herein;

(d) the Resolution, with all exhibits attached, was deposited in my office on April 4, 2012;

(e) pursuant to the Resolution, a Notice of Public Hearing was: (i) published once each week for two consecutive weeks in The Park Record, a newspaper having general circulation in the County, with the affidavit of such publication being attached hereto upon availability; (ii) posted on the Utah Public Notice Website (<http://pmn.utah.gov>); and (iii) posted on the Utah Legal Notices website (www.utahlegals.com); and

(f) pursuant to the Resolution, an Election Notice will be (i) published once each week for three consecutive weeks in The Park Record, a newspaper having general circulation in the County, with the affidavit of such publication attached hereto upon availability; (ii) posted on the Utah Public Notice Website (<http://pmn.utah.gov>); and (iii) posted on the Utah Legal Notices website (www.utahlegals.com).

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of the County, Utah, this April 4, 2012.

(SEAL)

By: _____
County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kent Jones, the undersigned County Clerk of Summit County, Utah (the 'County'), do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the public meeting, held on April 4, 2012, by the County as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the County's principal offices on _____, 2012, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to The Park Record on _____, 2012, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) On the Utah Public Notice Website (<http://pmn.utah.gov>).

(d) In addition, the Notice of 2012 Annual Meeting Schedule for the County Council (the 'Council') (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the Council to be held during the year, by causing said Notice to be posted on _____, 2010, at the principal office of the Council and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the County on _____, 2012, and on the Utah Public Notice Website (<http://pmn.utah.gov>).

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this April 4, 2012.

(SEAL)

By: _____
County Clerk

SCHEDULE 1
NOTICE OF MEETING

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

PROOF OF PUBLICATION OF ELECTION NOTICE

Attached to this page is the Proof of Publication, indicating by the affidavit of the publisher that the Election Notice which was contained in the Resolution adopted by the County Council on April 4, 2012, was published once a week for three (3) consecutive weeks in The Park Record.

**BEFORE THE SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH**

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
REGARDING STONERIDGE CORE RE-ZONE**

On March 28, 2012, this matter came before the Summit County Council ("Council") on an application for a re-zone from Rural Residential and Hillside Stewardship Zone Districts to CORE B Zone District by Nadine Gillmor ("Developer") pursuant to Summit County Code § 10-5-16 (2008).

Developer was represented by Pete Gillwald. The Council was represented by David L. Thomas, Chief Civil Deputy County Attorney.

Evidence and materials were presented by way of testimony, statements, documents and memorandum for consideration by the Council. Having considered the evidence presented by all interested parties and the entire record relating to this application, the Council rendered its decision following discussion and deliberation as part of its regularly scheduled agenda on March 28, 2012, adopting a motion to DENY the re-zone application of Developer, with that decision to become final following the adoption of these findings and conclusions. The voting of

the Council on this matter was 4-1. In support of that decision, the Council adopts the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Developer is the owner of Parcel #SS-59-A, approximately 300.78 acres of land, located by the Silver Summit Parkway, adjacent to and south of the existing LDS Church, and Old Ranch Road plus an additional 6 acres from the LDS Church parcel (the “Property”).
2. The Property is zoned Rural Residential and Hillside Stewardship. The Property can be developed at base density to achieve 8 residential dwelling units. Using other incentive density programs within these zone districts could possibly achieve up to 22 residential dwelling units.
3. As part of the statutory requirements of UCA §17-27a-403(2), Summit County conducted and adopted a Snyderville Basin moderate income housing needs assessment in December of 2006 (the “2006 Needs Assessment”). The Assessment found a “pent up” demand for 299 residential dwelling units.
4. In July of 2008, Summit County adopted the workforce housing incentives outlined in Summit County Code (“SCC”) §10-5-16 (2008), the “Community Oriented Residential Enhancement Zones” or “CORE” Zone District, in order to mitigate this “pent up” demand. These provisions allow for the County to consider additional density and uses, above the existing base density, as an incentive for the voluntary provision of workforce housing that exceeds the mandatory workforce housing requirement.
5. Since 2006, Summit County has approved 532 workforce housing units within the Snyderville Basin. At a December 14, 2011 meeting of the Council, Scott Loomis of

Mountainlands Community Housing Trust, a provider of moderate income housing in the area, testified that the “pent up” demand from the 2006 Needs Assessment may have been met. Max Greenhalgh, a former planning commissioner, also testified that “the market has dried up pent-up demand, and there is a surplus of pent-up demand right now as defined by the 2006 needs assessment. . . .” Don Jacobs, a Realtor, further testified that market conditions have changed since 2006 and with the poor economy, there is “plenty of affordable housing.”

5. In early 2009, Developer submitted an application to re-zone the Property from Rural Residential and Hillside Stewardship to CORE B (the “Stoneridge Project” or “Stoneridge”).

6. The Snyderville Basin Planning Commission (the “Planning Commission”) reviewed Stoneridge several times:

- May 26, 2009 work session
- June 23, 2009 site visit
- August 11, 2009 work session
- November 10, 2009 work session
- December 8, 2009 public input session
- January 12, 2010 public input session
- January 26, 2010 work session
- October 25, 2011 work session
- November 29, 2011 work session
- December 13, 2011 public hearing

- January 10, 2012 discussion and recommendation

7. In July of 2011, the Council placed a moratorium on the CORE program. The CORE program was repealed by the Council on December 14, 2011.

8. The Developer is proposing 230 units of density, inclusive of 72 workforce housing units, on approximately 60 acres of the Property with the remaining 240 acres left as open space. The mix of homes includes both single family detached and townhomes. The workforce housing units are not evenly integrated throughout Stoneridge, but are concentrated in the Silver Summit neighborhood. The Developer has applied for a CORE B re-zone on the entire Property, which would provide a maximum density of 307 units. CORE B limits the amount of land to 100 acres. However, with 80% open space and a major contiguous portion of the property remaining in meaningful natural open space, one can be considered for acreage in excess of the 100 acre limitation. The Snyderville Basin General Plan provides that there must be 60% meaningful open space in any event.

9. The Developer has argued that it is providing 240 acres of total open space, which equates to 81% open space on the Property. However, the Property has substantial critical areas, such as slopes over 30% in grade. Those slopes can only count toward 25% of the open space. Such a calculation leaves less than 80% open space, thus failing to satisfy the additional acreage requirement of CORE B.

10. The entire Property must also, however, be located within ½ mile of year round public mass transit. Only 151 acres of the Property is within ½ mile of public mass transit. Consequently, 147 acres is outside of the ½ mile radius and cannot be part of a CORE B re-zone

under any circumstances.

11. The surrounding neighborhoods are categorized in the Snyderville Basin General Plan as “Silver Summit” and “Old Ranch Road.” There are no townhomes in these neighborhoods. All are single family detached dwelling units.

12. According to the “Biological Inventory” of the Property, there is “crucial fawning habitat for mule deer,” as well as being “within known elk migration corridors linking seasonally important habitat used in spring, summer, fall and winter. . . . Habitat loss and increased human disturbance resulting from the housing development is likely to discourage elk migration through the subject property. Loss of habitat within the project area may also displace mule deer and elk that might not otherwise migrate across adjacent US-40, possibly resulting in increased road kill.” Biological Inventory, page 9. According to a nearby resident of the area, approximately 2/3rd of the housing from Stoneridge crosses this wildlife Elk corridor.

13. A traffic study was prepared for Stoneridge, which indicated a reduction in the Level of Service and a proposed mitigation plan, which among other things, provided using “traffic calming” devices for public safety, especially for the benefit of the children in the area, as well as providing an alternative access road between the Silver Summit and Old Ranch Road neighborhoods. Testimony was taken from the President of the Mountain Ranch Estates HOA that his HOA attempted to use “traffic calming” devices in the area, but the devices were not effective. Further, Chapter 13 of the General Plan, page 72, prohibits access roads through the Old Ranch Road neighborhood. Although country lanes are allowed, they can be interpreted as being limited to use within the Old Ranch Road neighborhood itself in order to connect new

subdivisions within the neighborhood. In this case, the alternative access road connects to a distinct neighborhood planning area outside of Old Ranch Road.

14. The Council held a public hearing on March 28, 2012. The adjacent Silver Summit and Old Ranch Road neighbors highly opposed the Stoneridge Project, citing issues over traffic safety, inaccurate open space calculations, elimination of existing Wildlife Elk Corridor, too many road cuts, and a 1500% unit increase from base density.

BASED on the totality of facts and circumstances presented by the evidence and the entire record considered as part of the decision, the Council renders the following Conclusions of Law:

CONCLUSIONS OF LAW

1. The rezoning of property has been determined by the Utah Supreme Court to be a legislative act. Petersen v. Riverton City, 243 P.3d 1261, 1264 (Utah 2010). As such, “[a] decision, ordinance or regulation involving the exercise of legislative discretion is valid if it is reasonably debatable that the decision, ordinance or regulation promotes the purposes of this chapter and is not otherwise illegal.” UCA §17-27a-801(3)(b). See also Petersen, 243 P.3d at 1265 (“ . . . we apply the highly deferential reasonably debatable standard when reviewing a municipality’s zoning decision.”); Cottonwood Heights Citizen’s Association v. Board of County Commissioners of Salt Lake County, 593 P.2d 138, 140 (Utah 1979); Harmon City, Inc. v. Draper City, 2000 UT App 31 (Utah Ct. App. 2000).

2. SCC §10-5-16(D)(2) reflects this legislative standard. “Rezone and project approvals are at the sole discretion of the Legislative Body of Summit County, following the public hearing process.” (emphasis added).

3. SCC §10-5-16(D)(1) further provides that “[e]ach application will be reviewed on a case-by-case basis and be compared to the Needs Assessment to determine if the project is necessary to address the Workforce Housing needs of the Snyderville Basin.” (emphasis added).

4. Finally, SCC §10-5-16(7) requires that the Legislative Body of Summit County approve a CORE re-zone only where “said action is necessary to promote the public health, safety and welfare of the residents of the Snyderville Basin.” (emphasis added).

5. A “CORE B shall have a maximum overall density of one (1) unit per one (1) acre. CORE B shall be considered only for parcels or portions of parcels that are 100 acres or less in size, and greater than 50 acres. Parcels larger than 100 acres in size will be considered for this category if a major, contiguous portion of the property remains in meaningful natural open space. In this case, the overall open space for the development must exceed 80%.” SCC §10-5-16(B)(2). Although the Council is required to consider acreage larger than 100 acres for CORE B, there is no entitlement that such consideration will result in the favorable allowance of acreage over 100 acres. The ability to increase acreage is within the discretion of the Council.

6. The Snyderville Basin General Plan, which was made regulatory as it pertains to open space in SCC §10-5-16(D)(7), requires that critical lands, which are defined in SCC §10-4-3(C) to include slopes in excess of 30% in grade, account for only 25% of the open space requirement. General Plan, Policy 5.2(B).

7. SCC §10-5-16(E) provides seventeen (17) requirements that must be met for the approval of a CORE re-zone. Among those requirements are the following:

- “The property [must be] located within ½ mile of year-round public or private mass transit. . . “ SCC §10-5-16(E)(1).
- “Appropriateness: if any existing neighborhood is located within 1000’ of a proposed CORE development, the CORE development shall utilize home types similar to the existing home types within those portions of the neighborhood or neighborhoods within a distance of 1000’.” SCC §10-5-16(E)(4)(b). (emphasis added).
- “A transportation study shall be done, and if the additional density results in any reduction in the level of service of roads serving the project, such reduction in service shall be mitigated by the project. If traffic impacts cannot be reasonably mitigated, that could be grounds for project denial.” SCC §10-5-16(E)(10). (emphasis added).
- “The preservation of the open space will preserve critical wildlife habitat . . . “ SCC §10-5-16(E)(9).

8. An additional requirement is that “[e]ach phase of a project must contain a proportionate amount of the required workforce housing.” SCC §10-5-3(B)(4). In other words, the workforce housing must be integrated throughout the project.

9. In this case, the Council could not find that the approval of Stoneridge was “necessary to promote the public health, safety and welfare of the residents of the Snyderville Basin.” This determination was derived from the following:

- “Pent up” demand for workforce and moderate income housing under the 2006 Needs Assessment has arguably been satisfied by the approval of 532 additional workforce housing units since 2006 and thus, the Stoneridge Project with its 72 workforce housing units is not necessary.
- The Stoneridge Project is too dense for the area. CORE B limits the density to a maximum of 100 residential dwelling units. The Council considered allowing an increase to over 100 acres and 100 units, but decided against it because of concerns over adequate mass transit services (Property not within ½ mile of transit), public safety (lack of mitigation), wildlife impacts to Elk herd, and topography of the area (large numbers of 30% slopes requiring cuts and fills, which would scar up the Property). Here, the application is for 230 units, over twice the allowed maximum. Even if the acreage over 100 acres in a CORE B were allowed, due to the ½ mile transit requirement, only a maximum of 151 acres or 151 units would be allowed, far less than the 230 units within the application.
- The Property is not within ½ mile of mass public transit. In fact, only a little over half the Property would be within the required radius.

- The Stoneridge Project does not provide 80% open space because of the limitations on critical lands. Consequently, the Property is limited to 100 acres in CORE B as a matter of law. CORE B provides a maximum density of 100 units, not 230 units. The Stoneridge Project is too dense under these circumstances. Even assuming the development of the remaining acreage at base density or with incentives, the total amount of density is still far less than 230 units.
- The workforce housing is primarily focused on the Silver Summit neighborhood. Consequently, it is not proportionately dispersed throughout the Stoneridge Project.
- The principle home type in the area is single family detached. Townhomes are not a similar home type and would decrease property values in the adjacent neighborhoods.
- Failure to appropriately protect “crucial fawning habitat” for mule deer and the Elk wildlife corridor.
- The traffic study does show a reduction in the Level of Service. The mitigation of “traffic calming” devices is not adequate. Further, the use of a connector road between the Silver Summit and Old Ranch Road neighborhoods is prohibited in the General Plan. Consequently, that mitigation is also not adequate.

9. Based upon the preceding analysis, it is the decision of the Council to DENY the Stoneridge application.

DATED this ____ day of April, 2012.

COUNTY COUNCIL
OF SUMMIT COUNTY

BY: _____
David Ure
Chair

ATTEST:

Kent Jones
County Clerk

APPROVED AS TO FORM:

David L. Thomas
Chief Civil Deputy

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, MARCH 7, 2012
COUNCIL CHAMBERS
COALVILLE, UTAH

PRESENT:

David Ure, *Council Chair*
Claudia McMullin, *Council Vice Chair*
Sally Elliott, *Council Member*
John Hanrahan, *Council Member*

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

- **Council Mail Review**

CLOSED SESSION

Council Member Hanrahan made a motion to convene in closed session for the purpose of discussing litigation. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

The Summit County Council met in closed session from 2:30 p.m. to 2:35 p.m. to discuss litigation. Those in attendance were:

David Ure, *Council Chair*
Claudia McMullin, *Council Vice Chair*
Sally Elliott, *Council Member*
John Hanrahan, *Council Member*

Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*
Dave Thomas, *Deputy Attorney*

Council Member McMullin made a motion to dismiss from closed session to discuss litigation and to convene in closed session for the purpose of discussing personnel. The motion was seconded by Council Member Hanrahan and passed unanimously, 4 to 0.

The Summit County Council met in closed session from 2:35 p.m. to 3:20 p.m. to discuss personnel. Those in attendance were:

David Ure, *Council Chair*
Claudia McMullin, *Council Vice Chair*
Sally Elliott, *Council Member*
John Hanrahan, *Council Member*

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

WORK SESSION

Chair Ure called the work session to order at 3:40 p.m.

- **Presentation by North Summit Recreation District regarding the Community Center Project**

Nathan Leavitt with VCBO Architects presented the conceptual plans for the Community Center which they hope to be able to take the voters for a bond election. He discussed challenges with the grade on the site and how they were able to accommodate to meet those challenges.

Brian Baker with Zions Bank explained that, because of its small budget, the Recreation District will not be able to use funds from its current budget to finance the Community Center. They will have to go to the voters and ask for approval of a property tax levy to operate the District at a higher level and for a bond to finance construction of the Community Center, which they hope to do in conjunction with the June 26 primary election. Council Member McMullin asked about waiting until the November election. Mr. Baker replied that would delay the project, and they believe there will be sufficient turnout at the primary election to have enough people vote on this issue. Chair Ure stated that he expects a very large turnout at the primary election in North Summit. Mr. Baker explained that a special service district can assess up to a maximum .0006 property tax rate for operation of the district. North Summit Recreation District would ask for that rate to be authorized, but that does not mean that is what they would assess. It is possible that either the bond or the levy may not pass, but they could communicate with the community to see what the issues are and propose it again later. They would have at least five years to issue an authorized bond if it passes and the levy does not. He explained that, if the tax would increase more than \$15 on the average home, which it would, the ballot must specifically state the average home price, the average tax impact based on the average home price, and the tax impact on the average secondary home or business. He noted that a portion of Promontory is in the North Summit School District but not in the North Summit Recreation District, and that portion will have to be carved out, which will result in a greater impact on the average home within the Recreation District. Because of the need to adjust the boundaries, he did not have final numbers, but the tax impact based on a \$15 million bond would be approximately \$78 per \$100,000 of valuation, with the average home valuation being approximately \$232,000.

Council Member McMullin asked if the tax impact and levy would change if people start to move into the district. Mr. Baker replied that it would lower the amount per home, because the tax impact would be tied directly to the assessed valuation. As people move here and as the economy improves, total valuation would go up, and the cost per \$100,000 would decrease.

County Manager Bob Jasper asked how the County selects bond counsel, noting that there are only two or three firms in the State. Mr. Baker explained that the County has usually used Randy Larson or Blaine Carlton with Ballard Spahr, and he believed the Recreation District is working with Randy Larson at Ballard Spahr. Mr. Jasper confirmed with Mr. Baker that the County does not have a specific agreement to work with one bond counsel.

Chair Ure requested that this item be placed on the April 4 agenda.

- **Discussion regarding the proposal to create the Area C Special Service District; Mike Goar, Managing Director, Canyons Resort**

Mike Goar with Canyons Resort explained that they have petitioned to form a service district. As they have made a significant investment in the resort and the community, some improvements they have made have been for the benefit of others within the SPA or the general Canyons area. They hope forming a special service district would provide a mechanism for some of those improvements to move forward. He acknowledged that they do not have specific information regarding funding, but they would have to form the service district first. They have projects pending and some that are not yet anticipated that would benefit all the members within the service district boundaries. As an example, the RVMA may have some obligations or a desire to make improvements but not have the funding for a particular project, and the service district could play a role in helping them move forward. He acknowledged that there are limitations to a service district, and they do not want to overlap the authority or objectives of the Snyderville Basin Recreation District.

Chair Ure asked if the service district would be within the 5,500 acres of Canyons and if the tax rates for the fire district, sewer district, water, and other services would be in addition to the service district itself.

Deputy County Attorney Dave Thomas pointed out that, if the proposed special service district would provide the same services as an existing local district, such as the sewer district, they would have to get consent from the local district. If they are within the boundaries of a special service district, they cannot overlap the services of that district at all. He noted that the Snyderville Basin Recreation District has a broad purpose statement and can provide many of the services the Canyons provides. If they are looking for this service district to provide something specific, like golf or ski lifts, they would have to make that part of the Canyons service district charter and remove it from the Snyderville Basin Recreation District charter. They would also have to do that with the Fire District and other special districts that may overlap the Canyons area. He clarified that the County would need very specific information regarding what the services of the special service district would be.

Mr. Goar explained that they are not looking to overlap and acknowledged that they cannot overlap services provided by other districts. However, there appear to be a number of things that are not being dealt with, such as sidewalks, lighting, and signage, throughout the SPA. The RVMA has some responsibility for that, but it does not appear that they have the funding for it. He hesitated to be specific, because there are projects that have not yet been contemplated within the SPA or service district, which may not necessarily have the same boundaries as the SPA. As the Canyons has been making a significant adjustment and driving some level of economic growth in the County, he noted that other areas of the resort are not the Canyons' obligation, but they expect to partner with them to move them forward at the same pace.

Council Member Hanrahan expressed concern about 13% of the landowners creating a district that would be a taxing entity for 87% of the landowners. He asked if they have talked to other groups who have not bought into this yet or whether the others are uninterested. Mr. Goar replied that they have talked to other groups and have significant support. He stated that the developer of Silverado, Sunrise at Escala, and Escala Lodges is supportive, Westgate Resorts is supportive, and they have talked with all the members of the Resort Village Master Association, which are all supportive except for one, and Mr. Osguthorpe was less supportive than other members of the RVMA. Council Member Hanrahan stated that, for him to support this, he would need to see a much higher percentage of people who want a taxing entity.

Council Member Elliott stated that she does not know enough about this to make a decision, and it will take some time for her and a lot of information. She needs a clear idea of who is in favor and who is not, who would be impacted, how much it would cost, how the County will be impacted by giving up revenue, and a lot of other questions would have to be answered.

Mr. Baker explained that Canyons is asking to form a special service district, not asking for a handout. Compared to the North Summit Recreation District, the assessed value in the Canyons is much higher. He noted that the County has the ability to form assessment areas, and if the Canyons wanted to do an assessment bond for some on-mountain improvements, they could draw a box around the area, call it a County assessment area, and assess fees to the people who live there. That involves the County to a high degree and puts them in the position of deciding which assessment areas they want to work with or not. He believed the idea is to form a special service district, which can form its own assessment area and issue general obligation bonds which the people would have to vote on, which would give them a better collateral source than a special assessment bond.

Mr. Jasper asked if the Council would have any interest in forming this special service district. If so, he would explore possibilities and talk with the Snyderville Basin Recreation District. He noted that Park City gets a 1% sales resort tax, and he would like to explore a change in the law for districts to get the sales resort tax. He noted that the County Council would appoint the board members to the special service district.

Council Member Elliott stated that, because the Canyons is a significant partner with the County, they should at least explore this. She would like to hold some public hearings and know what people think about it. She would like to know who has already signed on and how the other 87% feel about it. She liked the idea of resort sales tax legislation. She commented that it would take several months for her to figure this out, and she would need a lot help from the County Manager and a lot of input from the public, because she has never considered something like this before.

Council Member McMullin asked about the downside of exploring this if the Canyons is able to work through the issues with the other districts. Council Member Hanrahan replied that, if 30% said yes and 70% said no, that would be a downside. Other than that, the Council Members agreed there would be no downside to looking into this.

Council Member Hanrahan stated that he would not want another district that is going to set up another water company, so they have a few districts they will have to work through. Mr. Thomas reiterated that they would have to be very specific about what services they intend to provide to be sure they do not overlap other districts.

Council Member Elliott stated that she would not want the service district to focus on such a narrow range of services that it is not of any interest, and she would want it to be beneficial to the district.

- **Interview applicants for vacancies on Summit County Mosquito Abatement District Board of Trustees**

The Council Members interviewed the following candidates for three vacancies on the Summit County Mosquito Abatement District Board of Trustees:

Dorothy Staley

Nathan Brooks

Sue Pollard

Tal Adair

Questions included whether the candidates have time to serve on the Board, why they wish to serve, whether there is anything they would do differently in operating the District, whether they have relatives working for the District, and how they would do at managing funds and setting policy.

CLOSED SESSION

Council Member Elliott made a motion to convene in closed session for the purpose of discussing personnel. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

The Summit County Council met in closed session from 5:10 p.m. to 5:15 p.m. to discuss personnel. Those in attendance were:

David Ure, *Council Chair*

Claudia McMullin, *Council Vice Chair*

Sally Elliott, *Council Member*

John Hanrahan, *Council Member*

Council Member Hanrahan made a motion to dismiss from closed session and to reconvene in regular session. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

REGULAR MEETING

Chair Ure called the regular meeting to order at 5:18 p.m.

- **Pledge of Allegiance**

CONVENE AS THE BOARD OF EQUALIZATION

Council Member Hanrahan made a motion to convene as the Summit County Board of Equalization. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

The meeting of the Summit County Board of Equalization was called to order at 5:18 p.m.

CONSIDERATION OF APPROVAL OF 2011 STIPULATIONS

Council Member Hanrahan made a motion to approve the stipulations as presented. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

DISMISS AS THE BOARD OF EQUALIZATION

Council Member Hanrahan made a motion to dismiss as the Summit County Board of Equalization and to reconvene as the Summit County Council. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

The meeting of the Summit County Board of Equalization adjourned at 5:19 p.m.

APPOINTMENT OF MEMBERS TO FILL THREE VACANCIES ON THE SUMMIT COUNTY RESTAURANT TAX ADVISORY COMMITTEE

Council Member Hanrahan made a motion to reappoint Brooke Hontz and Judith Schweikert and to appoint Jeff Ward as the Park City Restaurant Association representative to the Summit County Restaurant Tax Advisory Committee, with terms to expire July 31, 2014. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

DISCUSSION AND POSSIBLE APPROVAL OF ADDITIONAL FUNDING FOR PARK CITY PERFORMING ARTS FOUNDATION

Mr. Jasper stated that he believed they should accept the RAP Committee's recommendation for now and reform the structure of the selection process. However, he was asked by the Council to look into other options for providing money to the Park City Performing Arts Foundation. He noted that the Council provides TRT money to the Chamber Bureau, which funds many of the same entities as the RAP tax. In speaking with Bill Malone from the Chamber Bureau, he believed they could come up with \$13,000. Mr. Jasper also explained that the RAP tax cycle is from August to July, and on a one-time basis they could extend that cycle to September or October to generate additional money for the Performing Arts Foundation. A third option would be for the Council to use money from its contingency fund.

Council Member McMullin suggested that they take the \$13,000 from the Chamber Bureau and then determine if they wish to provide more funding and, if so, whether it should come from the RAP collections or the Council's contingency.

Council Member Hanrahan recalled that there was a 2% cut from the previous year and asked what the amount would have been if they had applied the 2% cut. Assistant Manager Anita Lewis provided information showing that in 2010 the Performing Arts Foundation received \$62,486, and this year they were awarded \$41,578. Council Member Hanrahan estimated that an additional \$21,000 would bring them to about what they received in 2010. He stated that the money from the Chamber Bureau would come from a separate funding source, and he would not want to take the money from them. He believed the funds should come from the RAP tax, and he would prefer to extend the period for the RAP tax. Council Member McMullin added that she was not certain that the Performing Arts Foundation application would qualify for TRT money, because she recalled that they were requesting funding for educational outreach.

Council Member Hanrahan made a motion to take \$21,000 from the RAP tax fund by extending the collection period and granting the money to the Park City Performing Arts Foundation for the purposes outlined in their RAP tax grant application.

Council Member Elliott asked if Council Member Hanrahan would consider having a review to see if what the Performing Arts Foundation applied for qualifies before doing that. She stated that she would also like to give Mr. Jasper and Ms. Lewis carte blanche to work through what they would like to see as contracted services and to work with all of the board on criteria for a new standard of grading and review. She was not certain whether it is legal for the Council to take \$21,000 in addition to what the Performing Arts Foundation is already getting and apply it to what they are doing.

Mr. Jasper explained that it is up to the Council to determine the closing date for the RAP tax funds accounting cycle.

The motion was seconded by Council Member Elliott.

Chair Ure asked what they would do next year if the fund is down \$10,000 because of the economy plus the \$21,000 they are taking out this time. Council Member Hanrahan replied that, if that is the case, they would just have less money to distribute next year. As long as the grant process is reevaluated, they should be all right next year. Chair Ure verified with Council Member Hanrahan that he was more concerned that the process was not fair this year than he was about the actual amount of money and is trying to have equality throughout the process. Council Member McMullin explained that if they do what they plan to do in 2012, this will not happen again, because they hope to get objective criteria. This was an outlier situation where at least four of the Council Members did not feel that the recommendation was justified. Council Member Hanrahan explained that they are doing this knowing that there may be less money to be distributed next year, but they are also changing the standards.

The motion passed unanimously, 4 to 0.

Council Member McMullin stated that she would like the Council to be involved in developing the criteria. She suggested that they look at how ZAP is administered, the percentage of wages and benefits of the total actual for the prior year, getting away from defining the percentage of the proposed budget, which might cause some applicants to exaggerate the proposed budget, and instead looking at the actual operating budget of the prior year, and looking at whether budgeting

has proved to be accurate. Council Member Elliott stated that she would like to look at program versus salary, programs versus overhead and administration, and value to the public.

Mr. Jasper reported that he would meet with the Auditor's Office and determine to what date they would need to move in order to come up with the \$21,000 and then make the award. He noted that, all things being equal, this probably would not affect future years, because they are making a one-time change in the timetable and would stick with the new cut-off date in the future. He stated that he would like to set priorities and look at how things mesh with the law.

APPROVAL OF COUNCIL MINUTES

FEBRUARY 8, 2012

FEBRUARY 15, 2012

Council Member Elliott made a motion to approve the minutes of the February 8, 2012, and February 15, 2012, County Council meetings with changes. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

MANAGER COMMENTS

Mr. Jasper reported that the RAP recreation committee has extended the application deadline for two weeks until March 30, and then he will hold a work session to review the proposed projects. He stated that he was uncomfortable proposing a bond until they see what projects they will explore.

COUNCIL COMMENTS

Council Member Elliott reported that she has had requests from a couple of agencies to talk about the County's non-profit grants, which are the ones that come from County budget funds. Council Member Hanrahan noted that they have struggled with that process for three years, because there are no criteria for the grants. Council Member McMullin recalled that they had set criteria and asked Mr. Thomas to review the criteria. Mr. Thomas replied that they look at whether the organization performs a governmental function, whether it is in the General Plan, and what their priorities are. Council Member McMullin recalled that those who request that money must fall into one of those three categories. She confirmed with Council Member Hanrahan that his concern is that they are not looking in depth at the number they are asking for each year, if someone is new, and why they may have been rejected, and stated that she agrees with that. Mr. Jasper explained that he will be coming back to the Council to ask them to identify the needs in the community and the priorities for meeting those needs. Whoever can best meet those needs, so be it. Council Member Elliott stated that she believes several organizations should be funded as adjuncts of County services, and they need to discuss that and come to some sort of understanding. She would like to have a complete review of those organizations that perform County services and how they meet the Manager's criteria for purchasing services.

Council Member Elliott asked about potential wildlife protection ordinances being circulated through the Planning Commission. She stated that she is getting questions about that but does not know anything about it, and she would like a report from Sustainability Coordinator Ashley Koehler. Mr. Jasper offered to arrange a briefing from Ms. Koehler.

Chair Ure stated that he would like to work on four or five issues as a priority over the next five or six months, including amendments to the Charter, a resolution on the salaries of elected officials, and a County-wide policy regarding benefits to sitting board members. Council Member Hanrahan stated that he would also like to discuss term limits.

PUBLIC INPUT

Chair Ure opened the public input.

There was no public input.

Chair Ure closed the public input.

PUBLIC HEARING AND POSSIBLE APPROVAL OF AMENDMENTS TO SECTION 10-8-2 OF THE SNYDERVILLE BASIN DEVELOPMENT CODE REGARDING SIGNS, BY ADOPTION OF AN ORDINANCE; JENNIFER STRADER, PLANNER

County Planner Jennifer Strader presented the staff report and provided a history of the effort to amend the sign code. She explained that the County Attorney's office informed Staff that the Snyderville Basin sign code is content based, and because of the First Amendment right to freedom of speech, the sign code needed to be amended to be content neutral. Therefore, they have attempted to amend the entire sign code to regulate only time, place, and manner. The amendments accomplish three objectives, making the Code content neutral, providing more flexibility than what is currently allowed, and applying the same standards to everyone. Staff found it would be best to separate signs into residential and non-residential categories. Each residential parcel would be allowed 6 square feet of sign area with a maximum height of 6 feet, which would allow two typical campaign signs, and the height would accommodate real estate signs. At the work session with the County Council, the Council suggested that 6 square feet may not be enough, because residents may want more than two campaign signs, and Staff has amended the language to state that each residential parcel may have 9 square feet of sign area, which would accommodate three campaign signs, and the 9 square feet can be split up between as many signs as the user would like. Non-residential signs would be permanent, and Staff has proposed deleting comprehensive sign plans from the Code and allowing more flexibility with permanent signs. Staff proposes increasing the size of free-standing signs from 27 square feet to 30 square feet for single users and to 45 square feet for a multi-use development to allow more room to put all of the users' names on the sign. The Code currently allows 1 square foot of sign area for each 4 lineal feet of building façade frontage up to a maximum of 30 square feet, which would have to be split between all of the users. Staff felt that each non-residential use should be allowed to have a wall sign, and they are proposing 1 square foot of sign area for each 3 lineal feet of façade frontage up to 40 square feet, with a minimum size of 10 square feet per user. Staff has also proposed that a user may have a secondary wall sign, which would be half the size of the primary wall sign, such as over a rear or secondary entrance on another façade.

Council Member Hanrahan confirmed with Planner Strader that the Snyderville Basin Planning Commission reviewed the Code amendments and asked about the impetus for the second wall sign. Planner Strader explained that they wanted to provide more flexibility, since they are doing away with the comprehensive sign plans, which generally allowed more wall signage than

current Code standards. Staff has also received some requests from businesses to have a sign above their door. She confirmed that they would not be able to get rid of the currently existing comprehensive sign plans that are part of development agreements.

Planner Strader explained that the Code currently allows projecting signs, hanging signs, and awning signs, but it only allows a business to have one of those types of signs. Staff felt there was no reason not to allow a business to have the type of signs they want or feel would be best for their business, so each user will be allowed to have three of the five different types of signs, other than a monument sign. The five types of signs are primary and secondary wall signs, projecting signs, hanging signs, or awning signs.

Council Member Hanrahan asked why the Planning Commission felt a need to go from allowing one sign per business to three signs. Planner Strader replied that they wanted to provide more flexibility since they will be deleting the comprehensive sign plan requirements, and most comprehensive sign plans already allow that. They tried to look at what comprehensive sign plans allow that is different from the Code and work that into the amendments to make it more equitable. Council Member Hanrahan asked if they are hoping that those with comprehensive sign plans will voluntarily give up their plans and accept the new Code. Planner Strader explained that they will have the option to do that, and going forward, developers would not have the option to apply for a comprehensive sign plan but would be subject to the Code requirements. Council Member Hanrahan commented that this is a significant loosening of the sign code, and they do not know the history of the negotiations that went into the different development agreements, but he believed developers might have been allowed more signage than was allowed in the Code because they were going to provide certain things. Now they are saying everyone gets to do it. Planner Strader explained that comprehensive sign plans were not based on the developer providing certain things, but using Newpark as an example, the Code would have only allowed 30 square feet of signage for all the users combined, and each user would not have been allowed a wall sign. Council Member Elliott commented that there is no reason to assume that developers with comprehensive sign plans get more signage than other businesses; it is just a matter of how it is arranged. She commented that the amendments may allow some proliferation of signs, but it will be more consistent overall, and they are not giving up anything. Council Member McMullin stated that loosening of the sign code has been an issue ever since she was involved with the Planning Commission. One of the Council's main priorities is economic development, and people are complaining because they cannot get people into their businesses because people cannot see the signs. She believed this is a middle ground between being too restrictive and too loose. Planner Strader reiterated that they are trying to be fair and equitable to everyone. Council Member Hanrahan stated that implies that none of the existing comprehensive sign language is better than the proposed Code change.

Planner Strader discussed the proposed changes to the temporary sign language and explained that temporary signs would only be allowed for non-residential uses and are separated into Class I, II, and III signs. Class I would be up to 6 square feet and 6 feet in height. The purpose for this is to allow non-residential uses to have campaign signs and real estate signs. No permit is required, and no time frame is associated with the temporary signs.

Council Member Hanrahan asked if a business could have a temporary sign up all year. Planner Strader replied that they could. She explained that they needed language that would regulate campaign signs and real estate signs without calling out the content of the sign. Real estate signs could be up for a year or more, so they did not restrict the time. Council Member Hanrahan felt that was a frightening proposition because of the potential for proliferation of temporary signs that would be up all year. The language would allow two or three temporary signs per business all year. Planner Strader acknowledged that Staff agrees with that, but they have not been able to come up with another way to address it. She noted that Class II temporary signs would be between 6 square feet and 20 square feet, one for each non-residential use, and they would have a time limit of twice a year for 30 consecutive days each, and a permit would be required. She explained that it does not make sense to require a permit for campaign signs, so they cannot enforce a time limit. It also makes no sense to get a permit for a real estate sign, but properties may be listed for sale for more than 30 days, and that is why the language is proposed as it is, because it must be content neutral. Council Member Hanrahan suggested that another option would be to put a time limit on Class I signs that would restrict real estate and campaign signs. Planner Strader explained that they could put a time limit on them, but Staff does not believe it is realistic to require a permit for every campaign sign, because there is an enforcement issue.

Council Member Elliott asked if residences could have signs that advertise a home occupation. Planner Strader replied that the language states that commercial advertising is not allowed on residential parcels unless they have an approved development permit. If someone came in for a home occupation license, they could have a small sign that advertises their business. Council Member Elliott expressed concern that this would run contrary to HOA CC&Rs. Planner Strader explained that would have to be regulated through the homeowners associations. She explained that CC&Rs can be more restrictive than the County Code, and the HOA can choose to enforce its CC&Rs. Council Member Elliott noted that garage sale signs could also stay up all week.

Planner Strader explained that Class III temporary signs could exceed 6 square feet and could not be larger than 20 square feet. They would have a one-year time limit to accommodate construction and development site signs, and they must be made of a rigid material. With regard to changeable copy signs, electronic changeable copy signs would be prohibited. The Planning Commission and Council questioned whether digital signs might be requested in the future, and the Planning Commission recommended a condition that the sign code would be reviewed in one year, and at that time they could discuss the use of digital signs and see whether they might want to add them to the Code. Staff has proposed that each non-residential use be allowed one neon sign, which is not currently allowed in the Code. The neon sign must be located inside a window and cannot exceed 2 square feet. Window signs are limited to 10% of the window area, and a neon sign would be considered a window sign. Planner Strader explained that the Code currently states that, if a business has a non-conforming sign and wants to expand their business, all the non-conforming signs would have to come into compliance with the current sign code. Staff recommends that conforming businesses be allowed to expand without having to bring non-conforming signs into compliance as long as the business does not expand the non-conforming signs or add more non-conforming signs, because they believe businesses should be allowed to be updated and maintained. Non-conforming signs valued at less than \$100 shall be removed. Planner Strader explained that Staff has clarified the language regarding sign illumination so it is easier to understand and complies with the lighting standards. The Council suggested that the use of plastic be prohibited on all signs; however, the Code states that Lexan or plastic are allowed in conjunction with a wood or metal background. Staff believes Lexan or plastic should

be allowed only for individual letters, because that is generally what signs are made of. Staff recommended that the Council hold a public hearing and vote to approve the amendments based on the findings and conditions in the staff report by adoption of an ordinance.

Chair Ure opened the public hearing.

Bill Malone, Executive Director of the Park City Chamber Bureau, explained that they have been looking at signage for the visitor's center and have talked to the architect about shades that would come down on the windows with the international information symbol on them. He had asked Community Development Director Don Sargent if that would be permitted, and he did not know. He explained that he is at the point of ordering the equipment and asked if that would be permitted. Council Member Hanrahan commented that would open it up to anyone wanting to put another 10 signs in their windows, which seems to defeat the purpose of the sign ordinance. Mr. Malone noted that it is a symbol rather than a sign advertising something. Mr. Sargent explained that the Code currently addresses logos as being part of window signage. The question is whether this use would be considered a sign, because it does not advertise the use of the building but is a logo. Mr. Jasper commented that it may be a logo, but it is not the Chamber Bureau's logo, it is an international symbol that people from all over the world know and can identify as a place to get directions and information. Council Member Hanrahan stated that he did not believe they could allow this and remain content neutral.

Council Member Hanrahan asked Mr. Malone's opinion about his concerns regarding the proliferation of permanent and temporary signs. Mr. Malone replied that, when they survey businesses in the area, signage is always a big topic, and businesses feel it has been overly restrictive. Some businesses have told him, including the Tanger Outlets, that they would like a more uniform look in their signage, but they are afraid to do so, because if everything shrinks as a result, they would end up with a net loss of signage. Under the current Code, businesses hold onto old signage instead of going to current signage, because the Code is more restrictive. He stated that with the work he has done on economic development, signage has been a sore point. Council Member Elliott commented that this is a tourist resort, and a proliferation of flashing, tacky signs would make them look like the strip at Las Vegas or any other tacky resort. She definitely did not want the Tanger outlet to turn into the Tanger nightmare. Mr. Malone agreed that there needs to be a balance, and he believed what is proposed is an attempt to find a happy medium that will allow some flexibility. Council Member Hanrahan agreed that current sign language is too restrictive, but the question is how far to loosen it and what is a happy medium, and that is why he concerned about the temporary signs.

Chris Eggleton with Newpark Town Center asked whether window signage would be 10% per window if a business has more than one window. Planner Strader confirmed that it would be. Mr. Eggleton noted that, technically, the visitor's center could have their international sign if it is no more than 10% of the square footage per window. He noted that, based on the framing, a single window might actually have four or more windows, and he believed neon signs in every single window should be discouraged. Planner Strader clarified that only one neon sign would be allowed per business. Mr. Eggleton referred to the concern about a proliferation of temporary signs and explained that owners are trying to identify their businesses and get people off the sidewalks. In Newpark, it is very difficult for people to find the businesses from Highway 224. Way finding signs have been presented to the Park City Chamber Bureau, and there is a master plan for that. He believed way finding signs would make it easier for a visitor

or the transient tourist population to find key critical zones for shopping, restaurants, etc. He believed certain major zones or brands should be definitively named, such as Tanger Outlets, rather than just being identified as shopping. Council Member Hanrahan stated that he would not want to legislate which businesses get additional signage in that manner. Mr. Eggleston stated that Park City as a whole has a way finding issue; people get to Kimball Junction and do not understand that Park City is beyond Bear Hollow Drive. He believed that better identifying areas would be part of the traffic mitigation problem, because when people do not know where they are going, they slow down and change lanes and congest the area. He asked if the reference to attaching signs to wood or metal should include stone. Planner Strader agreed to add stone to the language.

Chair Ure closed the public hearing.

Council Member Elliott made a motion to continue the public hearing on amendments to Section 10-3-2 of the Snyderville Basin Development Code regarding signs to a future date. The motion was seconded by Council Member Hanrahan and passed unanimously, 4 to 0.

Council Member Elliott stated that no residential area should have home business signs, but she did not know how to do that and remain content neutral. Council Member McMullin suggested allowing temporary signs for a particular time period, but she acknowledged that would be impossible to enforce. Planner Strader explained that other jurisdictions split up their sign ordinances by zone district rather than by residential and non-residential signs. However, Rasmussen Road is zoned Rural Residential, and almost every use along Rasmussen Road is commercial, so it does not make sense to do it by zone district. Council Member Hanrahan asked if they could do it by zone and allow an exception for legal non-conforming uses, such as the commercial uses along Rasmussen Road. Council Member McMullin commented that they could pass everything but the temporary sign section of the amendments and work on that. Mr. Sargent explained that the County is under the pending ordinance doctrine, and Staff has been applying the proposed amendments. He suggested that Staff return with some options based on the Council's input.

PUBLIC HEARING REGARDING A PROPOSAL TO ESTABLISH THE ECHO SEWER SPECIAL SERVICE DISTRICT; ERIC JOHNSON, ATTORNEY, AND LANE PEIRCE, ENGINEER

Eric Johnson, an attorney representing the Echo Sewer Company, explained that this public hearing would not create a special service district and is not about any particular project. It is a hearing to answer questions from the Council and the public and to educate people. He reported that he met with many of the people in Echo last fall, and they asked him to approach the County about creating a special service district. He clarified that the purpose of creating a special service district is to create a public body that could provide sewer service in the Echo community. A public body is needed because the State Water Quality Board, which is the body that regulates sewer systems, has made some determinations about the need for sewer improvements in the community. The State wants to help the community and provide financing for a sewer project but can only provide funds to a public body. The sewer system in Echo is owned by a private, non-profit company, and the Water Quality Board cannot provide funds to a private entity, so a public body is needed to allow the State to provide grant money or low-

interest loans. The purpose for forming a special service district is to qualify for the best financing possible for a sewer project.

Lane Peirce with Sunrise Engineering explained that the State, along with the Summit County Health Director, have monitored Echo Sewer for several years to see if they are in compliance. They had concerns and wanted to be certain that the system complies with State law, so they put dye in the sewer system to see if sewage was surfacing. They found that sewage was surfacing, and there were other regulations with which the sewer system was not in compliance. The State has required that Echo Sewer come into compliance with the rules or pay stiff fines. He explained that he has worked with the community to help them meet the State laws and health standards. The State has attended many meetings with the Echo Sewer Company, and the best way to help is to form a public entity so the State can give them the best loan or grant possible to correct the problem. In order to meet State standards, the Sewer Company must make major upgrades to its system, and the best way to do that is to form a body politic.

Chair Ure opened the public hearing.

Michael Carlson, a property owner in Echo, stated that he was not notified of any of the previous meetings, and he is included in the proposed special district boundaries. He stated that he is opposed to this and that there are only seven houses in Echo that are complaining about the sewer system, and they could put in septic systems to take care of the problem. Instead, they have chosen to include hundreds of acres of his property in a special service district, and he is not interested in being involved in a special service district. He stated that he has seven home sites on his property. Six of them are on septic systems that are doing just fine, and they do not need to be included in a sewer district. He believed borrowing hundreds of thousands of dollars for the sake of the few homes on the sewer system is useless. He stated that three houses across the road are using the existing ponds, and he believed the State had said there was no problem with those houses using the existing ponds, so the only houses they are talking about are from Temple Lane south. He explained that he has one property on Temple Lane, and the remainder of his property is north of Temple Lane. He clarified that the house on Temple Lane is on the sewer system, but he could easily put it on a septic system. Council Member Hanrahan confirmed with Mr. Johnson that the special service district boundaries could be redrawn to exclude Mr. Carlson's property. Mr. Jasper asked if they could put septic tanks on each of the lots. Mr. Peirce explained that they have discussed that, and the County Health Official will not allow the homes to go on septic systems. Mr. Carlson claimed that he spoke with the County specifically about that, and they said in some areas there is high ground water. He is a contractor, and he asked the County if they could do a mound system on those properties, and the County agreed with him that could be done on all the lots. He stated that they can work very effectively, and a septic system can last for a lifetime, depending on how people maintain them. The existing sewer ponds are in disrepair, and no one has done anything to maintain them. He believed there are things the Sewer Company could do to fix the pond without setting up a special service district without enough people to support it. Mr. Peirce explained that the State requires a field that functions, and they now require a redundant field that will function in the event the main field fails. Mr. Carlson maintained that the Sewer Company could haul out the material in their lagoon and bring in new material, but they don't seem to want to do that. He claimed they could do that and put other houses on septic systems. He asked about the growth projection for Echo and suggested that they refurbish the lagoons they have and put in septic systems. Mr. Peirce confirmed that they proposed a 0 growth projection and explained that the

State will not loan money for a project that does not meet their rules, and what Mr. Carlson proposes would not meet their rules.

Council Member Hanrahan asked about the financial impact of reducing the special district area to only those parcels that are actually in the Sewer Company. Mr. Johnson explained that the boundaries can be constricted, and they do not have to be contiguous. Before a project actually moves forward, there would be additional public hearings specific to a proposed project.

Council Member Hanrahan asked what the cost of the improvements would be. Mr. Peirce explained that it would cost approximately \$800,000 to meet the State's requirements. Council Member Hanrahan commented that, if he had a home with a working septic system, he would not want to be included in the special service district. He asked if the State would provide money for any sort of a fix, like putting in new mound septic systems. Mr. Peirce replied that they would provide money for a fix the State approves. He explained that he discussed septic systems and received direction from Bob Swenson with the County that septic systems would not be allowed. Mr. Jasper explained that Bob Swenson sat in on his original meeting with Echo Sewer, and he told them something different than what Mr. Carlson claims. In an ideal world, a septic system could last forever, but in reality, they do not. He commented that mound systems have been used in other communities where he has lived, and it is not as simple as just putting in a mound. He stated that he has been in areas where special assessment districts have been set up, and some people have opted out, but once the district was set up, those people came and wanted to be included, because they were having problems. People could be forced out of their homes if they do not find a solution, and they need to find something that works for everyone. He stated that Bob Swenson has never mentioned to him that the cost effective way to solve this problem is to build seven mound septic systems.

Mr. Carlson stated that he has been on a septic system for 31 years and never had to touch it, and it works perfectly. Some people do not take care of them, and they will fail. He claimed that his septic system works as perfectly today as the day he put it in. With houses close together, they would not need seven septic systems, and they could do a joint system and put in maybe three or four septic systems, which would cost less than \$5,000 per septic system.

Mr. Johnson clarified that only those residences that are connected to the sewer system will pay the fees. The boundaries were set large because property can always be removed, but they cannot expand. He acknowledged that there may be residences within the boundaries that would not be part of the sewer project. Council Member Hanrahan verified with Mr. Johnson that there would be no tax levy with this district; they would operate only on user fees. Mr. Johnson clarified that a monthly sewer fee would be charged, and the system would be self sustaining, with fees sufficient to maintain the system and retire any debt to pay for it. In order for a special service district to levy taxes, they would have to come to the Council, and the Council would have to approve an election to put it to a vote of the people in the district.

Mr. Carlson confirmed that he owns one house that is connected to the sewer system and six that are not. He stated that they would be happy to disconnect that house from the sewer system and put in their own system so they would have nothing to do with the sewer system.

Ruth Richins, a property owner in Echo, expressed concern about the description of what they want to include in the special service district and noted that the report states that taxes may be annually levied upon all taxable property within the service district, and fees charges may be imposed for any or all of the service to be provided. She noted that it does not talk about loans or grants. As a large property owner, all of her property is on the west side of the railroad tracks and the freeway, and it is all agricultural land. Her home is the only home in Section 25, and it is on a septic system, and she did not want to be part of a sewer district that does not serve here.

Council Member Hanrahan asked about the practical consequences of shrinking the proposed district boundaries by the two large properties that have been discussed so far. Mr. Peirce explained that he drew the boundaries large and was not aware of all the property and who owns it. He did not believe they need to include Ms. Richins' property. Council Member Hanrahan suggested that the service district cover only the sewer service area.

Frank Cattelan explained that the Echo Sewer System is gravity fed. He understood that the State came and condemned their drainfield. He stated that when they put in the road, they put in an 8-inch line, and the railroad had a 6-inch line crossing the railroad tracks. The State put a 12-inch line across the freeway, and they built a 7,500-gallon septic tank and did not have any problems until the State condemned their ground. He acknowledged that there is a problem with the line that crosses the railroad track. He stated that he had to close his business, so that is 12 shares that will not have to go into the new system. He did not understand why they could not keep the current system going rather than having to build a new one and put in a lift station. He stated that both the water system and the sewer system are gravity fed, which is an inexpensive operation, and he did not understand what the problem is. He commented that every house already has a septic tank. Council Member Elliott confirmed with Mr. Cattelan that each of those tanks flows down into the 7,500-gallon septic tank.

Taunia Staples, President of the Echo Sewer Company, explained that the purpose of the proposed special service district is to get some money to help re-do the system, and it will be expensive no matter what they do. They still have the issue of the damaged pipe under the railroad tracks, and it will cost \$100,000 to bore under the tracks. The line west of the track is deteriorating. She confirmed that all the homes have their own septic tanks to keep the solids inside, but when she took over the system in the spring of 2009, it was not mandated that people have their septic tanks cleaned out, and people basically did it when their septic tanks backed up into their homes. As a result, solids went down the sewer line and plugged up the drainfield on the west side of the track, and the system has failed due to lack of maintenance in prior years. She noted that flies and mosquitoes land in that drainfield and can spread diseases, and they are trying to move forward to protect people's health. Regardless of what project they do, they have to do something. If there is no sewer system, people will not have a home. Their water will be turned off, and they will not be able to sell their homes. They need to do something, and that is why they got involved to move forward and get some money. She supports the special service district, because it is a way they can obtain funds and move forward on a project for their town.

Tammy Stewart, a property owner in Echo, stated that hers is the only house past the Utelite loader. Her property is on a septic tank, and they are not interested in being put on a sewer system. Mr. Peirce confirmed that Ms. Stewart's house was never intended to be on the sewer system. Mr. Thomas explained that Ms. Stewart needs to file a protest so the County will know she does not want to be part of the sewer system. Mr. Johnson clarified that anyone who wishes

to protest the creation of the district or their inclusion in the district must submit something in writing to the County Clerk within 15 days of the public hearing.

Joe Scovel, an associate of Mr. Carlson's, stated that he believed the purpose tonight is to decide whether to set up a district, and there is a question as to whether the Council would exclude those who do not want to be part of the district prior to voting on creation of the district, which would take this out of the realm of all the other considerations. He asserted that the State has told the Sewer Company to find other alternatives, and Bob Swenson has already told them that this area is already in a district, the Eastern Summit County Conservation District, but these gentlemen want to de-annex from that district and form their own district.

Mr. Jasper suggested that they get Bob Swenson to come in and address some of the questions and concerns. Chair Ure suggested that they put this item on the agenda in two weeks and have Mr. Swenson come tell the Council what they can and cannot do according to the State. He acknowledged that there is already a service district in Eastern Summit County, and Echo would have to be de-annexed in order to form the new district, but there is no money in the Eastern Summit County Conservation District to help the problem in Echo.

Council Member Elliott made a motion to continue the public hearing on the proposal to establish the Echo Sewer Special Service District to March 21, 2012. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

Jane Harper, Secretary of the Echo Sewer System, stated that she is in favor of the special service district. She has been secretary of the sewer system for more than 15 years and knows its history. They have been working on getting the system brought up to date and have applied for community block grants and every other means to improve the system as inexpensively as they can. They got a little bit of money from the community block grant to inspect their lines. She confirmed that past neglect has caused the problem with their system. She reported that they held a public meeting in Echo about creating a special service district, and most of the sewer shareholders were in favor except for two who objected, Mr. Carlson and Mr. Cattelan. She explained that they have an existing seepage field, and it has to include those in the township who use that seepage field. They made the boundaries wide enough to include everyone who might eventually need to be on the sewer system.

Kory Staples commented that they have a lot of problems with their water and sewer. He noted that there are more than seven homes on the system; there are 33 shares altogether. He stated that they have to do something for the town, because otherwise he did not know what they would do, as every home in Echo would be condemned and be worthless. He explained that the water table is very high, and there is no way he could put in a septic tank and drainfield for his house. He commented that, if something had been done with the system 12 years ago, the problem would have been solved. The State says there is no way they can use the current system because the soil has been contaminated, and the soil has been saturated. He questioned what they would do if they cannot come up with the money and the State starts to condemn their properties.

The County Council meeting adjourned at 8:05 p.m.

Council Chair, David Ure

County Clerk, Kent Jones