

Schedule for the Natural Resource Conservation Service Road Tour

Tour will visit three sites mitigated by the NRCS program

Site 5	Doug Sanders	2801 Weber Canyon Road
Site 12	South Bench Diversion	Above Oakley
Site 9	Weber River Corporation	Site in Oakley

Tour will be held on Wednesday, June 20, 2012.

12:30 PM - Staff will leave Richins Building with Council on the bus at 12:30 PM to meet with NRCS representatives and the media at Oakley Town Hall at 1:00 PM

1:00-1:15 PM - Brief discussion of projects, tour and media conference. Dave Ure should represent the County, Dave Brown will be the representative from the NRCS. Congressional staff and other NRCS staff will be present.

1:15-1:45 PM - Travel to and tour Doug Sanders property discussion of prior problem and mitigation program. Kevin/ Derrick provide an overview of the project on site.

1:45-2:15 PM - Travel to and tour improvements to South Bench Irrigation Diversion. Kevin/Derrick give an overview of the project.

2:15-2:30 PM - Travel to and tour of new rock embankments above the town of Oakley. Mayor Frazier describes the problem, Kevin/Derrick provide an overview of the project.

2:30-3:00 PM – Drive back to Richins Building



Date: Friday, June 15, 2012
To: Summit County Council (SCC)
From: Adryan Slaght, Principal Planner
RE: Deer Meadows SPA Discussion – June 20, 2012 Work Session

On March 14, 2012, the Summit County Council discussed the proposed Deer Meadows SPA application for a 21 lot subdivision in Tollgate Canyon. Following that meeting, the SCC postponed further discussion until after such time as a site visit could be conducted. On June 13, 2012, Council Members Elliott, Robinson, and Ure attended a site visit to the property along with the owner and owner's representative. Various County Staff, as well as two members of the public were in attendance.

At that on-site visit, the applicants indicated that several aspects of the SPA proposal had changed. The SPA application as staff understands it is summarized below.

- Same # of lots and configuration
- \$5,000 contribution per lot to Pine Meadows HOA (previous proposal was for \$3,500 per lot for road improvement)
- No contribution to North Summit Rec/Open Space Preservation (previous proposal was for \$1,500 per lot)
- 1% private Real Estate Transfer Fee to Pine Meadows HOA on any transactions of property in Deer Meadows
- 90% open space within the lots
- No trails/public access (previous proposal included trails/public access)
- At the time of building permit application, applicant will provide documentation of easement/restrictive use covenant prohibiting development for a corresponding buildable LOR within the Pine Meadows plat.

The applicants would like further discussion of their revised proposal prior to moving forward with a public hearing.

Attachment(s):

1. *Deer Meadows Work Session Staff Report, aerials, and proposed site plan dated 03/14/12*
2. *Minutes of the Summit County Council, dated 03/14/12*

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To: Eastern Summit County Planning Commission (ESCPC)
Report Date: Thursday, March 8, 2012
Meeting Date: Wednesday, March 14, 2012
From: Adryan Slight, Principal Planner
RE: Rezone & Deer Meadows Subdivision SPA plan
Type of Item: Work Session
Additional Meetings: Prior to approval of a Specially Planned Area, public hearings are required before the ESCPC and the Summit County Council

EXECUTIVE SUMMARY: In 2010 a sketch plan application was submitted for a 21-lot subdivision adjacent to the Pine Meadows subdivision. In order to obtain the requested density, a rezone to Specially Planned Area (SPA) is required. **Staff is recommending that the SCC hold a work session to discuss the application, and provide feedback on the proposal.**

A. Project Description

- Project Name:** Deer Meadows Subdivision Sketch Plan
- **Applicant(s):** Pete Gilwald
 - **Property Owner(s):** Deer Meadows LLC
 - **Location:** ~1963 Pine Meadows Dr
 - **Zone District & Setbacks:** AG-100; 100(120), 50, 50
 - **Adjacent Land Uses:** Rural subdivision, undeveloped land
 - **Existing Uses:** Vacant land, cabins
 - **Parcel Number and Size:** SS-142-E-2-B (4.16 acres);
SS-142-E-2-C (3.31 acres);
SS-142-E-2-D (5.99 acres);
SS-142-E-2-E (17.12 acres);
SS-142-E-2-F (21.97);
SS-142-E-2-G (47.08 acres);
SS-142-E-2-A (17.16 acres);
Total – 116.79 acres
 - **Lot of Record Status:** One lot of record
 - **Base Density:** One unit
 - **Requested Density:** 21 units

B. Community Review

This item has been scheduled for a work session and has been noticed as such. A public hearing for this item has been scheduled for Wednesday, March 21, 2012. Prior to the public hearing, owners of property within 1,000 ft of the involved parcels will be mailed a postcard informing them of the hearing. Staff has received numerous emails regarding the proposal (see Exhibits).

Service providers have given the following comments:

Pine Meadow Ranch HOA – See email from Hutch Foster, dated 12/06/11 (*Exhibit DD*)

Questar – no natural gas is available in this area

Rocky Mountain Power – Rocky Mountain Power has equipment near the location of the proposed development. The field engineer has expressed concern about loading issues as well as voltage issues that may arise in this area due to the addition of 21 new lots. In order for Rocky Mountain Power to provide adequate voltage to the proposed development, there may be costs involved to upgrade our equipment in this area. The financing for these upgrades (if necessary) will be the responsibility of the developer.

Summit County Fire Warden – the Summit County Fire Warden has provided a review of the project (*Exhibit H*)

Summit County Health Department – Zone 4 groundwater and surface water protection zones present. Zone 1 and possibly 2 do not allow septic systems, Zone 4 restricts chemical plants, animal feed lots, etc.

Summit County Weed Inspector – Weed control plan needed

C. Background

In 2008 two applications involving this and nearby lands was considered for transfer of development rights. Following positive recommendations from the ESCPC, the Board of County Commissioners voted to deny the application, based on the failure to provide benefit to the general public. The applicants have now come back with a revised proposal that would result in 21 lots being placed on the ~117 acre property through the Specially Planned Area (SPA) process.

The applicants discussed this proposal with the ESCPC on December 1, 2010, and January 5, 2011 (*Exhibits P & Q*). In February of 2011 the Summit County Council (SCC), at the request of the ESCPC, approved a 6-month moratorium on the SPA provision of the Code. The moratorium expired on August 9, 2011. On August 10, 2011 following a request from the ESCPC that the SPA provision be removed from the Code, the SCC voted 4-0 to remand the SPA provision to the ESCPC for further clarification.

Subsequent to the SCC action on August 10, the applicant met with staff to go over the application and to request that they appear before the ESCPC for an additional work session in order to gain additional direction. The 21-lot proposal has not changed since January of this year. The applicant has indicated that they have two wells on the property, and have the potential to drill five wells in total, with water shares to come from the Weber Basin Water Conservancy District. All lots would be on individual septic, and would have a 5,000 gallon water storage tank. Building pads are proposed for each lot.

On September 7, 2011 and September 21, 2011 (*Exhibit R*), the ESCPC held work sessions to discuss the Deer Meadows SPA Application. Some of the topics discussed during these work sessions are listed below:

- Proposed Community benefits (trail system, per-lot financial donation for Tollgate Road improvements, recycling station, South Summit Youth Programs donation)
- Fencing
- The nature of the proposed residences (second home vs. year-round residence)
- Fiscal impact analysis
- How the development fits the General Plan Goals & Objectives
- Whether unique circumstances exist
- Logical Growth Patterns in the area

- Water Rights

Following discussion at the September 21, 2011 meeting, staff was directed to schedule the item for a public hearing with no action to be taken. The intent of this meeting was to gather qualitative input from the public regarding the proposal.

On October 19, 2011 the ESCPC held a public hearing to gather feedback from the surrounding community on the proposed SPA. A number of members of the public spoke in favor of, and in opposition to, the proposal (*Exhibit S*).

On November 2, 2011, the ESCPC held a work session to discuss the feedback gathered at the public hearing, as well as the merits of the proposal (*Exhibit EE*). At that meeting, the applicant informed the ESCPC that they are now proposing a 20-acre lot on the northwest corner of the property to act as a buffer, a 10-acre lot on the northeast corner of the property, and a reduction of one lot, to 21 total lots (20 new). Proposed benefits included a \$3,500 per lot contribution for road improvements, a \$1,500 per lot contribution to the North Summit Recreation District for youth programs, or the Summit Land Conservancy for land conservation, the maintenance of 90% open space by designating limits of disturbance, and a trail system open to the public. Some of the discussion topics from that meeting are listed below:

- Discussion of the appropriateness of the proposed community benefits
- Availability of water, nature of the available water in the area (isolated water pockets)
- Merits of the proposed open space
- Discussion of the base density vs. the proposed density
- Discussion of whether the proposed density was rational given the proposed location
- The need of the Commission to see the specifics that are to be proposed within the Development Agreement

On December 7, 2011, the ESCPC held a public hearing on the item (*Exhibit FF*). Some of the discussion topics from that meeting are listed below:

- The details of the proposed Development Agreement
- The SPA process itself

A public hearing scheduled for January 4, 2012 was continued to January 18th at the request of the applicant in order to have full attendance of the commission and to allow time to address the negative recommendation provided by staff (*Exhibit WW*). On January 18, 2012 the ESCPC conducted a public hearing (*Exhibit XX*). Following the hearing, the Commission forwarded to the Council a 3-3 vote on the application. Some of the discussion topics included:

- Safety issues
- Access
- Precedent

Since the date of the last hearing, the applicant has informed staff that the Summit Land Conservancy may no longer be a potential recipient of financial contributions if the SPA is approved. Since the date of the last hearing, staff has received numerous emails regarding this application. A number of the emails expressed concern with the potential impacts of cattle grazing to nearby water bodies, and in particular the possible spread of *E. Coli* bacteria. Staff spoke with the Summit County Health Department regarding this concern. The Health Department indicated that any warm blooded mammal has the potential to spread *E. Coli*. They

did not express concern that *E. Coli* may be spread in the area water bodies if the property included within the application were grazed rather than developed.

D. Identification and Analysis of Issues

The Planning Commission may wish to discuss the following:

Density

The base zoning in this area is AG-100. Under the current zoning, the applicant is eligible for one dwelling unit. The applicant is requesting the creation of 20 new lots (21 total units) through the SPA process.

Access

The area contains a large number of cabin lots. However, access to this area can be difficult, especially during the winter months. The County Engineer has informed staff that most of the existing roads serving the Forest Meadows/Pine Meadows area do not meet the standards for private roads, primarily because of excessive grade (greater than 8-10%), and also due to inadequate width in some areas. If approved, the project will need to meet County infrastructure standards.

Community Benefits

In order to receive the additional density, the applicant must demonstrate that the proposal is in the best interest of the health, safety, and welfare of the residents of Summit County, and that there are tangible benefits. The applicant has indicated that at this time they are considering a contribution to the Pine Meadows HOA in the amount of \$3,500 per lot, at the time of recordation of the plat, for road improvements, a \$1,500 per lot contribution to the North Summit Recreation District for youth programs, or the Summit Land Conservancy for land conservation, the maintenance of 90% open space by designating limits of disturbance, and a trail system open to the public. As noted in Section C of this report, the applicant has indicated that the Summit Land Conservancy may no longer be a potential recipient if the project were to be approved.

E. Consistency with the General Plan

Policy 3.1.2 of the General plan prohibits the creation of small ranchettes (generally, but not necessarily limited to parcels of approximately five (5) acres) except in approved Specially Planned Area Plans when it helps to significantly further the Vision for Eastern Summit County. The ESCPC may wish to discuss whether the proposed design of this subdivision will achieve that goal.

The applicant has provided additional responses regarding the general plan (*Exhibit I*)

F. Findings/ Code Criteria and Discussion

Section 11-3-9 of the Eastern Summit County Development Code addresses the purpose and intent of the SPA zone (*see Exhibit N*).

The SPA is intended to:

1. Permit innovative considerations in the development of land to ensure that development is undertaken in a manner that significantly further the goals and objectives of the Eastern Summit County General Plan;
2. Allow a creative approach to the development and use of the land and related physical facilities to produce better development, design and construction of quality and aesthetic amenities;
3. Allow for a choice in the type and quality of environments, including a mix of land uses, available to residents and the public;

4. Better relate residential, commercial, and industrial development with community facilities and infrastructure location, size, and design;

Before a SPA zone is designated in any area, the Planning Commission and County Council shall determine that the application meets the criteria in bold listed below. The language in italics is the staff opinion of how the project meets or does not meet the criteria, as presented at the January 18, 2012 public hearing.

1. **That there are substantial tangible benefits to be derived by the general public of Eastern Summit County that significantly outweigh those that would otherwise be derived if development occurred under the provisions of the underlying zone district;**

The applicant has identified tangible benefits in the form of a per-lot monetary contribution for road improvements, and land conservation or youth programs; maintenance of 90% open space; and the creation of an on-property trail system that is open to the public. Staff recommends that the SCC discuss whether these constitute substantial tangible benefits worthy of an increase in density that is 20 times greater than base density. Staff does not believe that they do.

2. **That there are unique circumstances, above the normal limitations and allowances of the underlying zone, that justify the use of an SPA;**

Staff fails to see unique circumstances for this property. The properties involved total slightly over 116 acres of forest land, contain two cabins, and are located within the AG-100 zone. Under the existing zoning, the base density would allow one cabin. There are numerous subdivisions that were platted prior to zoning in Eastern Summit County. Because mistakes were made in the past does not mean that these mistakes should be carried into the future. Because of the presence of so many other locations with similar circumstances, staff does not believe that there are unique circumstances to this property that justify the use of a SPA. If a SPA is approved on this property, staff believes that it would set a precedent that would essentially nullify the base density of all zones in Eastern Summit County.

3. **That the development proposed in an application for SPA consideration is compatible with the rural, agricultural, and small town character of Eastern Summit County;**

While there is development adjacent to this property with lot sizes of ~1 acre to 20 acres, staff believes that creating the amount of density proposed does not fit the rural, agricultural, and small town character of Eastern Summit County.

4. **That the development proposed in the application will not adversely affect the social, cultural, and rural values and institutions of Eastern Summit County;**

Staff believes that the development may adversely affect the social, cultural, and rural values of Eastern Summit County, in part by eroding the ability of citizens to rely on the existing zoning as a basis for expectations of the types and densities of development that can be expected in a given area.

5. **That the development proposed furthers the goals and objectives of the General Plan;**

There appear to be a number of objectives within the General Plan that the Council should discuss, including the goal and objectives listed below:

GOAL: Support the logical growth of each municipality in Eastern Summit County and help each municipality maintain its unique identity, while promoting the Vision for Eastern Summit County.

2.4 OBJECTIVE: Encourage development that is compatible with surrounding uses.

2.5 OBJECTIVE: Ensure that the costs of new development are borne by the developer.

2.6 OBJECTIVE: Establish policies that encourage growth within declared annexation overlay areas to maximize existing services and infrastructure.

2.7 OBJECTIVE: Encourage single-family residential development to minimize disturbance and be clustered.

6. That the development proposed complies with criteria described in this Title for approving a development project, including;

- a. The development evaluation standards contained in Chapter 2 of this Title;**
- b. The criteria for approving an SPA that are described in Section 11-4-5 of this Title;**
- c. The provisional requirements of development agreements in Section 11-6-10 of this Title; and**

Any proposed major development would be required to meet these criteria.

7. That approving an SPA zone district will not adversely affect the public health, safety, and general welfare.

Staff believes that the approval of the SPA may adversely affect the public health, safety, and general welfare by increasing density in an area zoned for one unit per 100 acres that is remote, difficult to serve, and is within an area that is at significant risk of wild fires.

Section 11-4-6(F) of the Code defines the review procedure for major development under the SPA process (*see Exhibit O*). Prior to approving a major development, it shall conform to the following criteria:

1. All aspects of the specific proposal shall be in compliance with and further the goals and objectives of the General Plan.

There appear to be a number of objectives within the General Plan that the Council should discuss, including the goal and objectives outlined in question #5 above.

2. All aspects of the specific proposal shall be in compliance with the Development Evaluation Standards provided in Chapter 2 of this Title.

The proposed development is required to meet these criteria.

3. The project, unless specifically involving a Specially Planned Area, shall comply with all zoning requirements described in Chapter 3 of this Title.

The proposed project involves a SPA.

4. The project shall comply with the Infrastructure Standards in Chapter 6 of this Title.

The proposed development is required to meet these criteria.

5. All new lots created shall be clustered to the greatest extent possible and practicable, or in a manner compatible with the objectives of the General Plan.

The site plan provided shows lots ranging from 1.4 acres in size to 20.5 acres in size. Staff recommends that the Council discuss whether covering the entire property with lots with individual building pads constitutes clustering.

6. The proposal shall ensure orderly growth within Eastern Summit County.

Staff does not believe that this proposal ensures the orderly growth of Eastern Summit County. The proposal creates a development that is 20 times greater than base density in a somewhat remote and difficult area to access in exchange for modest public benefits.

7. The proposal shall protect life and property from natural or manmade hazards.

There are concerns with access and risk of wild fire that the Commission may wish to discuss regarding this application.

8. The proposal shall prevent harm to neighboring properties and lands, including nuisances.

Staff has been informed by a number of nearby neighbors that they had purchased their property because of their reliance on the surrounding zoning and limited ability of surrounding properties to be subdivided. Permitting a subdivision that is 20 times greater than the base zoning could be seen as a nuisance to those neighboring property owners.

9. Development that will adversely affect the rural, small town character of Eastern Summit County in a significant manner is not appropriate and shall not be approved.

Staff believes that the development may adversely affect the social, cultural, and rural values of Eastern Summit County, in part by eroding the ability of citizens to rely on the existing zoning as a basis for expectations of the types and densities of development that can be expected in a given area.

10. The proposal shall not adversely affect the overall safety, health, and general welfare of the public.

Staff believes that the approval of the SPA may adversely affect the public health, safety, and general welfare by increasing density in an area zoned for one unit per 100 acres that is remote, difficult to serve, and has a significant fire hazard.

G. Recommendation(s)/Alternatives

Staff recommends that the SCC conduct a work session to gather input regarding the proposed development. Staff further recommends that the SCC review the application and Code Criteria, and provide direction to Staff and the applicant in anticipation of the scheduled public hearing.

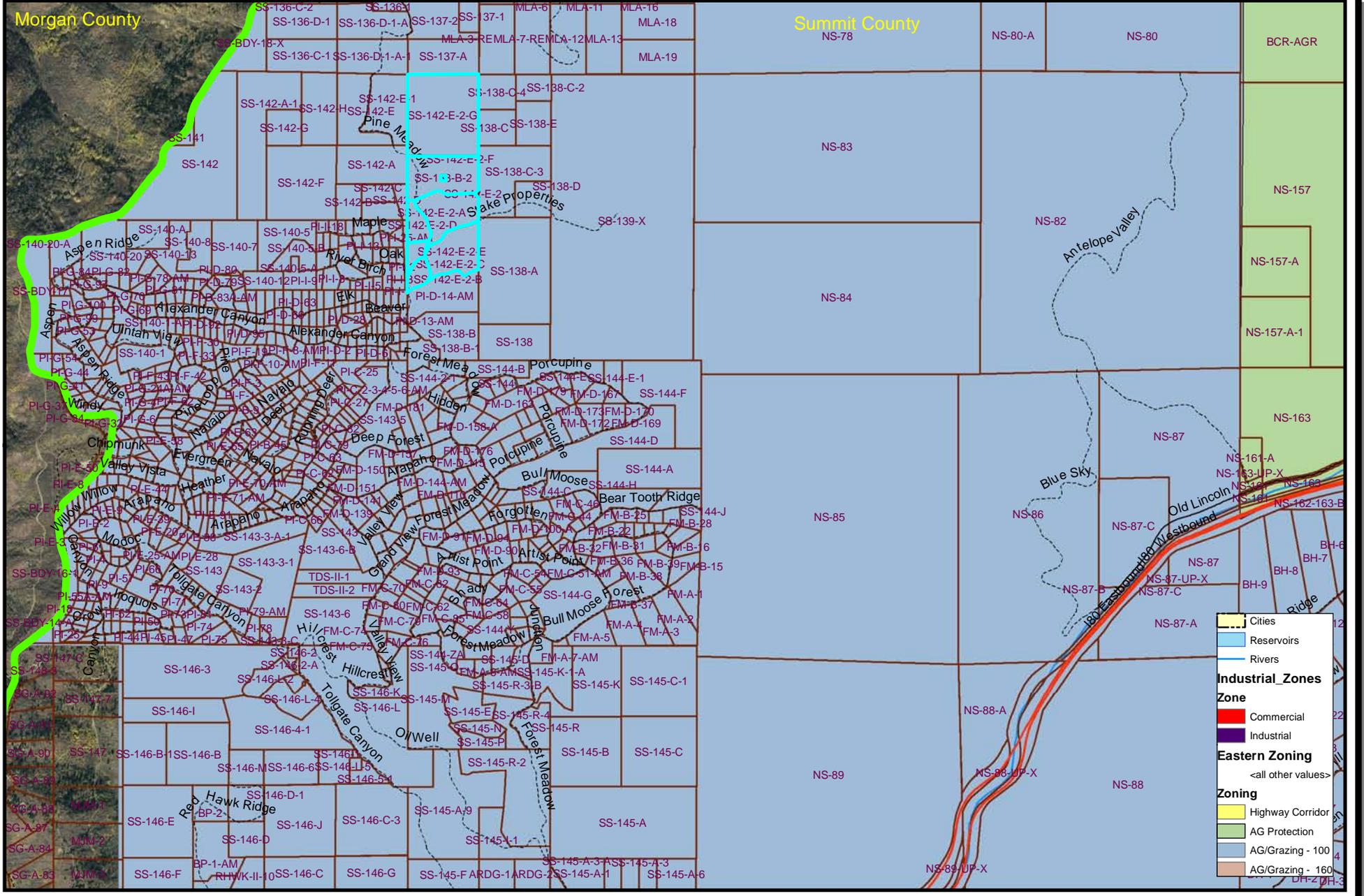
Attachment(s)

- Exhibit A – Zoning Map
- Exhibit B – Vicinity Aerial
- Exhibit C – Site Aerial(s)
- Exhibit D – Ground Water Protection Zone Map
- Exhibit E – Surface Water Protection Zone Map

- Exhibit F – Critical Winter Wildlife Map
- Exhibit G – Pine Meadow Ranch Plow Map, Landing Zone Map
- Exhibit H – Letter from Summit County Fire Warden, dated 11/24/10
- Exhibit I – Applicant submittal - General Plan Conformance, dated 9/29/10
- Exhibit J – Applicant submittal – Parcel Plan, dated 9/29/10
- Exhibit K – Applicant submittal – Sketch Plan, dated 9/29/10
- Exhibit L – Minutes of the Eastern Summit County Planning Commission, dated 8/20/08
- Exhibit M – Minutes of the Board of County Commissioners, dated 9/17/08
- Exhibit N - Eastern Summit County Development Code, Section 11-3-9 (Specially Planned Areas)
- Exhibit O - Eastern Summit County Development Code, Section 11-4-6 (Major Development)
- Exhibit P – Minutes of the Eastern Summit County Planning Commission, dated 12/01/10
- Exhibit Q – Minutes of the Eastern Summit County Planning Commission, dated 01/05/11
- Exhibit R – Draft Minutes of the Eastern Summit County Planning Commission, dated 09/07/11 & 09/21/11
- Exhibit S – Draft Minutes of the Eastern Summit County Planning Commission, dated 10/19/11
- Exhibit T – Email from Hutch Foster, dated 9/05/11
- Exhibit U – Email from Doug McAllister, dated 10/30/11
- Exhibit V – Email from Alan Jones, dated 10/31/11
- Exhibit W – Email from Rich Humpherys, dated 10/31/11
- Exhibit X – Email from William Peugh, dated 11/02/11
- Exhibit Y – Letter from Kathy Sorenson, dated 11/02/11
- Exhibit Z – Letter from Kelley Cook, dated 11/03/11
- Exhibit AA – Letter from L. Rich Humpherys, dated 11/22/11
- Exhibit BB – Email from Joe Perrin, dated 11/24/11
- Exhibit CC – Email from Alan Jones, dated 12/04/11
- Exhibit DD – Email from Hutch Foster, dated 12/06/11
- Exhibit EE – Draft Minutes of the Eastern Summit County Planning Commission, dated 11/02/11
- Exhibit FF – Draft Minutes of the Eastern Summit County Planning Commission, dated 12/07/11
- Exhibit GG – Revised proposed site plan
- Exhibit HH – Draft Development Agreement

- Exhibit II – Exhibit for Alan Jones email dated 10/31/11
- Exhibit JJ – Exhibit for Rich Humpherys email dated 10/31/11
- Exhibit KK – Email from B. Burdette, dated 01/04/12
- Exhibit LL – Email from L. Milligan, dated 01/04/12
- Exhibit MM – Email from D. Effland, dated 01/04/12
- Exhibit NN – Email from S. Jones, dated 01/04/12
- Exhibit OO – Email from A. Effland, dated 01/05/12
- Exhibit PP – Email from M. Janulaitis, dated 01/11/12
- Exhibit QQ – Email from C. Groot, dated 01/11/12
- Exhibit RR – Email from B. Wheeler, dated 01/12/12
- Exhibit SS – Email from S. Benelli, dated 01/12/12
- Exhibit TT – Email from S. McMayon, dated 01/12/12
- Exhibit UU – Email from P. Janulaitis, dated 01/12/12
- Exhibit VV – Email from T. Deaver, dated 01/12/12

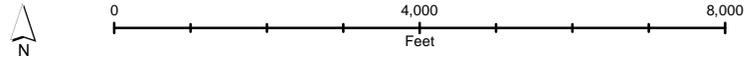
- Exhibit WW – Draft Minutes of the Eastern Summit County Planning Commission, dated 01/04/12
- Exhibit XX – Draft Minutes of the Eastern Summit County Planning Commission, dated 01/18/12
- Exhibit YY – Revised Draft Development Agreement, Dated March 4, 2012
- Exhibit ZZ – Public Input Received since January 12, 2012



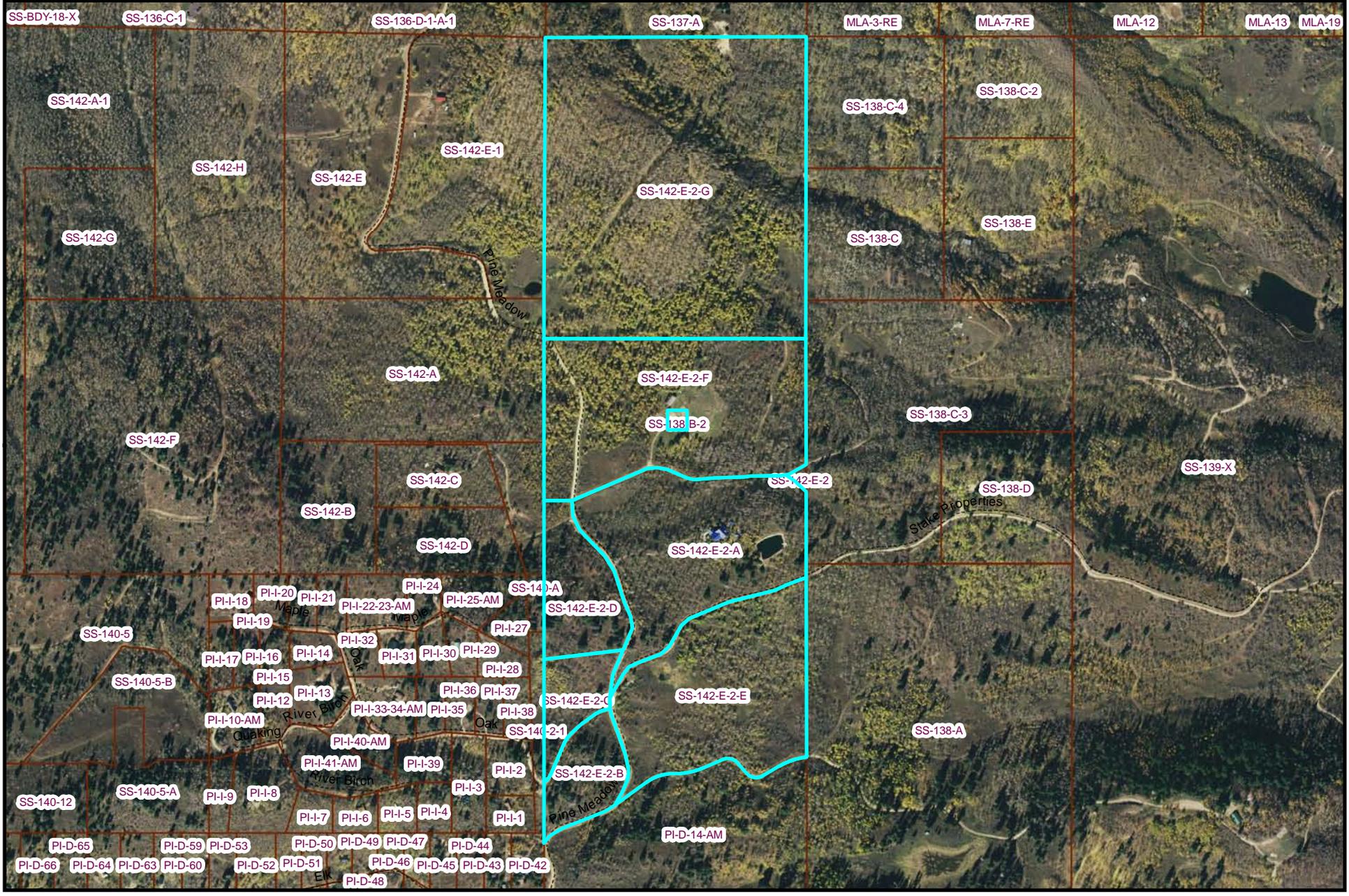
Summit County, Utah Vicinity Map

Prepared by Summit County
Community Development Department

Exhibit A



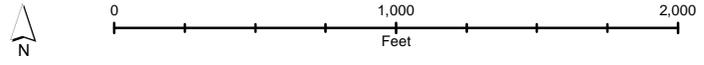
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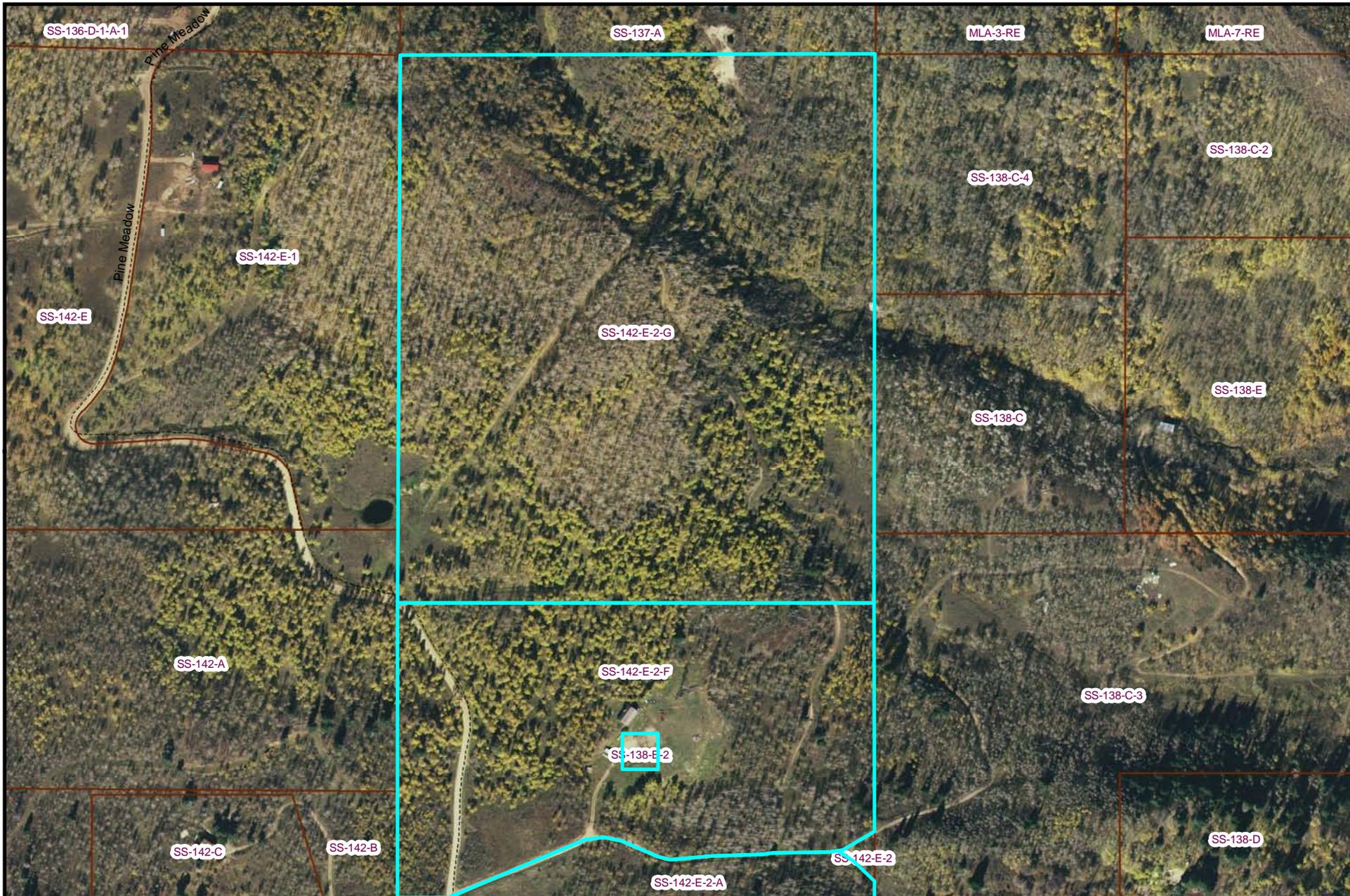
Summit County, Utah Vicinity Map

Prepared by Summit County
Community Development Department

- Cities
- Reservoirs
- Rivers



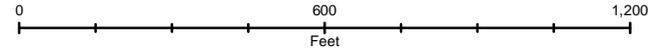
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Summit County, Utah Vicinity Map

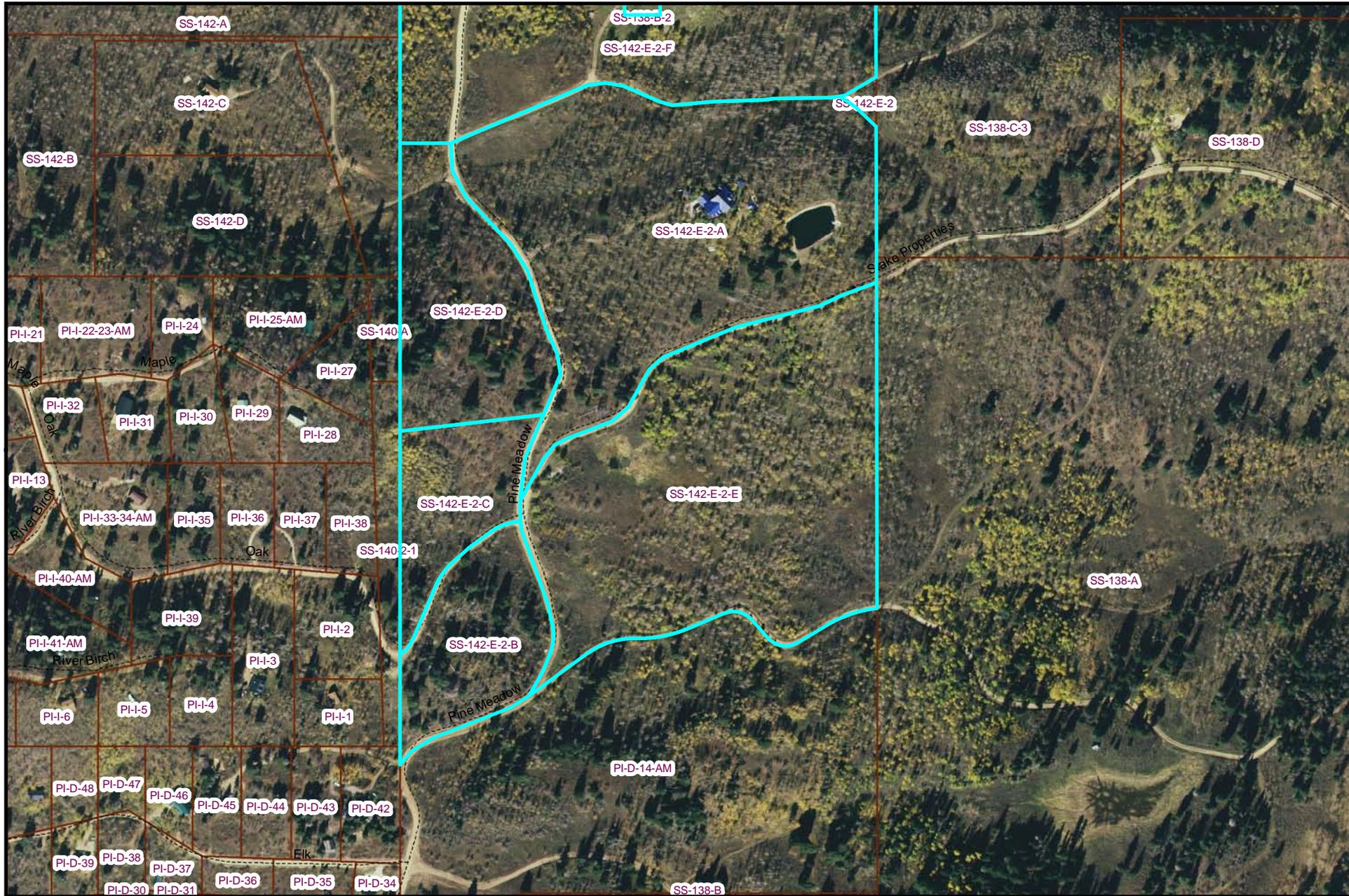
Prepared by Summit County
Community Development Department

- Cities
- Reservoirs
- Rivers



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Exhibit C.1

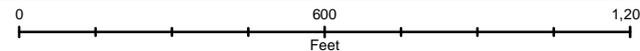


Summit County, Utah Vicinity Map

Prepared by Summit County
Community Development Department

Exhibit C.2

-  Cities
-  Reservoirs
-  Rivers



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Pam Kratler, UDWR Habitat specialist
 October 2007 email comment
 I checked with our biologist for the area and the majority of this property is outside of critical big game winter range habitat. (essentially it is higher in elevation than what most animals will use in a typical Utah winter), although some of it may still occasionally use portions of this property. As such, while UDWR may be concerned about the additional losses of wildlife habitat, we do not believe the loss of this habitat (receiving area) is more significant in relation to other big game winter losses throughout northern Utah.

DEER MEADOW SPA APPLICATION SKETCH PLAN

DEER MEADOWS LLC
 2910 E 2965 S
 SALT LAKE CITY, UTAH
 89104
 801-808-2332

TOLLGATE CANYON
 SUMMIT COUNTY, UTAH

SCALE: 1" = 140'
 0 70 140 210 280 350
 September 07, 2011
 November 2, 2011

NOTES:

1. ALL LOTS TO BE SERVED BY PRIVATE WELLS OR CONNECT WITH ADJACENT PINE MEADOWS SERVICE AREA.
2. THE SYSTEM SUBJECT TO HEALTH DEPARTMENT APPROVAL.
3. FIRE PROTECTION PROVIDED BY NORTH SUMMIT FIRE DISTRICT.
4. DEER MEADOWS SHALL MAINTAIN ACCESS TO PARTICIPATE IN ANNUAL PINE MEADOWS RANGING COSTS.
5. DEER MEADOWS SHALL MAINTAIN ACCESS TO PARTICIPATE IN ANNUAL PINE MEADOWS RANGING COSTS.
6. SENSITIVE LANDS LIMITED TO THE PRIMARY DRAINAGE CHANNEL LOCATED ON PROPOSED LOT 19 AND 20.
7. SEVERAL SITE VISITS AND BASED ON EXISTING VEGETATION POTENTIAL, DRIVEWAY ACCESS AND VIEW CORRIDOR IMPACTS.
8. CABIN SITE FOR FUTURE OWNER HAS THE OPPORTUNITY TO REMOVE THE EXISTING STRUCTURE AND TO CONSTRUCT A NEW RESIDENCE SUBJECT TO LOCAL REVIEW.
9. PROPOSED LOTS 1, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Land planning * Landscape architecture
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Exhibit GG

Mr. Jasper confirmed with Mr. Thomas that this could be done through the existing special service district. Mr. Thomas explained that they could set up a special assessment area within the existing special service district. Mr. Swensen asked if they would qualify for a grant if they use the existing special service district or if they would only qualify for the loan. Mr. Thomas replied that he believed they would allow the grant, but they would have to research that. Mr. Swensen noted that, if they set up a special assessment district within the existing special service district, the people in Echo would not be in control.

Mr. Jasper recalled that one individual who gave public comment claimed that the residents could build mound systems. Mr. Swensen replied that there is not enough room on the lots for that. He suggested that they form a separate district for Echo so the people in Echo would have control, and in the future that could be absorbed into ESSAC if need be.

- **Discussion regarding Deer Meadows Rezone; Adryan Slaght, Principal Planner**

Principal Planner Adryan Slaght presented the staff report and noted that the fiscal analysis completed in September 2011 was inadvertently omitted from the staff report and would be provided prior to the next meeting. He reviewed the application for a Specially Planned Area (SPA) rezone. He noted that service provider comments are included in the staff report, and he briefly reviewed those comments. He indicated a 20-acre lot on the northwest corner and a 10-acre lot on the northeast corner of the property that would provide a buffer to adjacent property owners. The fees associated with the project include \$3,500 per lot contribution for road improvements prior to plat approval and \$1,500 per lot contribution to the North Summit Recreation District. The project would maintain 90% open space by designating limits of disturbance and provide a 10-foot trail easement that would be open to the public. There have been a number of work sessions and public hearings on this item since September 2011, and on January 18, 2012, the Eastern Summit County Planning Commission held a public hearing and forwarded a recommendation to the County Council by a vote of 3 to 3. Planner Slaght reviewed the process for SPA approval and explained that the main issues throughout the process include density, access to the area, and community benefits. He reviewed the sketch plan, density of the surrounding area, a map of septic systems in the area, and the topography of the property. He noted that an analysis of the Code criteria for a SPA rezone is included in the staff report. Staff recommended that the Council conduct a work session, gather input regarding the proposed development, and schedule a public hearing after the Council has had an opportunity to make a site visit.

Pete Gillwald, representing the applicant, explained that this SPA rezone process has been ongoing for a year and a half. He indicated the road through the property and noted that it is used to access about 76 parcels through the applicant's 117 acres. The current zoning of this property is agricultural, and since it is located in an area of high density, it is unrealistic to believe it would be conducive to an agricultural use. He explained that they have prepared a development agreement and submitted it to the County for review, and it is contained in the staff report. He reviewed the standards outlined in the proposed development agreement and explained that they would continue to contribute toward ongoing maintenance of roads and amenities. The development agreement includes a stewardship plan showing how the designated building envelopes will be defined and located. He reviewed other elements of the proposed development agreement and reviewed the site plan, indicating the designated building envelopes on the site and noting that all construction on the site would be confined to that area only. He

indicated the two wells that have been drilled for the development and explained that they have water rights to drill more wells if they need to. He explained that the only roads they would have to build would be a cul-de-sac and a clean-up of the Jeep trail. They have talked to the neighbors about the project and received letters in support from a number of people who own parcels in the area that would be affected by this development. He explained that the fiscal analysis, which is based on the assumption that 25% of the home sites would be full-time residences, showed a net gain in revenue to Summit County. Even if all the lots contained full-time residences, there would still be a net positive fiscal impact to the County. He discussed the difficulty of finding a way to provide community benefits in conjunction with the SPA and explained that they have discussed benefits with a number of entities without success. They are proposing a contribution toward road improvements of \$70,000 and an impact fee that would go toward mitigating impacts on the existing Tollgate Canyon Road, with a total benefit of about \$170,000. They have also explored how to create an open space, recreation, and education benefit, and one option would be to contribute \$30,000 at the time of development agreement approval to the North Summit School District youth recreation program. If there is an organization that is interested in the open space easements, that would also be an option. He reviewed measures they would take to address concerns about wildfire danger. He stated that they also propose as part of their HOA fees a maintenance fee to assure that roads are maintained both on site and off site and to assure that there is adequate snow plowing.

Council Member Robinson noted that those who have provided comment in favor of the proposed SPA rezone are owners of large parcels and asked what would prevent them from applying for a SPA with similar density. He acknowledged that Pine Meadow Ranch has a lot of density and was built at a time when a lot of density was available, but the argument that a development is next to high density could be used in many parts of the County to try to get a SPA approved. Lincoln Schurtz, representing the applicant, noted that the owner of one of the parcels is the LDS Church, and he believed their intent is to use it for recreational property. He acknowledged that, if the Church were to sell that property, the owner could make the same kind of application. He noted that a SPA application is entirely discretionary, and the County Council would make that determination. He acknowledged concerns about setting a precedent for other property owners, but in looking at the unique characteristics of the applicant's property and the access through it, it would be very difficult to use it for agricultural purposes. He believed because of limited access to other properties, it would be difficult for them to make the same claim that this property can.

Council Member Hanrahan asked if the roads are public easements to the other parcels or if there is a contractual arrangement. Mr. Schurtz replied that they are both public and prescriptive easements because of historical use. He explained that there is no way to fence off this property to use it for its intended underlying use without impacting the other 74 parcel owners who access their property through this property. He noted that the other owners are in a platted subdivision, and there is no plat associated with the applicant's property.

Council Member Robinson asked Mr. Schurtz to indicate the proposed TDR parcels that were turned down by the County Commission in 2008. He commented that one of the Council's challenges is to weigh this larger increase in density against the benefits, and he believed that, if the benefits are not good for the immediate community, it would be difficult to say there is a benefit to the entire community. He questioned how they could justify setting this precedent, stating that he did not believe the road and the inability to use it for an agricultural use are unique

enough to say that other parcels could not be converted to other ownership at any time and apply for a SPA to develop their property. He was not certain that the applicant could do anything for this community that would be of sufficient benefit to offset the increased density. He believed it is a slippery slope to start equating money with density, and he was not certain whether that translates into a community benefit. Mr. Schurtz explained that has been their nightmare for the last year and a half, and their dilemma has been the community benefits. That is why the Planning Commission had concerns about the project, but the process almost forces applicants in that direction, and that is the process on the books that can be used. The developer is supposed to come up with community benefits, but there are no guidelines based on the type of development proposed. The applicant must try to strike a balance between local and community-wide benefits, and this applicant's community benefit is approximately \$250,000. Of that, \$170,000 will be retained locally. The biggest concern regarding this project has been impact on the roads, and with \$170,000 to do immediate road improvements, there could be substantial improvement to the roads for the 640 platted lots adjacent to this proposal. He believed it would be helpful for the Council Members to see the area, and the applicant believes \$170,000 would be a benefit to the community to improve the infrastructure. Through the work session process, he believed they could work with the Council to determine how to strike the best balance for community benefits. Council Member Robinson commented that the road issue is a tricky one, because a large number of the platted lots have not yet been built on, and the road problem could be compounded significantly by setting this precedent. Many things were done when this area was created for recreational purposes without utilities or appropriate roads, and he believed this SPA proposal would add insult to injury. The money the applicant proposes is a drop in the bucket toward improvements and may actually be offset by the damage of the precedent. Council Member Robinson commented that, when someone enters the SPA process, they do so at their own risk, and they need to provide enough benefits that the public will want them, which is the question here. Mr. Schurtz explained that this would be about a 2% increase in density based on the associated uses in the area, and he anticipated they would add about four people on the road with the estimated four full-time residences. A big concern is whether the applicants could use this as agricultural land and what that would do to the watershed in the area with an intense agricultural use on 117 acres. The other property owners do not want the water supply for their parcels contaminated, which he believed would be an additional public benefit, as well as public access to the neighboring properties.

Council Member Elliott noted that the minutes which were to be included as an exhibit were not included. She stated that her recollection is not at all what was shown in the staff report and that she remembered clearly discussing this parcel and its land use and the fact that it was a platted lot of record. She wanted to know the land use history and ownership history of this parcel and what people's expectations were when they purchased lots surrounding this parcel. She recalled that Commissioner Richer said the plat is sacred and should not be changed unless everyone agrees that it needs to be changed and that it is in everyone's best interests. She recalled that she was persuaded to vote against this in 2008 because of the sanctity of the use of the land and that the people surrounding this property were not in favor of changing the land use or its density. She believed a site inspection would be a good thing. She recalled that they were targeting lots that were not desirable that had not yet been built upon, and they were creating more desirable lots in a different place, which was not deemed to be a significant benefit to the community. With regard to community benefits, she believed significant community benefits could be offered, such as bringing the road leading up to the property up to County standards, but she could see no benefit in what the applicant has offered. She recalled that in 2005 when she was

sworn in, one of the first things she asked for was an eastern Summit County trails master plan, and they still do not have it. It appears the trail proposed by the developer goes nowhere, and in the absence of a trails master plan for eastern Summit County, she did not believe anyone could suggest that a trail is a public benefit.

Mr. Jasper asked what the applicant meant when he said that if this does not go through it would be used for an extensive agricultural use. Mr. Schurtz replied that they have to put the property to its highest and best use, and under the current zoning, its highest and best use would be an agricultural production of some sort. Right now the property is being taxed based on the surrounding uses because that is what the survey said the highest and best use would be.

Council Member Hanrahan commented that the SPA is intended for development that significantly furthers the goals and objectives of the Eastern Summit County General Plan, and he did not see how this proposal does that. He does not see substantial tangible benefits to the public or how this would ever meet the definition of a SPA rezone. To him, a SPA rezone is intended for situations such as putting in commercial areas that attract jobs, not a 2,000% increase in residential homes on a large piece of land. Mr. Gillwald noted that the General Plan refers to utilization of wildlife best practices, and they have minimized disturbance to the site in order to do that. It also talks about small building envelopes, and they have done that as well. He explained that they are mimicking the development pattern of what has occurred in that area. Council Member Hanrahan noted that presumes that the development pattern was a good idea to start with, and it was not. It does not mean they should compound that mistake by subdividing all the adjacent property. If they were starting with the entire acreage of that area today, the plat would not look like that, because it has steep slopes and terrible road access. He believed the applicant's original presumption is inaccurate.

Council Member Robinson commented that it is easy to second guess what the County Commissioners did in 2008, but he believed there was more integrity in the TDR previously proposed, where they would keep the density the same but just move it around. His biggest concern is the justification for a 2,000% increase in density when there are a lot of other landowners who would love to do the same thing.

Mr. Schurtz commented that there are a lot of things the applicant is willing to consider in defining community benefits for this kind of density. If they have not hit the mark yet, they are willing to entertain any suggestions about what would be acceptable.

Chair Ure asked how many of the lots in Pine Meadow/Forest Meadow Ranch are still undeveloped. Cheryl Hardcastle Groot provided statistics which she sent to the County on January 12 showing that 144 of the lots in Pine Meadow/Forest Meadow Ranch have full-time residents with children. There are 302 lots with part-time residents; i.e., cabins, and 400 lots are still undeveloped. Chair Ure commented that, if they improve the road, there will be 400 people wanting to build new homes in the area. If they do not do anything, the question is what the applicant can do with the property and whether they will try to raise cattle or sheep on it and have to cross other people's property to get the livestock up there. He believed the community benefit should be within the Pine Meadow/Forest Meadow community. He thought that early in this process the HOA was in favor of improving the road and then changed their minds for some reason. Even without the 21 homes, there is terrible access to this area. If they improve the road, even more people will want to build in the area, and he was unsure how to balance things

out to protect the land owner's rights and have a safe road and provide a community benefit. He questioned whether they have the latitude to say that the community benefit is the applicant's road.

Council Member McMullin asked if a SPA application has ever been granted in eastern Summit County. Planner Slaght replied that a portion of Promontory was approved as a SPA. Council Member McMullin noted that the community benefit in Promontory was money, so there is a precedent for accepting money as a community benefit. She commented that the SPA process in eastern Summit County is awful, and she was sorry that the Council did not repeal it when it came before them. She stated that there is no point in having a SPA process that calls for community benefits without defining what the community feels is a benefit. She believed the impact benefits should be felt locally before being felt in the broader eastern Summit County.

Mr. Schurtz explained that they did not have any benchmarks to meet with the Planning Commission, and he hoped there would be a way to work out what the community benefits should be. What they have proposed is not the only thing they could do, and he asked the Council Members to give the applicant some direction regarding what they would like to see. He stated that they would be comfortable including the Pine Meadow HOA in the discussion.

Council Member Robinson asked to see the main road that has been the subject of special service district discussions.

Keith Trickett explained that the road goes through his property, and it would be fine with him if it remains a dirt road. In conjunction with the HOA, they spent \$30,000 to improve just one mile of road, and it was a waste, because within 18 months it was destroyed by full cement trucks driving over it to build houses. He explained that there is no sub-structure to the road, and it is not just a matter of putting a surface on top of it. He stated that they received a bid of \$300,000 to properly build the first mile and a half of the road. It is approximately 8 miles to the entrance of the applicant's property, so \$170,000 would not get very far with improving the road. It would take at least \$1,700,000 if they really want to construct the roads properly. He stated that no one has talked to the property owners regarding this, and anyone who is going to put money into the road that bisects his property needs his approval. The only way any work has been done on the road where it crosses his property has been through a signed agreement with the HOA.

Paul Sharwell recalled that the applicant asserted that the thing that would keep other property owners in the area from going through the same SPA process is that the applicant's property is unique. Mr. Sharwell noted that he has a 40-acre parcel, and when he purchased his property, he inquired at the Planning Department about what he could build on the property, because he wanted to build two homes. He was told that he could build one residence and a second one if it were less than 1,000 square feet of living space. He has lived for 10 years on a 40-acre lot in a home that is 960 square feet because he was following the Code. If he wanted to, there are plenty of reasons to apply for a SPA. He claimed that his property is even more uniquely appropriate than the applicant's, because he is only a mile off the highway, and it would be a great property to develop. However, he stuck to his one unit of density.

Mr. Schurtz noted that there is a sub-category addressing the road issue in the proposed development agreement which states that they would contribute to a mitigation fund in addition to the \$170,000 contribution in an effort to address concerns about the road. It would be helpful for him to get individual contact information from other property owners so he could contact them directly rather than just through the HOA.

Council Member Robinson commented that he believed the applicant would have a hard time creating density in exchange for road improvements or money. He believed the applicant would have to encumber lots in the existing HOA and become a member of the HOA so there would be no net increase in the number of lots or loss of revenue to the HOA. If they were to do that, they would not be setting a precedent they could not live with.

The Council Members took a break from 6:00 p.m. to 6:20 p.m.

REGULAR MEETING

Chair Ure called the regular meeting to order at 6:20 p.m.

- **Pledge of Allegiance**

PUBLIC INPUT

Chair Ure opened the public input.

Chris Hague expressed concern about the Stone Ridge project and stated that he has previously been given assurances by Council Member Elliott and other Council Members that there would not be any back-door, out-of-court settlement. He stated that the community is concerned that there could be an out-of-court settlement if the Council denies the Stone Ridge development. He had anticipated that by this time the Council would have passed a resolution dealing with the County Manager's authority, but that could go on for some time. He presented a resolution he had prepared for the Council to take action on to give the community a level of comfort.

Council Member Hanrahan commented that he did not believe what Mr. Hague has presented is legal, and he did not see the rationale for it.

Council Member Elliott stated that she would not sign the resolution or ask that it be put on the agenda. She explained that the Council's relationship with the County Manager is dependent upon mutual consent, and she would not want to do something like this. She asked the community to trust that the Council will not do something behind closed doors. Mr. Hague explained that they are just trying to close the loopholes, and he would have to rely on the Council's assurances.

Council Member Robinson asked what Mr. Hague believes his resolution purports to do. He noted that, in the Optional Form of Government, the settlement of litigation rests with the County Manager, and that is one of the authorities they are seeking to change. He noted that settlement of litigation is not retained by the Council, so he did not see the relevance of Mr. Hague's proposed resolution. Mr. Hague claimed that it can be retained by the Council according to the Code, and the Council can take back any responsibilities that have been given to

To: County Council

From: Anita Lewis, Assistant Manager

Date: June 7, 2012

Re: Restaurant, Recreation, Arts and Park (RAP) Cultural and Transient Room Tax (TRT)
Grant Opportunities

Background: The County Council has received recommendations from granting advisory committees on allocating monies to non-profit organizations. These funds are collected from taxing sources and have different criteria on how the funds may be spent as outlined in State Law and County Code.

Purpose: The scheduled work session is for the Council to set priorities or services that may be funded through these different types of grants. Helen Strachan, Deputy Attorney, has researched the history, law and purpose of the grants and has explained the individual policies, duties and obligations. (See attached)

Summary: Currently, the three separate tax grant applications are available on different forms and funding opportunities are at various times of the year. The applications are reviewed by a Council-appointed advisory board, and the Council receives a funding recommendation by each board. The applications are written by the advisory boards adhering to the laws, codes and policies.

The Commission form of government may have set priorities in the past. It is appropriate discussion for the Council to set their priorities. Below is an example of Salt Lake County Council's priorities for the Tier II Zoo, Arts and Park Application.

Example – In the Salt Lake County - Tier II 2012 Zoo, Arts and Park Application - The evaluation criteria has been set as follows:

- 1) **Artistic/botanical/cultural/historical/natural history aspects:** Significance of the project, impressive, unique or noteworthy contributions. Are the activities aligned with the cultural mission?
- 2) **Community Aspects:** Service to the community. Service to the community includes activities in addition to the public performances or other formal presentation related to the mission. Service to the community is evaluated by clear explanation of the people to be served, of the why the organization provides this service, and of how the service fits into the overall mission of the organization.

3) The County has adopted other capacities relating to organizational aspects.

Another point of discussion is combining the three applications into one form; one application would include all applications divided by three sections. This process would improve efficiency and performance therefore eliminating the duplication of information that is now requested by the different forms. This procedure will provide better communication between granting advisory boards and not fund duplicated services. It will also enable the committees to have an understanding of what monies have been allocated by other taxing funds and a broader awareness of the services the County is buying.

Recommendation: Staff recommends the Council set priorities for each grant application. Staff also recommends the granting entities combine their separate applications into one application.

DAVID R. BRICKEY COUNTY ATTORNEY



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To: Summit County Council
From: Helen Strachan
Date: June 7, 2012
Re: *Summit County Grants*

I have been asked by the Manager's Department to put together a memo regarding the laws that relate to Summit County's Restaurant Tax, Recreation RAP Tax, Cultural RAP Tax, and Transient Room Tax. As you are well aware, Summit County collects taxes from different sources to fund a variety of programming in the County. The application, granting, and funding process for each of these different taxes vary and the Manager's Department desires to streamline this process.

RESTAURANT TAX

History, Law, & Purpose: The Restaurant Tax was authorized by the Utah State Legislature in 1991 (UCA §59-12-601 et. seq.) and the collection of said tax by the Summit County Board of County Commissioners in June of 1992. It has been codified in our Summit County Code and is found in Title 3, Chapter 3B. State law authorizes counties to impose a tax not to exceed 1% of all sales of alcoholic beverages, food and food ingredients, or prepared food that are sold at restaurants. Summit County has done just that, levying a 1% tax on all restaurant sales of food/beverages made within Summit County (including its cities and towns).

Pursuant to State Law and our own Code, this tax may be used for the following purposes:

- 1) Financing tourism promotion; AND
- 2) The development, operation, and maintenance of:
 - a) an airport facility (actually, our own code does not allow for funding of airport facilities, in all likelihood, because we do not have any!);
 - b) a convention facility: defined as a publicly owned/operated convention center, sports arena, or other facility used primarily for public or private conventions, conferences, events and other gatherings;
 - c) a cultural facility: defined as any publicly owned or operated museum, theater, art center, music hall, or other cultural or arts facility;
 - d) a recreation facility: (see definition below); OR
 - e) a tourist facility: recreation/tourist facilities are defined as any public owned or operated park, campground, marina, dock, golf course, water park, historic park, monument, planetarium, zoo, bike trails, or other recreation or tourism-related facility.

Summit County Restaurant Tax Policies: Per our most recent Restaurant Tax Application, Summit

County currently requires the following:

- 1) Facilities: If the funds are to be used for either the development, operation, or maintenance of the above facilities, the facility must be publicly owned or operated by a governmental entity or governmental subdivision OR
- 2) Tourism Promotion: If the funds are for tourism promotion,
 - the applicant must be by a governmental entity, governmental subdivision, or nonprofit organization
 - the project must be designed to bring in new tourists (preferably overnight) from outside of Summit County.
 - the event must take place in Summit County and may not be used to promote an event solely to a local audience.

Restaurant Tax Advisory Committee: The duties and obligations of the Restaurant Tax Advisory Committee have been codified by Summit County Code Title 2 Chapter 40. The Committee's role is to accept applications, investigate¹, prioritize and present to the County Council recommendations as to the granting of funds collected from the Restaurant Tax. The County Code specifically states that it is the role of the Committee to establish and maintain a procedure for the evaluation of requests for funding from the tax. It further states that the Committee shall

place great emphasis on the project's ability to satisfy the basic object of the program, that is, increasing tourism in the community and/or publicly owned and operated recreational and cultural facilities. Additional factors to be considered are, but not limited to size of the request, availability of other sources of funding, cofunding, experience of the project manager, quality of project plans and controls, nature of the project (infrastructure versus promotion) and the ability of the project to increase future funds into restaurant tax collections.

Criteria: With the above requirements in mind, the Restaurant Tax Advisory Committee uses the following criteria to score each application (I am unsure how or if the criterion are given certain preference or weight):

- 1) Does the project meet the intent and requirements of state statute?
- 2) Does the project benefit tourism in the area, especially overnight visitors?
- 3) What is the likelihood of successful completion?
- 4) Does the project provide a tangible asset for the community or is it a promotion?
- 5) The ability to leverage grant funds, other sources of funding and positive partnerships
- 6) Potential for the project to generate more dollars for the fund in the future

Members of the Committee will be present at the work session discussion to answer any questions.

¹ The role of the Committee is set forth in our County Code, but not defined by State law. What is meant by the Committee's role in "investigating" applicants and grant applications has been a question posed in the past. The Council may want to discuss this in more detail.

TRANSIENT ROOM TAX (TRT) / SPECIAL EVENT GRANT

History, Law, & Purpose: State law allows counties to impose a tax not to exceed 4.25% on any person who occupies a transient room, defined as a tourist home, hotel, motel, or trailer court accommodation and service that are regularly rented for less than 30 consecutive days (UCA §59-12-601.1 et. seq.). Our County has done just that, adopting an ordinance (codified in our Summit County Code in Title 3, Chapter 3A), which imposes a 3% tax on transient rooms.

Pursuant to State Law and our own Code, this tax may be used for the following purposes:

- 1) Establishing and promoting recreation, tourism, film production, and conventions;
- 2) Acquiring, leasing, constructing, furnishing, maintaining, or operating:
 - a) convention meeting rooms;
 - b) exhibit halls;
 - c) visitor information centers;
 - d) museums;
 - e) sports and recreation facilities, including practice fields, stadiums, and arenas; and
 - f) related facilities²; **AND**
- 3) Acquiring land, leasing land, or making payments for construction or infrastructure improvements required for or related to the purposes listed in #2 above;³

Summit County TRT Policies: Pursuant to our agreement with the Park City Chamber Bureau, once these taxes are collected, 90% of the revenues are deposited into a TRT fund created by the Chamber Bureau. The Bureau has its own application and process for distributing TRT funds, or, what the Chamber calls “Special Event Grants.”

Criteria: Per its most recent application, each application is reviewed and evaluated based on the event’s potential to:

- 1) Drive overnight visitors to Park City/Summit County and thus have a positive and measurable economic impact on local businesses including, but not limited to, lodging properties, restaurants, and retail stores;
- 2) Generate positive editorial coverage of the event and/or the community from electronic, print, broadcast, or social media;
- 3) Enhance the community’s event calendar for full and part-time residents and visitors.

The application states that additional consideration may be given to events that occur in the shoulder season months (i.e. April, May, October, or November) It is my understanding that, unlike some of our other grants, TRT monies are used to fund private companies, in addition to non-profit groups. The Bureau does weight the above categories differently, giving most priority to whether the event will drive overnight visitors. Members of the Bureau will be present at the work session discussion to answer any questions.

² We have funded our Summit County fairgrounds in the past as a “related facility.”

³ There is a fourth allowable use of these funds that are only applicable to 4th, 5th, and 6th class counties and so not mentioned here.

RAP TAX:

History, Law, & Purpose: State law allows counties the option to impose a local sales and use tax of .1% for the purpose of funding recreational and zoological facilities and botanical, cultural, and zoological organizations (UCA §59-12-701 *et. seq.*)⁴. The question of whether to impose such a tax is posed to Summit County voters every ten years, as allowed by law. Our County has done just that, adopting a local sales and use tax of 1/10 of 1% to fund the below described purposes (codified in our Summit County Code in Title 3, Chapter 3C). The Code, however, permits counties to use their RAP funds for a variety of activities and affords them both much flexibility in customizing their RAP programs to support local needs. Counties may divide their RAP tax spending, in various proportions, across both recreation and arts, which is what we have done.

Pursuant to State Law, this tax may be used for the following purposes:

1) To fund:

- a) cultural facilities: defined as any publicly owned or operated museum, theater, art center, music hall, or other cultural or arts facility (*same definition as Restaurant Tax*);
- b) recreational facilities: defined as a publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, or other facility used for recreational purposes (*note different definition than Restaurant Tax*)
- c) zoological facilities: (this defined term only applies to counties of the 1st class)
- d) botanical organizations: defined as a private nonprofit organization or institution having as its primary purpose the advancement and preservation of plant science through horticultural display, botanical research, and community organization.
- e) cultural organizations: defined as a private nonprofit organization or institution having as its primary purpose the advancement and preservation of history; OR a municipal or county cultural council having as its primary purpose the advancement and preservation of history, natural history, art, music, theater or dance. Cultural organization *do not* including any state agencies, political subdivisions (except for municipal or county cultural councils as described above), or schools whose annual revenues are over 50% from state funds.
- f) zoological facilities: defined as a public, public-private partnership, or private nonprofit organization having as its primary purpose the advancement and preservation of zoology.
- g) rural radio stations: defined as a nonprofit radio station; OR

2) Provide funding for a botanical organization, cultural organization, or zoological organization to pay for use of a bus or facility rental if that use of the bus or facility rental if that use of the bus or facility rental is in furtherance of the organization's primary purpose.

⁴ A sales and use tax is imposed on the purchaser of a variety of transactions too numerous to list here as found in UCA §59-12-103. Please let me know if you want a complete listing.

Advisory Committees: Summit County has chosen to create two separate advisory committees to oversee distribution of RAP Tax Funds: a cultural and a recreational advisory committee. The duties and obligations of both committees have been codified Summit County Code Title 2 Chapter 14. Similar to the Restaurant Tax Committee, each Committees' role is to accept applications, investigate, prioritize and present to the County Council recommendations as to the granting of funds collected from the RAP Tax. The County Code specifically states that it is the role of the Committees to establish and maintain a procedure for the evaluation of requests for funding from the tax and to establish an application form and review process.

**Grant Funding Report
2011**

<u>Organization</u>	<u>2011 Restaurant</u>	<u>2011 RAP Cultural</u>	<u>Special Event (Chamber)</u>	<u>Total Grants</u>
Alf Engen/UAF	\$60,000	\$22,392		\$82,392
Egyptian Theater	\$60,000	\$69,864	\$5,000	\$134,864
Kimball Art Center	\$38,500	\$70,944		\$109,444
Mountain Town Music	\$25,000	\$87,428	\$5,000	\$117,428
Park City Chamber Music		\$16,821	\$500	\$17,321
Park City Historical	\$20,000	\$42,894		\$62,894
Park City Film Series	\$12,000	\$33,990		\$45,990
Park City Performing Art	\$50,000	\$41,578	\$7,000	\$98,578
PC/Summit County Art	\$12,000	\$45,169		\$57,169
Sundance	\$100,000	\$74,101	\$160,000	\$334,101
Swaner		\$43,000	\$1,000	\$44,000
Utah Symphony/DVMF	\$70,000	\$55,442	\$7,500 (Deer Valley Music Festival)	\$125,442
			TOTAL	\$1,229,623

HOUSE OF REPRESENTATIVES
STATE OF UTAH

REPRESENTATIVE
LEE PERRY
DISTRICT 2
BOX ELDER AND
CACHE COUNTIES



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PERRY, UTAH 84302
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1SHB 120 - Disabled Law Enforcement Officer Amendments

I write this letter to you to encourage your support for adopting a similar policy and law for your individual community and Law Enforcement Officers who protect and support you. This is a law that has been in place for more than thirty years. The State of Utah has amended this law so that it would protect our State officers and provide coverage for any State Law Enforcement Officer injured not just through felonious assault but any other cause not of his/her own negligence. This current law that covers only felonious assault has been used only two times in the past 30 plus years and was for Troopers who were shot in the line of duty. This law is Governments commitment to those who are committed to protect us. It would only apply when Workers Comp. and Long Term disability provided by the employer were not sufficient to make the officer whole while he/she recovers or lives out the remainder of the time that they would have worked for the Department until they could retire.

The reality is that many officers are injured or killed through other means than felonious assault while working. I.e.: officers are injured in car crashes while they are responding to calls or have been struck by passing motorists while on a traffic stop or crash. During the 2012 Legislative session the Legislature passed an updated version of the current law pertaining to injured State Law Enforcement officers to include any accident that disables an officer while on duty where the officer is not negligent in his/her actions related to the crash.

The goal of this law is so that an officer totally disabled while in the line of duty will receive 100% of their salary and benefits until they reach retirement. I would encourage every Government agency that employs Law Enforcement officer in the State of Utah to adopt similar language in their own area of control.

Sincerely,

A handwritten signature in cursive script that reads "Lee B. Perry".

Representative Lee Perry
Utah House of Representatives

SUMMIT COUNTY RESTAURANT TAX ADVISORY COMMITTEE

2012 Grant Request Rankings With Rationale & Restrictions

The Committee, in its 21th year, reviewed and updated the grant application for 2012 to give applicants the chance to include specific information on the anticipated tourism impact and ROI to Summit County from their application. After extensive review of the applications, including a presentation and Q&A with each applicant, the Committee ranked the applications based on five criteria: tourism components, the ability to leverage, potential to increase the 1% restaurant tax, whether the application is promotion or an asset and whether the application is a new or developing program.

There are varying degrees of tourism components included in these applications. The Committee continued to concentrate this year on the applicant's ability to augment the Restaurant Tax Fund by attracting day and overnight visitors, particularly from outside of Summit County. Some of the applications are for promotion with the sole purpose of bringing visitors to the County. In other cases, the application is for an event, service or facility that will enhance the experience of guests who are planning to visit the area. The Committee recognizes and agrees that some local events and facilities, while not directly driving overnight visitation, provide opportunities for guests to enjoy their stay in Summit County, and enhance the perception of the County as a desirable vacation destination.

The Committee has made specific recommendations and restrictions for use of the \$1,673,759 available funds in 2012. Specific restrictions for use of the funding are noted after each application's rationale. The Committee has endeavored to weigh and take into consideration all relevant information at its disposal in the formation of the recommendations.

The County Manager's office continues to be very helpful in their follow-up of grants from previous years. In an effort to encourage better compliance with the reporting requirement for past grants, language was added to the application and contract in 2011 outlining possible ramifications for non-compliance. The Committee determined that three applicants in 2012 did not comply with reporting on previous grants, and their recommended funding was decreased by 5% in each case. A *comments* section is included with each of the affected applications outlining this action.

The following are the Committee's detailed recommendations. The applications are listed in alphabetical order.

Committee Application #	Original Request	Recommended Amount
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1201 Adopt a Native Elder--Promotions	\$ 5,000	\$ 3,000
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RATIONALE: This is truly a unique event that the SC Restaurant Tax committee has funded for several years. This will be the 23rd year for this event. This request is for funding advertising outside of Summit County. This event takes place the first part of November when there typically are not a lot of activities going on. They report that over 3,000 people have attended this show, 75% are estimated to be from outside of Summit County. This is considered the premier rug show in the west. They do multi-marketing to promote this show. They have changed the marketing/print advertising, only using two national publications; the main publication with the best response is *Cowboys and Indians* magazine. With this event, they also offer school/educational programs. They estimate 129 room nights last year in host hotels, up from about 50 in previous years.

RESTRICTIONS: Funding may only be used for advertising in national magazines, Wasatch Front radio, and/or out of Summit County newspapers. Materials and information shall continue to have "Park City" labeled prominently on them. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$ 3000; 2008: \$3000; 2009: \$3000; 2010: \$3000; 2011: \$3000

1202 Axis Freeride - Promotion **\$ 2,100** **\$ 1,100**
RATIONALE: This funding request is for a brochure to promote the summer youth camps and to purchase mailing lists for a targeted group of potential visitors. The brochure will be used for marketing the camps and other daily programs at the UOP. They have about 165 camp spots available. People can enter into day camps or week long camps. Most participants come with their families and many in the group extend their stays past the camp dates. Organizers expect approximately 360 visitors plus families.
RESTRICTIONS: The committee has targeted the monies granted to go toward the buying of the USSA mailing list and USASA mailing list. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.
PREVIOUS FUNDING: 2008: \$2000; 2011: \$1500

1203 Cluff Ward Project **\$ 3,550** **\$ -0-**
RATIONALE: This funding request is for an old fashioned community picnic and bazaar to raise public awareness of the Cluff Ward restoration project. The requested funds will be used to finance the advertising, food and entertainment for this event.
RESTRICTIONS: With direction from the County Attorney's office, the committee felt that funding could not be granted until non-profit status is finalized and the title to the building and associated land are held by the non-profit group. The applicants are urged to apply for funds in a future year after the legal issues are resolved.
PREVIOUS FUNDING: First application.

1204 City of Coalville – BBQ Bash **\$50,000** **\$35,000**
RATIONALE: Coalville had previously applied with a similar application under the Mountain Spirit Heritage Festival. This year, Coalville City will partner with the Kansas City BBQ association and they hope to make this a yearly event. There will be 50 competitors, their families, and judges. Competitors will be staying in the community for four days. Half the entry fee goes back to the event. They are requesting seed money to help get this "new" event off the ground. The committee believes that adding the sanctioned Kansas City Barbeque competition to this event will greatly enhance the events ability to draw destination visitors. This event will be held at Camper World, open to the public for a full day of entertainment ending with a free concert. There will also be vendors offering food and beverage. They have funding coming from sponsors and other areas. Coalville City will be the primary vendor at this event enabling them to generate revenue supporting the event.
RESTRICTIONS: Funding may be used for the Whiskey Ranch BBQ Events promoter, prize money, advertisements targeted outside-of-Summit County, and event entertainment / bands. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.
PREVIOUS FUNDING: 2007: \$2,000; 2008: \$3,000 as the Mountain Spirit Festival; 2009: \$4,000; 2010: \$8,000; no funding in 2011

1205 City of Coalville – Supercruise - Promotion **\$ 20,000** **\$ 5,000**
RATIONALE: The Coalville Supercruise will celebrate its 24th year in 2012. This application is for newspaper and radio advertising in SLC, Wyoming & Ogden, live music, awards and fireworks. In past years, the event included over 200 cars which brought in many visitors and vendors from out of the area. Organizers estimate over 3000 visitors attend this show.
RESTRICTIONS: Funding may only be used for advertising targeted outside of Summit County, fireworks, band and awards. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.
PREVIOUS FUNDING: Did not apply in 2009; 2010: \$10,000; 2011: \$8,000

1206 Historic Park City Alliance - promotion **\$ 39,000** **\$ 35,000**
RATIONALE: This application is requesting funding for four areas: (1) Retainer of a Park City based public relations firm to promote media exposure; (2) Printing and distribution of 75,000 brochures at high traffic visitor information centers on I-15 and I-80 in Utah, Idaho and Wyoming; (3) A Clear Channel radio campaign targeting summer and Christmas periods. The radio stations will receive gift cards which are then redeemable at HPCA businesses as a portion of payment for the advertising; (4) Website

enhancements including updated blogs, calendar of events, special business offers and use of social media. Historic Park City is promoted as a destination for visitors interested in the unique offerings of Main Street from its shopping, dining and galleries. This organization represents all of the businesses in the Historic district.

RESTRICTIONS: Funds shall be used for: (1) Retainer of a Park City based public relations firm to promote media exposure; (2) Printing and distribution of brochures at high traffic visitor information centers on I-15 and I-80 in Utah, Idaho and Wyoming; (3) A Clear Channel radio campaign; and, (4) Website enhancements The committee would like to see tracking of redeemed gift cards to measure the return on the gift card program. The committee recommends that your website incorporate links to and from the PC Chamber (visitparkcity.com) and PC Summit County Arts Council (pcscarts.org) websites to cross promote and unify marketing efforts. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2009: \$5,000; 2010: \$20,500; 2011: \$35,000

1207 Kimball Art Center - Promotion \$ 45,000 \$ 40,000

RATIONALE: The Park City Art Festival is one of the largest events of the summer, celebrating its 43rd year. In 2011, this event brought an estimated 55,000 visitors to Park City; eighty-five percent are from outside of Summit County. The KAC is working to be one of the top 3 art festivals in the Country. They continue to step up the culinary portion of the Festival, working with the restaurants to be more of a well rounded event and draw in more culinary tourism. This year, they are partnering with the PC Restaurant Association. They are also working with the Park City Performing Arts Foundation, and lodging partners to help keep visitors in Park City for evening events throughout the weekend. One portion of their promotion is with Coke to have bottled hang tag advertisements throughout the Wasatch Front as well as Coke truck wraps advertising the event. They continue to work with lodging partners to make it more of an overnight event and show progress in recent years by growing the occupancy rate to 54% in Park City over these dates. Research indicates an \$18 million economic impact for this event.

RESTRICTIONS: Funding may only be used for public relations and media campaigns outside Summit County as outlined in the application. The committee encourages the focus on marketing towards Arts Festival attendees per the application in Southern Utah, California, and other outside of Utah residents. Continued monitoring of event attendees is supported by the committee as it helps demonstrate a positive ROI for grant monies provided. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$20,000; 2008: \$20,000; 2009: \$30,000; 2010: \$ 30,000; 2011: \$38,500

1208 Kimball Junction Business Association – Promotion \$ 7,099 \$ 3,500

RATIONALE: The Kimball Junction Business Association wants to create a map of the businesses available in the Kimball Junction area. The existing Chamber map has an insert for Kimball Junction that is very limited. This project will target the visitor attempting to increase their spending, especially at area restaurants, while in the Kimball Junction area. This map will reference KimballJunction.org where Hot Deals will be made available.

RESTRICTIONS: Funding will be limited to a 50%-matching grant of up to \$3500, toward a *completed* project. Restaurant tax funding will become available only after \$3,500 has been raised and demonstrated to the county along with a completely designed and purchased map. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: First time application.

1209 KCPW – promotion \$ 7,500 \$ 3,500

RATIONALE: This is a Pilot Event for a community cycling festival held in conjunction with the Tour de Park City bike race. The festival will feature all genres of biking and will offer rides for all ages and abilities plus educational clinics. They would like to bring the community and visitors into Park City showcasing the many attractive biking options in the Summit County. This will be a one day event held at the Yard with anticipated growth to a multiple day event in following years. The event will be promoted outside of Park City via print media. Local restaurants will donate food, and KCPW will be generating revenue from selling the donated food and beverages.

RESTRICTIONS: The Committee is not convinced that the event as proposed this year will drive outside visitors. This grant is seed money in hopes that the event will be successful and will draw visitors from outside Summit County in the future. Funds are to be used for marketing in Cycling Utah, Utah Cycling

Association Calendar, Utah Outdoors, Utah Adventure Journal, Sports Guide and outdoor enthusiast publications and shall only be used for advertising outside Summit County. Funding cannot be used to purchase advertising in The Park Record. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: First time application.

1210 Living Matrix Education- promotion \$ 25,000 \$ 5,000

RATIONALE: This application requests funding for advertising and costumes for a "Mountain Man Rendezvous" with reenactments, displays and activities, similar to the Ft. Bridger Rendezvous. This application is sponsored by Another Way Montessori School. The event is scheduled for September 6-8, 2012.

RESTRICTIONS: Funds for this new event may be used for print and web based advertising outside of Summit County. Funding is CONTINGENT upon the event obtaining the proper permits for the event from Summit County and other agencies as required by law. Funding shall not be released until evidence of permit(s) is provided to the County. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: First time application.

1211 Mountain Town Music - Promotion \$ 57,000 \$ 19,000

RATIONALE: This is the 12th year of funding for the group that is programming music in Park City, Deer Valley and Canyons. Music is a key compliment to the other offerings in the county. This program has continued to expand. While the destination guest draw is limited, the organization provides a significant amenity to visitors offering over 241 free shows throughout the year. Their survey suggests that 45% of the guests are from out of town. In reviewing all of the applications, there seemed to be a lot of overlap with this application. It appears that several organizations help fund these same events.

RESTRICTIONS: Funding may only be used for the marketing and performances of the Sun, Scenery & Sound portion of the application, EXCLUDING the Promontory performances. Funding may not be used to promote performances inside specific restaurants, gated communities, or private homes. The committee recommends that your website incorporate links to and from the PC Chamber (visitparkcity.com) and PC Summit County Arts Council (pcscarts.org) websites to cross promote and unify marketing efforts. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$15,000; 2008: \$20,000; 2009: \$20,000; 2010: \$25,000; 2011: \$25,000

COMMENTS: Due to the inability of the applicant to provide adequate accounting backup by the required due date on a previous grant, the recommended 2012 grant amount has been reduced by 5% per the terms of the contract with the County.

1212 Mountain Trails Foundation – application withdrawn

1213 North Summit Recreation \$ 400,000 \$ 150,000

RATIONALE: The North Summit Recreation Special Services District is requesting funding to help fund a recreation facility/community center. This funding is being requested for general funding not a specific part of the project. They plan to offer the facility and marketing to special events that would drive destination visitors. Currently, the North Summit area does not have a public facility. The committee is hopeful that this facility will become the nucleus for an indoor/outdoor complex that will be able to hold destination events that will bring incremental economic activity to the Coalville area.

RESTRICTIONS: Funding may be used for site work and development of athletic fields as outlined in the application, however the funding is CONTINGENT upon the passing of the bond initiative and the execution of the land purchase. Funding shall not be released by the County until the applicant can demonstrate that the bond has passed and the purchase of the land by the North Summit Recreation entity has been recorded at the County. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: First time application

1214 Oakley City – Car Show**\$ 8,000****\$ 2,000**

RATIONALE: Last year was the seventh year of the show and they had over 300 cars. This show is in September, during the shoulder season. They are requesting funding for advertising outside of Summit County, including newspapers in Salt Lake City and Wyoming as well as mailers to car clubs outside the County. Flyers and sample trophies are used as marketing advertising at Car Shows that they attend throughout the summer prior to the event. They work with lodging properties for special offers for attendees.

The money raised from this show is donated to various non-profit organizations. In 2011, a \$9,000 donation was split between the Justice Center and the Peace House. The committee suggests that this organization set up an account and use part of their proceeds for future advertising money.

RESTRICTIONS: Funding may only can be used for advertising outside of Summit County, awards, T-shirts, posters or show flyers to be used for promotion at other car shows. The committee suggests that the applicant, with specific knowledge of the event, complete the accounting report for the county rather than relying upon Oakley City to produce this report. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2010: \$2,000; 2011: \$2,500

1215 Oakley City- 4th of July Rodeo - Advertising**\$ 12,000****\$ 10,000**

RATIONALE: This request is to help fund the marketing of the Oakley 4th of July celebration. This year it will be a four day event and continues to draw people from all over the Wasatch Front as well as out of state visitors. The marketing plan includes advertising on Coke trucks, ads on liter bottle Coke neck hanger tags and spots with Comcast in the Salt Lake City market. This application is to fund some of the Comcast costs. Oakley is working with properties in Park City to develop a “STAY and PLAY” program that will include a rodeo ticket.

RESTRICTIONS: Funding may only be used for marketing outside of Summit County. The committee would like to see a better tracking system for the rodeo attendee’s which would include, where the visitors are from, where they are staying in Summit County and how long they are staying. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2008: \$2,500. 2009: \$5000. 2010: \$4000. 2011: \$4000

1216 PC Ambassadors - Promotion**\$ 10,000****\$ 6,000**

RATIONALE: This applicant is requesting funding for entertainment during the 4th of July parade in Park City that would help enhance the parade and music offerings in the City Park. The 4th of July parade brings in an estimated 10,000+ out of town visitors to Park City; many for the holiday week. The parade has grown to include a minimum of 70 floats and other entertaining entries. The community celebration at the City Park includes 4 bands running from noon to 4 p.m. with food and games for all ages. The Ambassadors are asking for funding for live entertainment and bands during and after the parade.

RESTRICTIONS: Funding may only be used for bands in the parade, live entertainment on Main Street after the parade and for the live entertainment/bands in City Park. Funding cannot be used for miscellaneous supplies or expenses.

Comments I an effort to increase incremental visitor spending in the area, the committee encourages the PC Ambassadors to find ways that will encourage people to stay on Main Street after the parade or go back to Main Street after the festivities in the Park. Possible methods could include hosting more live music on Main Street, or exploring possible partnerships with other events that could keep the visitors in the area. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$3,620; 2008: \$5,500; 2009: \$6,000; 2010: \$7,000; 2011: \$6,000

1217 Park City Lodging Assoc- International FAM**\$ 30,100****\$ 27,000**

RATIONALE: This is the sixth year of funding for this application. In conjunction with the PC Chamber, the Lodging Association will bring international wholesalers to Park City to showcase the winter product and to demonstrate the accessibility from the Salt Lake City Airport to Park City. International business and oversees visitation to Park City is growing. This program will give top international wholesalers the opportunity to experience Park City and offer them first-hand knowledge that they can share with their clients, which will then translate into increased international business. International visits to Park City continue to increase this year by 30% over 2011.

RESTRICTIONS: Funding may be used for entertainment expenses, welcome gifts and transportation for the FAM attendees as outlined in the application. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2008: \$39,000 (they only used \$13,000 of the \$39,000 granted in 2008); \$26,000 balance of the 2008 grant was re-granted in 2009; 2010: \$33,960; 2011 \$40,000

1218 Park City Lodging Assoc- Biking Promotion \$170,468 \$145,000

RATIONALE: This application is for marketing biking in Park City to destination visitors. Park City received the first ever Gold Level designation by the International Mountain Biking Association (IMBA). The promotion is a two year program. The first year includes 5 FAM tours to journalists and writers for biking magazines to experience our mountain trails and all aspects of a Park City/Summit County vacation. The Association has developed an all-area mountain bike pass in conjunction with the three resorts to assist with their promotion. The second year will follow-up to consumers with targeted mailings and email blasts plus print ads in select magazines to promote PC as a world class mountain biking vacation choice. These funds will be used for summers of 2012 & 2013.

RESTRICTIONS: Funding may be used for FAM tours and marketing outside Summit County as outlined in the application. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: First time application

1219 PC Chamber Music Society – Promotion \$ 20,000 \$ 9,500

RATIONALE: This application is for marketing two events: the Chamber Music Festival and the Film Music Festival. This is the 28th year for the Chamber Music Festival. They are offering 16 performances during the summer throughout Park City area. The Park City Film Music Festival draws visitors and participants from throughout Utah and around the world to attend the 10 day event in late spring. This year they are including a “dine around” program that will be available to patrons who attend the Music Film Festival. The Music Film festival has moved dates from during Sundance to new dates in May; showing 200 films this year. Film makers are coming from all over the world for this event. They distributed complimentary tickets for the event during the Sundance Film Festival hoping film goers will want to return for this event. The committee feels that this is a great time of year for this type of event.

RESTRICTIONS: The committee is pleased with the joint marketing effort of the PC Chamber Music Society and the Governor’s Office of Economic Development marketing co-op. Funding may be used to advertise and market outside of Summit County using social media, radio and television as outlined in the application. The committee recommends that your website incorporate links to and from the PC Chamber (visitparkcity.com) and PC Summit County Arts Council (pcscarts.org) websites to cross promote and unify marketing efforts. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$ 6,000 for four separate applications. 2008: They did not apply. 2009: \$5000; 2010: \$15,000; 2011: \$7,500.

COMMENTS: Due to the inability of the applicant to provide adequate accounting backup by the required due date on a previous grant, the recommended 2012 grant amount has been reduced by 5% per the terms of the contract with the County.

1220 PC Chamber/Bureau – Fast Pitch World Series \$ 17,500 \$ 17,500

RATIONALE: This is the eleventh year for this event. Triple Crown Fast Pitch World Series consists of approximately 174 teams from across the United States. The tournament games are played on 15 fields throughout Summit County. Due to lower attendance at the 2011 event, the number of games played outside the Park City area was reduced. The Park City Chamber/Bureau has tracked this event and reports that during this time period, Park City experiences the highest summer lodging tallies ever reported. They reported a \$7.2 million positive economic impact from this event.

RESTRICTIONS: Funding may be used for marketing to teams outside of Summit County. Funding cannot be used to reimburse travel expenses.

Comments: The committee feels that this event has the unique ability to have a positive economic impact throughout the entire County. The Summit County Restaurant Tax Fund has been used to fund upgrades of fields in many areas of the County specifically for this event/application. Therefore, the committee strongly encourages that, the event continue to use of fields throughout the County when possible.

Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$49,375; 2008: \$50,626; 2009: \$37,500; 2010: \$37,000; 2011: \$37,000

1221 PC Chamber/Bureau – Tour of Utah \$ 29,925 \$ 25,000

RATIONALE: Tour of Utah is a six day professional biking event held the first week of August. Events are scheduled for several locations in the state, with Park City hosting the final two events to be held on Saturday and Sunday. This event includes international cycling teams who will compete in the Tour de France, plus team support crews, media and spectators. Organizers anticipate 15,000-20,000 spectators based upon previous year's attendance. The start line for Saturday's stage is at Newpark Town Center. The final stage on Sunday begins near the Kimball Art Center, and travels through eastern Summit County ending on Park City's Historic Main Street. Fox Network will broadcast two hours of live coverage of each stage, and there will be adjunct national coverage. Funding is requested for promotion of this event via TV broadcasts in six markets within driving range of Park City plus online advertising.

RESTRICTIONS: Funding may be used for purchase of television and online advertising as outlined in the application. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2011: \$25,000

1222 PC Chamber/Bureau – Targeted TV Promotion \$ 250,000 \$ 250,000

RATIONALE: This is the ninth year for the funding of this promotion. The goal of this program is to heighten awareness of Park City and to develop more incremental, first-time overnight visitations. The Chamber is proposing to have 3 TV marketing campaigns in the LA, New York and Chicago markets plus a National Cable buy. This is the first time for a National Cable buy targeting skiers across the US. The Chamber will track redemptions of Quick Start lift tickets from each of the markets to assess the effectiveness of the campaign. The Chamber has also requested funding from the Utah Travel Council and Salt Lake Airport Authority for this promotion.

RESTRICTIONS: Funding may only be used for television marketing as outlined in the application in conjunction with other funding sources. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$230,000; 2008: \$250,000; 2009: \$250,000; 2010: \$250,000; 2011: \$250,000

1223 PC Chamber/Bureau – Visitors Center \$ 73,005.15 \$ 60,000

RATIONALE: This application is for technology, including wall projection and interactive kiosks to enhance the guest experience at the new Chamber Visitor's Center. The addition of high quality image projection throughout the center will foster more awareness of the diverse activities, recreation and entertainment available in Summit County. This information will foster additional tourism spending, and a longer length of stay in the county. It is anticipated that the five vendor wall monitors will offer advertising opportunities for Chamber members to provide a source of revenue for the Center.

RESTRICTIONS: Funding may only be used for the purchase of the equipment outlined in the application. Funding may not be used for, labor or installation. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: First time application

1224 Park City Film Series - Promotion \$ 36,300 \$ 20,000

RATIONALE: The Restaurant Tax Committee has funded this event for several years. Though it can be argued that the film series does correlate to dining, it is difficult to come up with definite numbers as to the impact of this program to out of town visitors. However, the committee feels that it is a great community amenity and some visitors from Wasatch County and Salt Lake do visit Park City because this program is available. They are going to continue to offer the "Eat, Sleep & Screen" package and advertise this program along the Wasatch Front. They average 29% outside of Summit County attendees. They are also asking for funding for seed money to purchase new projection equipment.

RESTRICTIONS: The \$20,000 is to be divided as follows, \$10,000 for the Eat, Sleep & Screen program, which is to be used for out of Summit County marketing efforts. These efforts include Salt Lake Tribune advertising, Salt Lake City Weekly, and the Wasatch Wave advertising. The committee would also like to

target \$10,000 of this grant request as a matching grant toward the new projector costs and extend the timeline for this phase of the project to 60 months, which will allow the Film Series the needed time to raise the additional funding needed. The total cost of this equipment is \$100,000.00. The committee feels the monies granted can be used as leverage to get matching funds toward the total purchase price. The \$10,000 matching Grant portion can be released by the County if the matching funds needed to purchase the projector are received by Park City Film Series. The committee recommends that your website incorporate links to and from the PC Chamber (pcinfo.com) and PC Summit County Arts Council (pcscarts.org) websites to cross promote and unify marketing efforts. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$2000; 2008: \$3000; 2009: \$7000; 2010: \$10,500; 2011: \$12,000

1225 PC Gallery Association

\$ 6,000

\$ 5,000

RATIONALE: This application requests funding to promote the Friday night gallery stroll on Park City Main Street which is held on the last Friday of each month. The attendance at this event has been 75% from outside Summit County. The PCGA is dedicated to promoting the visual arts in Park City and to expanding the reputations of Park City and Summit County as an art/cultural destination city in Utah.

RESTRICTIONS: Funding may only be used for advertising outside of Summit County in *Western Art and Architecture*, the *SLC Tribune*, Google, Facebook and internet marketing. The committee recommends that your website incorporate links to and from the PC Chamber (pcinfo.com) and PC Summit County Arts Council (pcscarts.org) websites to cross promote and unify marketing efforts. The committee also suggests developing a tracking/survey system to provide data on Gallery Stroll attendees home zip codes and restaurant patronage. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2009: \$5,000; 2010: \$5,000; 2011: \$5,000

1226 PC Historical Society & Museum

\$ 41,800

\$ 20,000

RATIONALE: This application is for co-op marketing with the Chamber in SLC Tribune, Social Media, as well as public relations initiatives. The funding would also help with the strategy & creative development of these programs.

RESTRICTIONS: Funding may be used for print advertising outside of Summit County and social media only. The committee especially likes the use of two-for-one coupons, and appreciates the detailed records of out-of-county/state attendance provided by the museum. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$215,100 – documentation received and being reviewed; 2008: \$150,000; 2009: \$80,000; 2010: \$25,000; 2011 \$20,000;

1227 PC Performing Arts Foundation - Promotion

\$ 142,338

\$ 45,000

RATIONALE: This application is for the marketing and advertising of the upcoming season outside of Summit County. The Eccles Performing Arts Center has received capital and marketing funding from this tax since the Center's inception. The Center is excellent at including students and residents from all over the county in its programs. The summer events have added to the Park City summer event calendar. The ticket sales last year were up 54% compared to the previous year. They have been working with restaurants to include marketing materials in the check including bounce backs and special programs.

RESTRICTIONS: Funding may only be used for radio, print, newspaper and targeted mailings outside of Summit County. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$50,000; 2008: \$50,000; 2009: \$ 60,000; 2010: \$50,000; 2011: \$50,000

1228 Egyptian Theatre - Promotion

\$ 75,000

\$65,000

RATIONALE: This is the 31st anniversary of The Egyptian Theatre. Their survey results shows 55% of all patrons dine out before coming to the theatre; and 42% of patrons sometimes dine out before coming to the theatre. 43% of the audience is from outside of Summit County. 67% of the audience received their information via the internet; and 21% via the newspaper. They have changed programming to include national acts and other types of entertainment besides theatre productions in order to keep the theatre open more often. This programming change has made this organization much more viable and

economically solvent. They are able to leverage their advertising into a 3 – 1 ratio thru non-profit trades and have a Dine and Stay promotion with the Yarrow and 350 Main.

RESTRICTIONS: Funding may be used for marketing in print and broadcast advertising outside of Summit County and for website updates. Funds may not be used for the *Park City Magazine* or Summit County advertising. The committee recommends that your website incorporate links to and from the PC Chamber (visitparkcity.com) and PC Summit County Arts Council (pcscarts.org) websites to cross promote and unify marketing efforts. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$20,000; 2008: \$25,000; 2009: \$40,000; 2010: \$50,000; 2011: \$60,000

1229 Park City Soccer Club - Promotion \$ 15,000 \$ 7,000

RATIONALE: This is the 9th year for this event. The committee commends the organizers on adding Sunday competition in order to attract out-of-state teams they are the only Utah soccer tournament to offer this. The event is held the first weekend in August, which is the same weekend as the PC Arts Festival in order to enhance the activities available for families attending the event. This year, they expect 263 teams. They are the largest soccer tournament in Utah and last year turned away teams. Organizers estimate that this tournament brings in about 5,000 people who come and stay three to four nights. Their emphasis is on growing the destination teams and enhancing the quality of the competition at all levels of play. They work with lodging partners in Park City and estimate about 400-500 room nights being generated by this program.

RESTRICTIONS: Funding may only be used for marketing to out-of-state teams as outlined in the application, including Got Soccer website, social media, Soccer Club mailing lists, promotional postcards and mailings with lodging partners. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2008: \$8,000; 2009: \$7,000; 2010: \$10,000; 2011 \$10,000

1230 Park City/Summit County Arts Council - Promotion \$ 20,000 \$ 12,000

RATIONALE: This application is for promotion of Summit County as a cultural and art destination throughout the summer. Their marketing efforts will target the Western United States and the surrounding drive markets. The plan includes placement of internet ads/on line media and paid search ads. They work with the area lodging and PC Restaurant Association to create packages that can be tracked back to the on-line advertising. They will be piggybacking on the Chamber and UOT advertising specifically targeting the arts/culture message.

RESTRICTIONS: Funding may only be used for banner ads and online advertising to drive guests to their website that will be promoting ALL cultural and art events throughout Summit County. The committee asks that this organization reach out to all art and cultural programs to insure that all of these programs are included on their website/calendar of events. The committee recommends that your website incorporate links to and from the PC Chamber (visitparkcity.com) website to cross promote and unify marketing efforts. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2009: \$29,450; 2010: \$10,000; 2011: \$12,000

1231 Park City Tennis/ PC Municipal - Promotions \$ 20,000 \$ 8,000

RATIONALE: Four US Tennis Association sanctioned tournaments are held at the PC MARC each year during the shoulder season months of April, May, November and August. This application is requesting seed money to defray tournament expenses, including prize money for the two Men's National tournaments. Prize money is not currently offered and attracts more high quality competitors. Organizers anticipate that the four tournaments will attract 354 overnight visitors from outside the county.

RESTRICTIONS: Funding may be used for \$4,000 in prize money for each of the two men's tournaments. Funds may not be used to purchase meals for players and family. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: First time application

1232 MTB Race Series-Park City Young Riders \$4,000 \$1,000

RATIONALE: This application is requesting funding to market four midweek Mountain Bike races. 70% of their participants have been from out of town, approximately 130 racers per event. They are working

with several restaurants to offer “specials” for the race participants. These funds would be used for digital and print marketing.

RESTRICTIONS: Funding may be used for advertising and marketing outside of Summit County as outlined in the application. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: First time application.

1233 Park City Silly Market \$ 33,000 \$ 4,500

RATIONALE: This is the fifth year of funding this weekly summer event. It is held every Sunday during the summer months on Main Street in Park City. Organizers estimate 121,000 visitors will come to Main Street and attend Silly Market this summer. They estimate that 62% of attendees are from outside of Summit County.

RESTRICTIONS: Funding may only be used to market and advertise this event outside of Summit County as listed in the application. Funding may not be used for in-kind marketing or for staff salaries. PCSM needs to give preference to in-County food vendors to insure that Summit County Restaurant tax can increase. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$4,000; 2008 \$5,000; 2009: \$5,000; 2010: \$5,000; 2011: \$4,500

1234 Park City Area Restaurant Association (PCARA) \$237,115 \$185,000

RATIONALE: This is the 14th year of funding for the Restaurant Association. The Association continues to have a very successful program to generate additional restaurant business. Their goal is to create broader marketing efforts, selling both Park City as a destination and the events in Park City. They will focus on social media and e-mail for their advertising campaigns. They are requesting funding for PR- with an on-line press kit, a social media campaign and a mobile site. They are specifically targeting the Wasatch Front via radio, bus tail advertisements, Salt Lake Airport advertising and print advertising. They are planning to track all of their marketing efforts.

RESTRICTIONS: Funding may only be used for marketing and advertising outside Summit County as outlined in the application. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$120,000; 2008: \$180,000; 2009: \$180,000; 2010: \$180,000; 2011: \$180,000

1235 Park City Area Restaurant Association (PCARA) \$ 20,000 \$ 16,000

RATIONALE: This is the 5th year for Savor the Summit. Last year, 29 restaurants served 2,000 people at the Grand Table on Main Street. An additional 1,000 people visited Main Street that evening for the spirit garden, live music and dining inside restaurants. This one-day event has been expanded to work with lodging partners promoting packages to make a weekend in Park City and will have over 39 restaurants participating in 2012. Music is programmed over the length of Main Street starting at 4 p.m. and is provided by Mountain Town Music. The Savor the Summit event will be advertised in major Wasatch Front sources including: Salt Lake Magazine, Radio Stations, City Weekly, etc. They have just secured Channel 4 as a sponsor, so there will be additional TV advertising and promotion.

RESTRICTIONS: Funding may be used for public relations, advertising and marketing outside of Summit County as outlined in the application. Funding may not be used for KPCW radio or *Park Record* print advertising or any advertising within Summit County. The committee recommends an attendee survey to gather more data on who attends the event.

Comments: The committee encourages discussion of future expansion of this event or an additional dining event, possibly a similar concept – but not a grand table in a different location/date. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2009: \$25,000; 2010: \$20,000; 2011: \$18,000

1236 Peoa Special Services District – Facility \$ 17,440 \$ 3,200

RATIONALE: The Peoa Special Service District is requesting funding to help with advertising for a Utah’s Mounted Thunder, a cowboy mounted shooting club. They are also requesting funding for repair

and renovation of corrals and arena including small portable bleachers and for pruning of willow trees of the park.

RESTRICTIONS: Funding may be used as follows: \$1100 for awards and supplies for Mounted Shooting competition; \$1050 for arena updates and maintenance as outlined in the application; \$1050 for advertising the Peoa Stampede outside of Summit County. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2008: \$1000, 2009: \$1000, 2010: \$3,000, 2011: \$7,800

1237 Snyderville Basin Recreation District-Fieldhouse \$17,035 \$10,000

RATIONALE: This application is for adding additional flooring/and replacement of damaged flooring, as well as an electric forklift to install the flooring. This flooring is used for several events each year including: Sundance Film Festival, Karate Tournament, PC Ski Swap and Black Diamond Gymnastics regional tournament.

RESTRICTIONS: The Committee recommends that the \$10,000 grant be divided as follows, \$7,000 for replacement flooring and \$3,000 toward the purchase of a forklift needed to move the flooring during installation and removal. The Committee recommends that a reserve fund should be established by the Snyderville Basin Recreation District to cover the replacement costs of the flooring. This could be funded by fees charged for set-up and use of the flooring. If the fork lift is not purchased within the time frame of this grant, the \$3,000 will revert back to the Restaurant Tax fund. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$20,000; 2010: \$26,925, \$6,000; 2011: \$20,000

1238 Snyderville Basin Recreation District-Trailside \$ 40,000 \$ 20,000

RATIONALE: This application is for extending the existing Trailside Bike Park. The money requested would help fund the All Mountain Loop included in the design. The proposed trail will be a one mile, one way loop catering to all age/riding abilities. The bike trails in Summit County are gaining national recognition and becoming a driving force for summer tourism

RESTRICTIONS: Funding may be used for construction of the trail surface and for trail features A1-A13 as described in the application. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$20,000; 2010: \$26,925, \$6,000; 2011: \$20,000

1239 Summit County Fair-Promotions/Events \$ 17,000 \$ 15,000

RATIONALE: This application includes three components:

1-Sheep Dog Trial: This is the third year for an application to hold a sheep dog trial in conjunction with the County Fair in Coalville. Organizers expect approximately 100 dog teams; they already have 70 teams signed up from all over the Western United States. The growth of the Sheep Dog Trials at Soldier Hollow attests to the public interest in this sport. This funding request is for \$10,000 for advertising and \$5000 for prize money. The amount of prize money attracts higher quality handlers, and therefore more spectators. The potential to grow this event is huge. Advertisement funding would be used for newspapers and website production.

2-Big Screens for Rodeo: Big screen displays are becoming an expectation for Rodeo attendees. The screens get the crowd more involved in the event and offer enhanced sponsorship/advertising possibilities. In order to stay competitive and offer something new to the attendees, the Fair Board feels this is one way to continue to draw crowds to this event.

3-Barrel Racing Competition: Last year this event had over 200 participants. This sport is a very well attended, tourism driver for many communities in Utah. The grant request is for funding to advertise this event.

RESTRICTIONS:

1-Sheep dog trial- \$4500 used towards awards/prizes for this event; \$3500 used towards advertising outside of Summit County.

2-Big Screens for Rodeo- \$6500 towards the rental of a big screen display for the rodeo.

3-Barrel Racing- \$500 towards awards for the event

Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2010: \$7,000 (sheepdog); 2011: \$10,000 (sheepdog); \$9,000 (marketing); \$3,730 (facilities)

1240 Summit County Historical Society – Magazine \$ 25,000 \$ 25,000

RATIONALE: This application is to create a 48-56 page magazine a *Scenic Driver's Guide to Summit County* featuring scenic driving tours that lead to Summit County's rural towns. The driving tours will promote historic and cultural tourism to the county, thereby increasing overnight visitation and restaurant patronage. Distribution outlets will include the new PC Chamber Visitor's Center, Echo Information Center, Salt Lake Airport, Salt Palace Convention Center and Utah Travel Council Hall.

RESTRICTIONS: Funding may be used for photography, production and printing of the magazine as outlined in the application. The committee urges consideration of a charge or requested donation for the magazine but understands the difficulty in collecting funds at the distribution outlets. The committee will be interested to receive follow-up information on the lifespan of the 8,000 copies printed for this attractive, complimentary magazine. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2008: \$10,000; 2009: \$6,000; 2010: No request; 2011: \$7,400

1241 Sundance Film Fest – Promotion \$200,000 \$120,000

RATIONALE: This is the thirteenth year of funding for this applicant. The Sundance Film Festival continues to be the largest and most economically significant single event of the year, generating an estimated \$80 million in economic impact to Utah. An estimated 73% of nonresidents who attended the festival stayed in the Park City Area. The 2012 festival generated \$17.8 million in food and beverage sales. The 2012 Worldwide Media value generated by the festival is estimated to be in excess of \$69 million, second only to the 2002 Winter Olympics. This media exposure has enhanced Park City's name recognition and reputation as a desirable destination.

RESTRICTIONS: Funding may only be used for national/international print advertising, electronic advertising, on-line advertising, radio advertising, billboard advertising, and press programs. The committee would like to encourage continued exposure of Park City as a tourism destination in collateral materials and trailers as has been done in previous years. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007:\$110,000; 2008: \$120,000; 2009: \$120,000; 2010: \$120,000; 2011:\$100,000

1242 USSA – Promotion \$105,000 \$95,000

RATIONALE: This event is a Freestyle World Cup competition at Deer Valley in 2013. This request is to help secure funding for television coverage, on NBC and international networks. This plan includes integrating sport with entertainment at the World Cup competitions to maximize the value of the time buy as research has proven that sport/entertainment events not only attract large spectator groups, but also provide more dynamic TV programming, which increases viewership. The TV coverage will showcase Park City and the Freestyle skiing event and promote Deer Valley as a world class resort. This year, they will include same day live showing in the European market in high definition. This is a lifestyle event.

RESTRICTIONS: Funding may be used for the television coverage as outlined in the application. The committee would like to encourage inclusion of vignettes of Park City as a tourism destination during the television network coverage. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2008: \$110,000; 2009: \$150,000. 2010: \$100,000; 2011: \$100,000

COMMENTS: Due to the inability of the applicant to provide adequate accounting backup by the required due date on a previous grant, the recommended 2012 grant amount has been reduced by 5% per the terms of the contract with the County.

1243 Utah Athletic Foundation - Promotion \$ 87,500 \$ 73,000

RATIONALE: This was a consolidated application from the Utah Olympic Park (UOP) and The Alf Engen Ski Museum. There are only two facilities like this in the United States. The request is for marketing the Park as well as the Museum. Research shows that there were 400,000 attendees who visited the park last year 78% outside of Summit County. This facility continues to be a draw for people to visit Park City.

This application is requesting funding for print media, airport advertising, radio, TV, meeting & convention publications, billboards, as well as social media.

RESTRICTIONS: .The Grant funding may be applied to the FIT advertising plan, the Meeting/Convention/Group Business advertising and Sales plan, and the Social and Interactive Media Sales Plan as outlined in the application. The committee recommends that your websites incorporate links to and from the PC Chamber (visitparkcity.com) and PC Summit County Arts Council (pcscarts.org) websites to cross promote and unify marketing efforts. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$50,000; 2008: \$50,000; 2009: \$50,000; 2010: \$ 50,000; 2011: \$60,000

1244 Utah Symphony and Opera - Promotion \$ 120,000 \$ 70,000

RATIONALE: This year will be the 9th annual festival. The 2012 Deer Valley Music Festival features 5 pops series concerts, 4 classical series concerts, 3 chamber orchestra concerts and 3 guest chamber orchestra concerts. The Symphony/Opera continues to increase their presence in Summit County through partnerships with the Park City Chamber, local businesses and the lodging community. They promote Park City as a place to visit and stay, not just come for the performance and estimate 25,000 out of county overnight visitors generated this year. This funding request is for marketing: outdoor advertising, radio/TV, hot deals/lodging packages, online/email advertising.

RESTRICTIONS: Funding may be used for marketing outside of Summit County as outlined in the application. Funds may not be used for KPCW radio, the Street Team, banners placed in Summit County, Park Record print advertising or any ads within Summit County. Please ensure that the Summit County Restaurant Tax Fund is credited as a sponsor and the logo is used where applicable.

PREVIOUS FUNDING: 2007: \$50,000; 2008: \$50,000; 2009: \$60,000; 2010: \$70,000; 2011: \$70,000

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, MAY 23, 2012
SHELDON RICHINS BUILDING
PARK CITY, 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*
Annette Singleton, *Office Manager*
Karen McLaws, *Secretary*

CLOSED SESSION

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

The Summit County Council met in closed session from 1:10 p.m. to 2:10 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*
Ashley Koehler, *Sustainability Coordinator*

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

WORK SESSION

- **Interview applicants to fill two vacancies on the Board of Trustees of Summit County Service Area No. 5**

The Council Members interviewed the following candidates for two positions on the Service Area No. 5 Board of Trustees:

Ed Wyckoff
Pat Pike

- **Presentation of the 2012 Sundance Film Festival economic report; Sarah West, Director, Utah Community Development, Sundance Institute**

Sarah West with the Sundance Institute discussed how Sundance brings the world to Utah. Of the out-of-state visitors in 2012, this was the first time in Utah for 35% of them, and more than 44% indicated they would come back to Utah again. She explained that there was a large increase in international visitors to the festival this year. She reviewed the advertising that publicized the festival this year, provided data regarding out-of-state spending by visitors to the festival, and jobs created to support the festival. She stated that in the last 10 years, the festival has brought more than \$.5 million to the State's economy. She noted that total spending was up overall for the festival this year, with average spending per person of about \$2,000.

Lizzie Latenser, Media Relations Manager with Sundance, discussed the media value of the festival and the exposure it provides for Utah. She indicated some of the countries from which visitors came from this year

Ms. West explained that with the RAP tax funding they received, they were able to offer free community-based programs to Summit County residents. She reviewed the programs and attendees who participated in the programs. She reported that there is a great business connection in Utah during the festival which provides a platform promoting the advantages of doing business in the State.

Ms. Latenser shared quotes from local business owners. Ms. West highlighted some of the films first presented at the Sundance festival.

- **Council Mail Review**
- **RAP Tax Bond Financing Explanation and Discussion; Brian Baker, Zions Bank**

Brian Baker with Zion's Bank recalled that in November 2010 County voters approved the renewal of the RAP tax that had been in place for the prior 10 years. The tax will now expire at the end of 2020 and will be used for recreation, arts, and cultural projects in Summit County. When the tax was originally passed, a bond was issued for approximately \$2 million to fund some on-time infrastructure expenditures in the County. He clarified that the County divides the RAP tax money between cultural projects and recreation projects. The cultural projects have been funded with the money that comes in yearly, and the recreation funds are generally spent on infrastructure projects where additional funds are needed. Council Member McMullin verified with Mr. Baker that the County raised the \$2 million over the 10-year period and paid off the previous bond. Mr. Baker explained that, if the County moves forward with this bond, the portion of the RAP tax allocated to recreation will be pledged against the bond, and it is anticipated that the amount of the debt payment on the bonds will be less than 80% of what the County expects to receive from the RAP tax for recreation only. The bond amount would be fixed, and the County could allocate those funds over the next nine years toward recreation projects. The County could feel comfortable with bonding up to \$3.7 million, which is the outside bond parameter, and whatever the Council decides to do with the bond funds would be at or less than the \$3.7 million level. Council Member Hanrahan verified with Mr. Baker that the \$3.7 million is a conservative amount. Council Member McMullin verified with Assistant

Manager Anita Lewis that small projects and operating expenses were removed from the calculation. She noted that the items that are strictly capital total about \$3.4 million and asked if Mr. Baker would recommend that the bond language be changed to \$3.4 million. Mr. Baker explained that the bond language is already written, and \$3.7 million is simply a maximum parameter. The pricing would actually be dictated by the pricing committee, which includes the Council Chair. If they were to set the outside parameter at \$3.4 million and found a couple of other projects they would like to include, they would be unable to do so. He explained that the purpose of setting a maximum parameter is to establish a ballpark amount they know they will not cross and start the bonding process. He verified that bond pricing would not be affected regardless of whether the parameter is \$3.4 million or \$3.7 million.

REGULAR MEETING

Chair Ure called the regular meeting to order at 5:15 p.m.

CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 2012-14 OF THE COUNTY COUNCIL OF SUMMIT COUNTY, UTAH (THE “ISSUER”), AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$3,700,000 AGGREGATE PRINCIPAL AMOUNT OF SPECIAL OBLIGATION SALES TAX REVENUE BONDS, SERIES 2012; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE AUTHORITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; PROVIDING FOR A PUBLIC HEARING AND THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE EXECUTION OF A GENERAL INDENTURE AND SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS

Council Member Hanrahan made a motion to adopt Resolution No. 2012-14 of the County Council of Summit County, Utah (the “Issuer”), authorizing the issuance and sale of not more than \$3,700,000 aggregate principal amount of special obligation sales tax revenue bonds, Series 2012; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; delegating to certain officers of the Issuer the authority to approve the final terms and provisions of the bonds within the parameters set forth herein; providing for a public hearing and the publication of a notice of public hearing and bonds to be issued; providing for the running of a contest period; authorizing and approving the execution of a general indenture and supplemental indenture, a bond purchase agreement, and other documents required in connection therewith; authorizing the taking of all other actions necessary to

the consummation of the transactions contemplated by this resolution; and related matters. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

- **Pledge of Allegiance**

COUNCIL COMENTS

Council Member Elliott reported that she sent the Council Members a copy of the transportation alternatives for the Wasatch Front report, and she believed Summit County should get involved in that discussion, because everything being discussed involves Summit County. She agreed to attend the next meeting. She reported that she attended the Utah Intergovernmental Round Table, where they discussed air quality, and she stated that she would post the information on line if the other Council Members are interested.

Council Member McMullin reported that she received a complaint from a constituent regarding the deterioration of Old Ranch Road. Mr. Jasper explained that, in order to properly fix the road, additional right-of-way is needed, and he believes the County is about to obtain that right-of-way and will schedule the road maintenance.

Chair Ure reported that he met with the wastewater board regarding the Echo Special Service District. The engineer and attorney were present and presented the situation to the board. Echo would be asking for about \$420,000 from the waste water board, half of which would be a loan, and half would be a grant. He believed they may have found a way to do this in a less costly manner, and Sunrise Engineering, the County Engineer, and Andy Armstrong with the Mountain Regional Water Special Service District will meet this week to discuss how to cut costs. They will be on the agenda again on June 27 at the Division of Environmental Quality. He believed they could cut the costs to about \$200,000. Chair Ure reminded the Council Members of the Public Works lunch on May 24 at 1:00 p.m. at the Public Works building.

MANAGER COMMENTS

Mr. Jasper read a press release announcing that Summit County had completed the Round Valley open space. The County has entered into an agreement with Nadine Gillmor to acquire approximately 290 acres to be permanently protected as open space. The purchase price is \$7.425 million. The County Council will authorize the transfer of \$6 million from the open space bond funds with the remaining \$1.425 million one year from closing to be contributed through a public fundraising campaign, among other ways. The purchase agreement signed early on May 23, 2012, includes termination of all lawsuits related to the property and stipulates a conservation easement which will be held by Utah Open Lands.

Max Greenhalgh, Chair of the Basin Open Space Advisory Committee (BOSAC), thanked Ms. Gillmor and her family, the County Manager, and the County Council for their hard work in bringing about this outcome. He stated that the top two priorities for BOSAC in terms of properties to be purchased were the Gillmor parcel and Hi-Ute Ranch. Hi-Ute Ranch was acquired in December 2011, and less than six months later they are delighted with this transaction. He noted that BOSAC did not do the negotiation on this parcel because of complications on this property, and it made more sense for the Manager and Council to do the negotiations. He appreciated the consultations with BOSAC and the opportunity to provide for a

reserve so they could acquire another parcel that is prized for the community. He noted that with the acquisition of this property, there will be a wide recreation and open space corridor stretching from Trailside to Highway 224.

Rena Jordan with the Snyderville Basin Special Recreation District thanked the voters and the community for supporting the bond election during difficult times. Without the bond, this could not have happened, and it is a great acquisition. She hoped they could find ways to acquire even more recreational open space.

Council Member McMullin thanked the community for coming to the Stone Ridge hearings, because those meetings helped the Council understand the importance of this parcel to the community and the concept that this was the right thing to do to make Round Valley the gem that it is like Central Park in New York.

The Council Members took a break from 5:40 p.m. to 6:00 p.m.

PUBLIC INPUT

Chair Ure opened the public input.

There was no public input.

Chair Ure closed the public input.

PUBLIC HEARING REGARDING THE PROJECT DETERMINED TO BE APPLIED FOR IN THE CDBG SMALL CITIES PROGRAM IN THE PROGRAM YEAR 2012, THE ECHO SEWER PROJECT, PROPOSING A NEW SEEPAGE FIELD, REHABILITATION OF EXISTING SEEPAGE FIELD, AND OTHER SYSTEM UPGRADES; LANE PEIRCE, ENGINEER

Chair Ure opened the public hearing.

There was no public comment.

Chair Ure closed the public hearing.

Mr. Jasper recalled that the Chair talked about bringing the County Engineer into the discussion and noted that they also brought in the Health Director and his staff to address the issue. Chair Ure reported that there will be another meeting at the DEQ building to finalize the funds and a meeting between County Staff and Sunrise Engineering to determine what to do in Echo.

PUBLIC HEARING REGARDING THE INTENTION TO CREATE THE SNYDERVILLE BASIN CEMETERY DISTRICT; HELEN STRACHAN, CIVIL ATTORNEY

Deputy County Attorney Helen Strachan presented the staff report and recalled that the County Council held a work session on February 29 to discuss the possibility of establishing a cemetery district in the Snyderville Basin. The Council directed Staff to create a resolution indicating the

County's intent to create such a district. She explained that the cemetery district would have the same boundaries as the Snyderville Basin Recreation District except for parcels that are currently the subject of annexation into Park City Municipal Corporation. The purpose of the public hearing is for the Council to receive input from the public and for the public to receive information regarding the proposed district. At this time everything is very preliminary, and in order for a district to be created, language will be placed on the ballot in November for the public to decide whether they want a district established. If the public approves it, the Council will move forward to establish a district, including deciding on a location, who will serve on the board of trustees, and how the district will be funded. After the public hearing closes this evening, the public will have the ability to file written protests within 60 days to the County Clerk, and the number of protests filed will determine whether the item can be placed on the ballot. At the end of the 60 days, if there are not sufficient protests, she would prepare two resolutions; one, a resolution of intent to go forward, and the other, a resolution containing the ballot language. She explained that the last public hearing on this item must be held within 45 days of when the Council adopted the resolution in April.

Chair Ure commented that he would not want to vote on something like this unless he were aware of what the costs would be. He would like to spend the next few weeks putting together data to determine how much it would cost per home. Council Member Elliott stated that it was her understanding that they could not make estimates or decisions until they have a board, and they cannot appoint a board until the public votes on whether they want a district or not. Council Member Hanrahan asked if they could hire a consultant ahead of time who has expertise in setting up a cemetery. Council Member Elliott noted that a consultant could not make any decisions for the board, and they cannot appoint a board until the community decides whether they want a cemetery district. Ms. Strachan verified that the vote in November would not give the cemetery district taxing authority.

Kent Wilkerson from the County Engineer's Office presented preliminary figures he had prepared to estimate a need for cemetery services. His calculations were based on population demographics, types of cemetery services, and other factors to determine the amount of acreage that might be needed for a cemetery over the next 40 years. He estimated the start-up needs to initially set up a cemetery. He believed the cemetery service should be self-funding, and based on his projections, he did not believe there would be a need to tax for cemetery services.

Council Member Hanrahan stated that he believed Mr. Wilkerson's assumptions were too high. He believed it would be simple to contact Park City to see what their costs are and work from actual numbers to extrapolate what might be needed in the Snyderville Basin.

Chair Ure read an opening statement regarding the protest procedure and opened the public hearing.

Shana Hopperstead stated that she was excited about having a cemetery here, because she loves it here and wants her husband and her to be buried here. She thanked Mr. Wilkerson for his efforts in collecting the data and felt that was information they could use going forward. She stated that she is in favor of creating a cemetery district and strongly in favor of the location on the PRI parcel. She believed the view of the Olympic Park and the mountains would be a perfect area for people to visit their loved ones and feel at rest and at peace. She asked if they could do some preliminary numbers and make an estimate that they could put on the ballot in November

so the voters could approve the estimated amount as well as creating the district. Ms. Strachan explained that she has included an estimated amount in the resolution of no more than \$20 average annual impact to an average household within the district. Ms. Hopperstead asked if they could proceed without another vote if they stay within that \$20 limit. Ms. Strachan explained that those are two different questions for the voters. The first question that will go to the voters is whether they want to create a district. Then the County Council will either appoint a board of trustees or serve as the initial board of trustees. The board of trustees will then lay the groundwork for where they want the cemetery to be located. After that they will have a better idea of what the costs will be and would put on the ballot either a bond approval or taxing authority. She explained that they must take substantial steps within six months of the initial vote to create a district. Ms. Hopperstead asked about the responsibilities and requirements for someone who might want to serve on the board of trustees. She stated that she was involved in the efforts to bring a hospital to Park City, and there were many naysayers, but within the first year the hospital was profitable and looking to expand. She asked the Council not to downplay the desire and need potential of the community before doing a survey, because she believed there was a lot of potential for a cemetery in the Snyderville Basin.

Jim Ayers, a resident of Summit County since 1993, stated that he believes Summit County needs a cemetery, but he did not believe it is the County's responsibility to operate or manage a cemetery. He stated that his research showed that only about 10 to 15 companies nationwide are in the funeral industry, and he believed it would prudent of the County to solicit them and ask for professional advice regarding what would be best for the County rather than making assumptions on their own. He stated that it is not the government's place to own and manage a cemetery except for a national cemetery like Arlington, Omaha Beach, or Pearl Harbor. He stated that it appears the County is looking at this as a business model, which is not what the County should be doing. There are certain services the government should provide for its citizens that need to be borne by the taxpayer, but a cemetery is not one of them. He commented that golf courses and cemeteries are the biggest waste of prime real estate, and he would have to vote no on this.

Louis Cicalese stated that he recently moved to Summit County, has been in the cemetery business for 21 years, and operates cemeteries in the northeastern United States. He explained that he spoke with Ms. Strachan and offered to help answer some of the questions and fine tune some of the numbers that were presented. He believed there were 70 deaths in Summit County last year based on Health Department data. He suggested that they start with Health Department data rather than population data to determine the County's needs. Council Member McMullin asked if Mr. Cicalese believed there is a need for a cemetery in an area with the population base the size of the Snyderville Basin. Mr. Cicalese commented that communities always need a cemetery, and it is a reflection of the community. It is a matter of coming up with the right mix and picking the right location. He noted that cremation rates are on the rise, which means cemeteries will take up less space, and that should be taken into account when determining the amount of land needed to accommodate the residents. Chair Ure asked if Mr. Cicalese believes there is a need for a cemetery district in the Snyderville Basin with three other cemetery districts in the County. Mr. Cicalese stated that he would have to look at more information and evaluate what the other cemetery districts are doing before he could determine whether there is a need.

Council Member Hanrahan asked if cemeteries in Utah must be run by a county or municipality or if private enterprise can run a cemetery. Ms. Strachan replied that private enterprise can run cemeteries, but in Utah, political subdivisions have the ability to create cemetery districts as a government service. Mr. Cicalese explained that many cemeteries are non-profit corporations, and the idea is to establish a trust fund for maintenance and reservations, with the interest generated from that fund being used to take care of the cemetery in perpetuity. They generally do not want to put a burden on the taxpayers or the cemetery, because cemeteries that cannot sustain themselves are abandoned and become a burden to the community. Council Member Hanrahan commented that they have a philosophical decision to make, whether to charge property taxes every year to people in the district or to have the cemetery be user-based only, which is the approach he would prefer. He believed there are profitable models that are fee-based, and he did not believe taxpayers should pay for this. They may need to get it started by setting up a district, but the people who use the services should pay for them. Mr. Cicalese stated that there are successful models that include public-private involvement. Council Member Hanrahan suggested that they do a survey now and find out if people want this before putting it on the ballot. He believed they could do a survey simultaneously with the 60-day protest period. Ms. Strachan suggested that they could create the district, but they would not have to fund it and go through with it depending on the results of the survey. Council Member Hanrahan asked if the County could fund a survey and be reimbursed by the cemetery district once it is up and running. Ms. Strachan replied that she would have to do research to see if those kinds of costs could be reimbursed.

Chair Ure agreed that they probably should not put this on the ballot until they conduct a survey and know that there is a need for a cemetery district. He stated that this is a taxpayer issue, and they need to be sensitive to that.

Ms. Hopperstead commented that there always seems to be a conflict between businesses that want to come in and do it their way and the County saying they have to do it within their framework. The County could always look to sell the cemetery later as a private company and maybe earn some money, but she believed it would go smoother if the County does it. If the County owns it, any profits could be used the way the County wants them to be used, but if they sell it to a private company and tax them, those tax dollars can go elsewhere in the State.

County Clerk Kent Jones explained that the County could hold the vote to establish the cemetery district, and then if they determine that it will be fee based rather than a taxing entity, there would not be a need for an additional vote to grant taxing authority.

Mr. Ayers restated his position that it is not government's place to be in business.

Chair Ure re-read the statement regarding the protest procedure and closed the public hearing.

Council Member Hanrahan stated that he would like to conduct a citizen survey simultaneously with the protest period. He would also like to see more data and research on the costs.

Chair Ure asked if the Council has the authority to choose not to put this on the ballot if they find that the majority of the citizens do not want a cemetery district. Ms. Strachan explained that at the end of the 60-day protest period the Council would adopt a resolution saying that they plan to move forward, and they could make the decision at that point. Chair Ure requested that Mr.

Jasper hire a firm to do a survey to determine whether the citizens of the Snyderville Basin want a cemetery with the understanding that the results must be available within 60 days.

Council Member Elliott offered to walk the land the County owns with some people who understand the land use and could make some recommendations. Mr. Jasper stated that a key issue is whether the County would be able to provide free land for the cemetery, which would have a big impact on the cost of the cemetery. He suggested that they also have a Realtor look at other site possibilities.

Sue Pollard suggested that the survey include questions about how the citizens want the cemetery to be owned and run. If they do not give options, people are likely to say they want a cemetery without looking at how it will be paid for, and there may be options for paying for the cemetery they do not like.

The County Council meeting adjourned at 7:10 p.m.

Council Chair, David Ure

County Clerk, Kent Jones



STAFF REPORT

To: Summit County Council
Report Date: June 12, 2012
Meeting Date: June 20, 2012
From: Jennifer Strader, County Planner
Project Name & Type: Proposed Development Code Amendments Regarding Signs
Type of Item: Public Hearing / Possible Approval

Executive Summary

Staff is requesting that the Summit County Council (SCC) conduct a public hearing and vote to approve proposed amendments to the Snyderville Basin Development Code (Code) regarding signs, through the adoption of an ordinance.

A public hearing was held on March 7, 2012 before the SCC; the hearing was continued and the SCC requested that Staff return with additional options for consideration, specifically regarding the temporary sign requirements. Staff returned to the SCC on April 18, 2012, at which time public comment was received, and the SCC directed the business owners to submit proposed language to Staff that addressed their concerns.

Staff has since met with Bill Parry, representing Quarry Village, and Jeff Packard with Park City Signs, both of whom were in attendance at the public hearing on April 18th. The meetings resulted in further amendments to the Sign Code, which are identified in the chart attached as **EXHIBIT A** and are supported by Staff. The chart only identifies those signs that Staff and the representatives discussed and further amended.

The proposed Code language that was presented to the SCC on April 18, 2012 is attached as **EXHIBIT B**. Further amendments as a result of Staff and business representative meetings are shown in color and deleted language appears with a strikethrough.

Recommendation(s)/Alternatives

Staff recommends that the SCC conduct a public hearing, take into consideration any public comment, and vote to approve the amendments to Section 10-8-2 of the Code as proposed in Exhibit B of this Staff Report, based upon the following findings and with the following condition, through the adoption of an Ordinance.

FINDINGS

1. The amendments are consistent with the goals, objectives, and policies of the General Plan.
2. The amendments do not permit the use of land that is not consistent with the use of properties nearby.
3. The amendments will not permit suitability of the properties affected by the proposed amendments for uses to which they have been restricted.
4. The amendments will not permit the removal of existing restrictions which will unduly affect nearby property.
5. The amendments will not grant special favors or circumstances solely for one property owner or developer.

6. The amendments will promote the public health, safety, and welfare better than the existing regulations for which the amendments are intended to change.

CONDITION

1. The SBPC shall review Section 10-8-2: Sign Regulations, one (1) year from the date of the adoption of the ordinance that amends the sign code. The purpose of the review is for Staff to provide an update as to what elements of the sign code appear to be working in the best interest of the community and what elements of the sign code appear to warrant further consideration for future amendments.

ATTACHMENTS

- Exhibit A: Chart of Proposed Amendments
Exhibit B: Section 10-8-2, Amended Language
Exhibit C: Ordinance amending the Code

	Language Presented to the SCC on 4.18.12		Changes Agreed Upon Between Staff & Representatives	
Sign Type	Number of Signs	Size of Signs	Number of Signs	Size of Signs
Freestanding	1	Single Use: 30 sq. ft. Multi-Use: 45 sq. ft.	1 sign shall be permitted for each separate vehicular access to the use, up to a maximum of 2 signs	Single Use: 30 sq. ft. Multi-Use: 45 sq. ft.
Wall	1 for each non-residential user	1:3, up to 40 sq. ft. (in no case will the sign be less than 10 sq. ft.)	1 for each non-residential user	1:2, up to 60 sq. ft. (in no case will the sign be less than 10 sq. ft.) If a building contains a facade that exceeds 250 lineal feet, the sign can be up to 75 sq. ft. and there are no restrictions on the location of the primary wall sign vs. the secondary wall sign.
Projecting	1 for each non-residential user	6 sq. ft.	1 for each non-residential user	8 sq. ft.
Suspended	1 for each non-residential user	6 sq. ft.	1 for each non-residential user	8 sq. ft.
Awning	1 for each non-residential user	Lettering shall not exceed 7' in length and 7" in height	1 for each non-residential user	No restriction on length of lettering, but height may not exceed 9"
Neon	1 for each non-residential user	2 sq. ft.	1 for each non-residential user	4 sq. ft.
Project Identification Banners on Light Poles	N/A	N/A	These may only be used in multiple use developments The number of banners cannot be located on more than 50% of the total number of light poles within the development	8 sq. ft.

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EXHIBIT A

10-8-2: SIGN REGULATIONS:

- A. Purpose: The purpose of this Section is to promote and protect the public health, safety and welfare of the general public by implementing outdoor advertising regulations to protect property values, create an attractive economic and business climate and enhance the aesthetic appearance of the community, and ensure that the constitutionally guaranteed right of free expression is protected. It is further intended to reduce signs or advertising distractions and obstructions that may contribute to clutter or traffic accidents.
- B. Permit Requirements:
1. It is unlawful for any person to erect, construct, alter or relocate any sign, other than such signs specifically described in Subsection G of this Section (exempted signs), without first obtaining a permit. Routine maintenance or repairing existing like parts shall not be considered an alteration; provided, that such change does not alter the surface dimensions, height, message, or otherwise make the sign non-conforming.
 2. Application for the permit shall be made to the CDD or designated planning staff member and shall include the following:
 - a. The name, address and telephone number of the applicant, owner and occupant of the property.
 - b. Location of the structure or parcel of property on which the sign will be attached or erected.
 - c. Position of the sign in relation to nearby buildings, structures, property lines, rights of way and roads.
 - d. A copy of plans and specifications showing material and method of construction, illumination, electrical wiring, location and support.
 - e. Sketch showing sign faces, exposed surfaces and proposed message, accurately represented in scale as to size, area, proportions and color.
 - f. The name of the person erecting the sign.
 - g. Written consent of the owner of the building, structure or land on which the sign is to be erected.
 - h. On any application for a temporary sign, the applicant shall list the earliest date on which the sign may be established and the date on which the sign shall be removed.

EXHIBIT B

3. Before granting a permit under this Subsection, every applicant shall pay the required permit fee to the County for each sign.

C. Sign Design: It is recognized that it is desirable to have some diversity of sign design within the Snyderville Basin. However, it is also desirable to ensure that materials and color schemes used on signs shall be compatible with the image of the Snyderville Basin community and mountain environment.

D. Comprehensive Sign Plans: Uses that are subject to the provisions of a previously approved comprehensive sign plan may choose to continue the use of that sign plan, or if all parties to the comprehensive sign plan agree in writing to no longer utilize the comprehensive sign plan, they may comply with the provisions of this Section. In no case may a combination of a comprehensive sign plan and the provisions of this Section be used together.

E. Permitted Signs

1. Non-Residential Signs: The following types of signs are allowed for permanent, non-residential uses. Signs permitted under this regulation are intended to identify the use located on the premises upon which the sign is located.

2. For the purposes of this Section, the following definitions will be used:

a. **Single Use:** Any lot, building, or other structure or tract of land that has been designated for one (1) non-residential use, through the approval of a development permit.

b. **Multiple Uses:** Any lot, building, or other structure or tract of land that has been designated for multiple non-residential uses, through the approval of a development permit.

3. Types of Signs:

a. Freestanding Sign: Freestanding signs are supported by poles, braces, or uprights extending from the ground or an object on the ground and are not attached to any part of a building. All freestanding signs shall comply with the following:

(1) Number of Signs: ~~Each development area that contains a single use may have one (1) freestanding sign. Each development area that contains multiple uses may have one (1) freestanding sign. One (1) freestanding sign shall be permitted for each separate primary vehicular access to the parcel, up to a maximum of two (2) signs.~~

(2) Location / Setbacks: Freestanding signs shall be located adjacent to the primary vehicular access to the parcel. The primary vehicular access is that access located adjacent to the primary parking area. In no case shall a freestanding, on premises sign encroach into a road right-of-way, nor shall

any sign be situated near an intersection in such a manner so as to interfere with vehicular sight distance. These signs shall be setback at least fifteen feet (15') from the edge of the right-of-way.

- (3) Monument Base: All freestanding, on premises signs shall be constructed with a monument base. A base of stone or wood is preferable.
 - (4) Display Area Size: The display area of all freestanding, on premises signs for a single use shall not exceed thirty (30) square feet in size. The display area of all freestanding, on premises signs for a parcel containing multiple uses shall not exceed forty five (45) square feet. The display area of a sign, which may be double sided, shall include any architectural embellishments or background materials that are an integral part of the display and intended to help attract attention to the sign.
 - (5) Height: In no case shall the highest point of a freestanding, on premises sign be more than six feet (6') above the grade elevation at the base of the sign.
 - (6) Materials: Freestanding signs shall be constructed of wood, stone or other natural materials. Plastic, Lexan or similar materials are allowed for individual letters only.
 - (7) Landscaped Area: All freestanding, on premises signs shall be located within a landscaped area. Landscaping, including shrubs, perennials, trees, other appropriate vegetative materials, and landscape boulders where appropriate, shall be designed in a manner that minimizes the visual impact of the sign, without blocking the view of the sign from the specific area from which it is intended to be seen, or adversely affecting pedestrian and vehicular sight distance. Designs that integrate the sign into the land form should be considered.
- b. Primary Wall Sign, Secondary Wall Sign, Projecting Sign, Suspended Sign, and Awning Sign: Each non-residential use may choose to utilize three (3) out of the five (5) types of signs, as described below. In no case may two (2) or more of the same types of signs be used per each use.
- (1) Wall Mounted Signs: Wall mounted signs are those signs that are attached to or painted on the wall of a building, the display surface of the sign being parallel to the wall of the building on which the sign is placed.
 - i. Primary Wall Sign: A wall sign that is located on the facade of the building that contains the primary access to

the particular use. A primary wall mounted sign shall not exceed one square foot of sign area for each ~~three (3)~~ two (2) lineal feet of building facade frontage, up to a maximum of ~~forty (40)~~ sixty (60) square feet.

In the case of multiple users in one (1) building, the frontage shall include the length of the individual suite that is exposed to the exterior of the building where the primary access to the use is located. In no case shall the primary wall sign be less than ten (10) square feet in size.

a. Size Exception: In the case of a single building where at least one facade is two hundred and fifty (250) lineal feet in length or more, the maximum size of the primary wall sign may not exceed seventy-five (75) square feet.

b. Location Exception: In the case of a single building where at least one facade is two hundred and fifty (250) lineal feet in length or more, the primary wall sign may be located as deemed appropriate by the entity requesting the sign.

- ii. Secondary Wall Sign: A sign that is located on a building facade that is separate from the facade on which the primary wall sign is located. A secondary wall sign shall not exceed a maximum of one half the size of the permitted primary wall sign.
- iii. Display Area: The area of all wall mounted business signs shall be the extreme limits of the display surface. The display surface includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.
- iv. Wall mounted signs shall not project out more than six inches (6") from the wall on which it is mounted.
- v. Materials: Wall mounted signs shall be wood, metal, other natural materials, or painted on the side of the building. Plastic, Lexan, or similar materials are allowed for individual letters only.

- (2) Projecting Signs: Projecting signs are supported by a building or other structure and project out from the building or structure over the sidewalks, lawns, or similar areas in a manner that the display area is generally perpendicular to the face of the building or structure.

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- i. Size: Projecting signs shall not exceed ~~six (6)~~ eight (8) square feet.
- ii. Display Area: The area of a projecting sign shall be the extreme limits of the display surface. The display surface also includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.
- iii. Height: Signs which project over a pedestrian walkway shall allow at least seven and one-half feet (7.5') of clearance between the bottom of the sign and the ground. Hanging signs may be illuminated; provided, that only indirect lighting is utilized, and that the light source does not interfere with pedestrian or vehicular traffic.
- iv. Materials: Projecting signs shall be constructed of wood, metal or similar material. Plastic, Lexan or similar materials are allowed for individual letters only.

(3) Suspended Sign: A sign that is suspended parallel or perpendicular from a building roof, façade, porch, or other structural element by brackets, hooks, or chains.

- i. Size: Suspended signs shall not exceed ~~six (6)~~ eight (8) square feet.
- ii. Display Area: The area of a suspended sign shall be the extreme limits of the display surface. The display surface also includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.
- iii. Height: Suspended signs shall allow at least seven and one-half feet (7.5') of clearance between the bottom of the sign and the ground. Suspended signs may be illuminated; provided, that only indirect lighting is utilized, and that the light source does not interfere with pedestrian or vehicular traffic.
- iv. Materials: Suspended signs shall be constructed of wood, metal or similar material. Plastic, lexan or similar materials are allowed for individual letters only.

(4) Awnings Signs: Awning signs are comprised of letters and logos that are placed on the valance of the awning.

- i. ~~The lettering and logos on any awning sign shall not exceed seven feet (7') in length.~~ The words and logos

on any awning sign shall not exceed ~~seven-nine~~ inches (9" 7") in height.

iii. Back lighted awnings are prohibited.

c. Project Identification Banners on Light Poles: Banners on light poles may only be used in multiple use developments according to the following criteria.

- (1) The number of banners allowed may not exceed more than fifty percent (50%) of the total number of light poles.
- (2) Each light pole may have a maximum of one (1) banner.
- (3) The banners must be uniform in size and be no larger than eight (8) square feet.
- (4) No light pole shall be erected with the intent of hanging a banner unless the primary purpose of the light pole is to provide light in the parking areas and driveways.
- (5) Signs shall be placed on the light poles via permanent support brackets (top and bottom) and such signs shall hang taut.
- (6) Signs shall be constructed and maintained with durable, weather resistant materials. Any faded, torn, ripped, detached, defaced or otherwise damaged sign must be promptly repaired, replaced, or removed.

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d. Subdivisions, Multi-Family Dwellings, and Residential Condominium Complex Signs. These signs are intended to state the name of a subdivision, multi-family development, or residential condominium complex.

- (1) Freestanding Signs: One (1) freestanding sign shall be permitted for each separate primary vehicular access to a subdivision, multi-family dwelling development, or residential condominium complex. All freestanding signs shall comply with the following:
 - i. Monument Base: All freestanding, on premises signs shall be constructed with a monument base. A base of stone or wood is preferable.
 - ii. Display Area Size: The display area of all freestanding, on premises signs shall not exceed thirty (30) square feet in size. The display area of a sign, which may be double sided, shall include any architectural embellishments or background materials

that are an integral part of the display and intended to help attract attention to the sign (see Illustration I).

- iii. Height: In no case shall the highest point of a freestanding, on premises sign be more than six feet (6') above the grade elevation at the base of the sign.
 - iv. Materials: Freestanding signs shall be constructed of wood, stone or other natural materials. Plastic, lexan or similar materials are allowed for individual letters only.
 - v. Landscaped Area: All freestanding, on premises signs shall be located within a landscaped area. Landscaping, including shrubs, perennials, trees, other appropriate vegetative material, and landscape boulders where appropriate, shall be designed in a manner that minimizes the visual impact of the sign, without blocking the view of the sign from the specific area from which it is intended to be seen, or adversely affecting pedestrian and vehicular sight distance. Designs that integrate the sign into the land form should be considered.
 - vi. Setbacks: In no case shall a freestanding, on premises sign encroach into a road right-of-way, nor shall any sign be situated near an intersection in such a manner so as to interfere with vehicular sight distance. These signs shall be set back at least fifteen feet (15') from the edge of the right-of-way.
- d. Temporary Signs: Temporary sign means any sign or advertising display constructed of cloth, wood, canvas, light fabric, paper or other materials with or without frames intended to be displayed for a limited time period and not permanently affixed to the ground.
- (1) General Provisions for All Temporary Signs: The following shall apply to all temporary signs as outlined herein:
- i. Signs shall be removed as specific herein, unless otherwise indicated in this Section. There are no timeframes for non-commercial opinion signs.
 - ii. Signs may only be located on private property and may not encroach into the right-of-way, nor impede pedestrian traffic.
 - iii. Signs shall not be attached to utility poles, fences, trees, or other similar objects.
 - iv. Illumination of temporary signs is prohibited.

- v. All temporary signs must be subordinate to and be positioned in such a way so that any permanent signage on the same property remains visible.
- vi. Temporary signs must be properly maintained at all times. Any faded, torn, ripped, detached, defaced or otherwise damaged sign must be promptly repaired, replaced, or removed.
- vii. A Low Impact Permit is required for a temporary sign prior to installation, unless otherwise exempted in this Section.

(2) Temporary Signs Allowed Without a Permit in All Zones.

- i. Non-Commercial Opinion Signs: Non-commercial opinion signs are subject to all requirements and provisions of the Utah State Code Annotated and other laws as may be applicable. Such signs are regulated as follows:
 - (a) Residential Properties: Residential properties are permitted nine (9) square feet of a sign area, not to exceed three feet (3') in height. The sign square footage may be split between two (2) or more signs, but the total square footage may not exceed nine (9) square feet.
 - (b) Non-Residential Properties: Non-residential properties are permitted six (6) square feet of sign area, not to exceed three feet (3') in height. The sign square footage may be split between two (2) or more signs, but the total square footage may not exceed six (6) square feet.
- ii. Properties Subject to Development or Construction: Properties which have an approved subdivision plat, site plan, or other type of development permit are subject to the following:
 - (a) Signs may not exceed a maximum of twenty (20) square feet.
 - (b) Signs may only be freestanding and must be made of a rigid material. Banners or other similar signs applied to cloth, paper, flexible plastic, or fabric of any kind are not permitted.
 - (c) Signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below.

(d) One (1) sign is allowed per street frontage. These signs must be located on the parcel that is subject to the approved development permit and may not encroach into the right-of-way, nor impede pedestrian traffic.

(e) Such sign(s) shall be removed within one (1) year after the issuance of the final building permit for the development.

iii. Properties Subject to Sale, Lease, Rent, or Auction: Properties subject to sale, lease, rent, or auction shall be allowed one (1) on-premise sign of one (1) of the following types, and associated off-premise signs according to the following regulations without obtaining a Low Impact Permit.

(a) On-Premise Signs:

1. One (1) "T"-shaped post sign, one (1) yard sign, or one (1) window sign subject to the following:

i. In the case of a "T"-shaped post sign, the sign hanging from the "T"-shaped post shall be a maximum of nine (9) square feet. Yard signs and window signs may not exceed nine (9) square feet in size.

ii. "T"-shaped post signs and yard signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below, with the

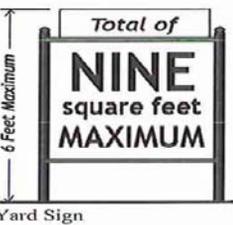
iii. These signs must be located on the property that is subject to sale, lease, rent, or auction and out of the right-of-way.

iv. These signs are allowed for the duration of the property's sale, lease, rent, or auction.

(b) Off-Premise Signs:

1. Such signs may be used to direct traffic to a property for sale, lease, rent, or auction, subject to the following:

i. These signs may be displayed thirty (30) minutes prior to a representative or property owner being at the property that is subject to sale, lease, rent, or auction.



- ii. These signs may be displayed in the County right-of-way as long as they are not disruptive to the regular flow of traffic.
 - iii. These signs may not be displayed overnight.
- (3) Temporary Signs Requiring a Permit on Non-Residential Properties: A non-residential use may apply for one (1) temporary sign, subject to the following:
 - i. These signs may be displayed up to four (4) times per calendar year, for a period not to exceed seven (7) days in length. These periods may run consecutively.
 - ii. Signs may not exceed a maximum size of twenty (20) square feet.
 - iii. Freestanding temporary signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below. Signs attached to a building may not exceed fifteen feet (15') in height, measured from the top of the sign to the grade directly below.
 - iv. One (1) temporary sign is allowed for each non-residential use.
 - v. These signs must be located on the parcel on which the entity requesting the sign is located and may not encroach into the right-of-way, nor impede pedestrian traffic.

E. Sign Illumination:

1. Exposed neon tubing and/or individual light bulbs forming the sign copy shall not be permitted on any sign, unless otherwise allowed in this Section.



2. Back lit full sign face illuminated signs are prohibited.



3. Light may be cast directly onto the face of the sign by an external light source. In such instances, the light must be focused on the sign face only, provided that such illumination does not adversely affect pedestrian and/or vehicular traffic.



4. Back lighting through individual routed letters/copy or through the material that comprises the letters/copy in the sign face is permitted as long as the light source is screened from public view.



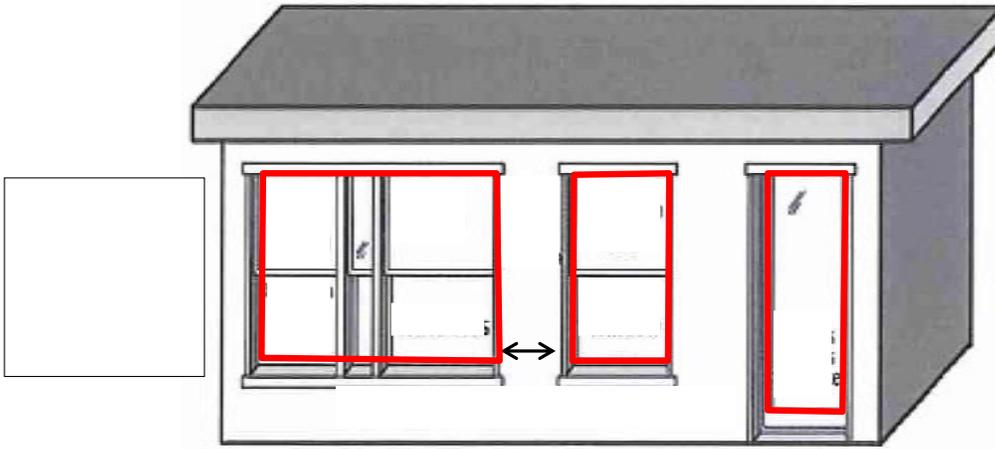
5. No interior light source shall be visible to the exterior.

F. Prohibited Signs and Devices: The following signs shall be prohibited in the Snyderville Basin:

1. Changeable copy signs: A sign whose informational content can be changed or altered on a fixed surface composed of electrically illuminated or mechanically driven changeable segments, unless required by Federal law.
2. Flashing signs: Any illuminated sign on which the light is not maintained stationary or constant in intensity and color at all times when it is in use.
3. Roof mounted signs: A sign that is mounted on the roof of a structure, or signs that project above the highest point of a roof line.

4. Moving signs: Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement.
 5. Strings of pennants, banners, ribbons, streamers, balloons, spinners, or other similar moving or fluttering or inflated devices and search lights.
 6. Signs imitating official traffic signs in any manner which are visible from public areas.
 7. Portable signs not permanently affixed to the ground, except as otherwise provided in this Section.
 8. Mobile signs. Signs attached to stationary vehicles, equipment, trailers and related devices, when used in a manner to augment approved signage for a business as opposed to normal operation or parking of the vehicle or device.
 9. Signs which, by reason of size, location, content, coloring or manner of illumination, obstruct the vision of motorists or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on any road or street, as determined by the CDD or designated planning staff member or the County Sheriff.
 10. Any sign or sign structure which constitutes a hazard to public health or safety, as determined by the CDD or designated planning staff member or the County Sheriff.
 11. Signs on trees, utility poles, and on public property, other than public information signs.
 12. Off premises directional signs may be approved as a temporary sign when an event or activity is situated in such a manner that its location is obstructed from public view, so long as that sign is compatible with all other regulations herein.
 13. Any sign for which the sign message face has been removed or destroyed, leaving only the supporting frame or other components, and said condition exists for more than thirty (30) days is prohibited and shall be removed.
- G. Exempted Signs: These signs are exempt from obtaining a Low Impact Permit; however, they must still comply with the following guidelines:
1. Informational Signs: Signs which are not more than six (6) square feet and no more than four feet (4') height and which are used to direct vehicular and pedestrian traffic or to direct parking and traffic circulation on private property. Advertising is not permitted on these signs. Informational signs shall contain no advertising material or message. These signs shall not be permitted in a right-of-way or required setback area.

2. Public Signs: Legal notices, identification, informational or directional signs erected or required by governmental bodies, or authorized by the County for public purposes which meet the requirements of these guidelines, except provisions prohibiting said signs in the rights of way.
3. Public Regulatory Signs: All public regulatory signs located in the County which meet all the State requirements. (Ord. 323, 3-9-1998)
4. Interior Signs: Signs located on the interior of any building, or within an enclosed lobby of any building or group of buildings and which cannot readily be seen from the exterior of the building, which signs are designed and located to be viewed exclusively by the patron of such use or uses.
5. Utility Signs: Signs of public utility or cable television companies which show the locations of underground facilities.
6. Street Address and Identifications Signs: Signs whose content includes only the name or professional title of the occupant and address of the premises. Such signs shall not exceed two (2) square feet. The sign shall be limited to flush mounted or window type signs and one per premises. These signs shall not be permitted in a right-of-way.
7. Customer Information Signs: Customer information signs located on or in close proximity to the building and outside of required setback areas may display such items as "credit cards accepted", prices and menus, and each sign shall not exceed two (2) square feet in area.
8. Flags: No more than three (3) freestanding flag poles may be erected at any time. Flag poles are restricted to only flying one (1) flag per pole. The maximum size of any one (1) flag shall be twenty-four (24) square feet. Flag poles may not exceed twenty-eight feet (28') in height, measured from the top of the pole to the grade directly below. Uplighting of all flags, except the flag of the United States of America, is prohibited.
9. Window Signs: Window signs shall not exceed twenty-five percent (25%) of the area of a single window in which it is placed. A single window is any window, or section of windows, that is separated from another window by twelve inches (12") or more. Any door with windows is always considered a separate window. Window signs may not be combined in order to gain a larger sign for one (1) particular window.



10. Neon Signs, where the light source is on the external face of the sign: One (1) neon sign is allowed for each non-residential use to be located on the inside of any window. These signs may not exceed ~~two (2)~~ four (4) square feet and may not flash or be animated in any manner. Neon signs are considered window signs and may not exceed twenty-five percent (25%) of the area of the window in which they are placed.

H. Non-conforming Signs: Within the zone districts established in this Title, there may be existing signs which were lawfully established before the adoption of this Title, but which are now prohibited, regulated, or restricted. It is the intent of this section to allow these signs to remain until such time as they are removed or otherwise brought into conformance with this Title.

1. The property owner bears the burden of establishing that any non-conforming sign lawfully exists.
2. Enlargement of Non-Conforming Signs: A non-conforming sign may not be enlarged in any way unless it conforms to the provisions contained in this Title.
3. Signs conforming to the provisions of this Section may be erected on a parcel that contains a non-conforming sign(s); however, the new sign(s) must be a different type than the existing non-conforming sign(s) (i.e. if the non-conforming sign is a freestanding sign, a conforming freestanding sign may not be erected).
4. A non-conforming sign may be altered to decrease its non-conformity.
5. Maintenance and Repair of Non-conforming Signs: Nothing in this Section shall be construed to relieve the owner of use of a non-conforming sign, or owner of the property on which such non-conforming sign is located, from maintaining the sign in a state of good repair; provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which

makes it more non-conforming. Routine maintenance or changing like parts shall not be considered an alteration; provided, that such change does not alter the surface dimension, height, message, or otherwise make the sign non-conforming.

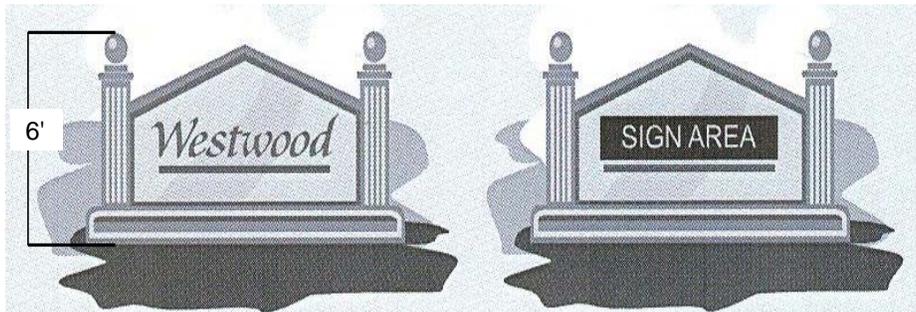
6. Removal of Non-Conforming Signs: If a non-conforming sign is demolished or removed at the will of the property owner, any subsequent sign shall thereafter be required to conform to the regulations specified in this Title for the zone district in which it is located.
7. If a non-conforming sign is destroyed by fire or other natural cause, it may be replaced. If the sign is not repaired or replaced within one year from the date of loss, it shall not be reconstructed or replaced except in conformance with the provisions of this Title.
8. If the cost of the non-conforming sign is valued at less than one hundred dollars (\$100.00), the sign shall be removed. Sign value shall be determined based on an actual sales receipt for the sign or a cost estimate for the replacement cost provided by a qualified professional.
9. Nothing in this Section shall be deemed to prohibit the County from removing a billboard without providing just compensation in accordance with the procedures set forth in this Subsection, if the County Manager provides reasonable notice of the proceedings and, following a public hearing, finds:
 - a. The applicant made as a false or misleading statement in any application to the County necessary to establish or change the billboard;
 - b. The billboard is unsafe or presents a hazard to persons or property;
 - c. The billboard is in a state of disrepair; or
 - d. The billboard has been abandoned for at least twelve (12) months.

I. Enforcement:

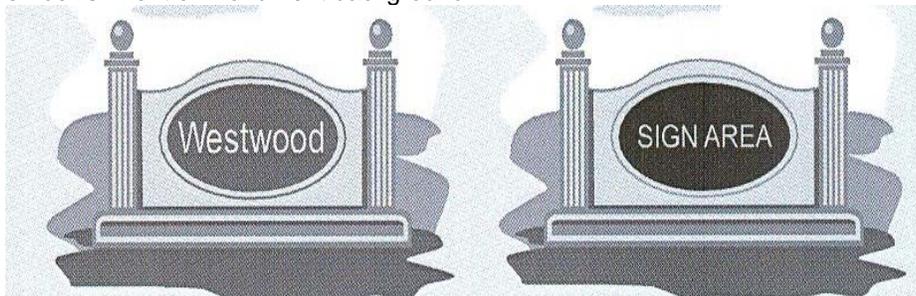
1. The CDD or designated planning staff member shall be responsible for enforcing the provisions of the sign regulations established herein.
2. Violation of the sign provisions established herein shall result in punishment in accordance with the provisions of this Title and State law. (Ord. 323, 3-9-1998)
3. If signs not conforming to the requirements of this Title are located within a public right-of-way, County personnel may remove and impound those signs if notice to remove the signs has been sent to the property owner and they have failed to comply with that notice.

J. Measuring Sign Area:

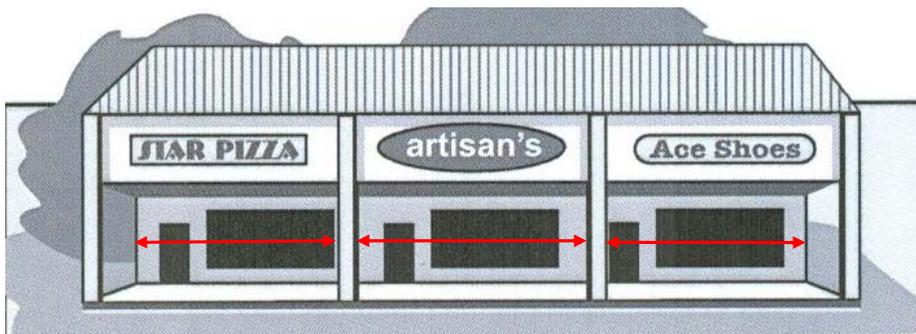
Freestanding Sign: Calculate sign area by size of imaginary panel drawn around copy. Do not calculate embellishment or monument background.



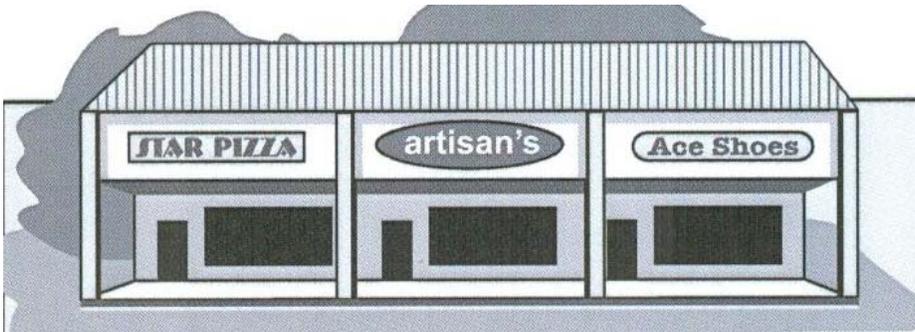
Calculate sign area by size of actual oval panel surrounding copy. Do not calculate embellishment or monument background.



Building Facade Frontage: Building Facade Frontage: The length of the individual suite that is exposed to the exterior of the building where the primary access to the use is located.



Wall Mounted Sign: Calculate sign area by size of actual background panel surrounding the sign copy.



Calculate sign area by size of imaginary panel drawn around copy.



Mixed Case Lettering: Draw imaginary panel around either upper case or lower case letters, but not both



K: Types of Signs

Freestanding Sign



Awning Sign



Wall Mounted Sign



Hanging Sign



Projecting Sign



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

AMENDING THE SNYDERVILLE BASIN DEVELOPMENT CODE

WHEREAS, the current Snyderville Basin Development Code was adopted in 2004; and

WHEREAS, the County is amending Section 10-8-2, Sign Regulations; and

WHEREAS, the Snyderville Basin Planning Commission held a public hearing and recommended approval of the amendments to Section 10-8-2 of the Snyderville Basin Development Code on December 20, 2011; and

WHEREAS, the Summit County Council held public hearings on March 7, 2012, April 18, 2012, and June 20, 2012.

NOW THEREFORE, the County Legislative Body of the County of Summit, the State of Utah, hereby ordains the following:

Section 1. SNYDERVILLE BASIN DEVELOPMENT CODE

The Snyderville Basin Development Code is amended as depicted in Exhibit A.

Section 2. Effective Date

This Ordinance shall take effect fifteen (15) days after the date of its publication.

APPROVED, ADOPTED, AND PASSED and ordered published by the Summit County Council, this 20th day of June, 2012.

**SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH**

By: _____
Council Chair

Councilor Elliott voted _____
Councilor Hanrahan voted _____
Councilor McMullin voted _____
Councilor Robinson voted _____
Councilor Ure voted _____

EXHIBIT C