

Memo

Date: September 12, 2012
To: County Council
From: Kevin Callahan, Public Works Director
Subject: Fleet Committee Report on Sustainability Initiatives

Background

In November 2011, the Council adopted the Summit County Sustainability Plan for Facilities and Operations. That plan set the ambitious goal of reducing carbon emissions from county operations and facilities by 13% from our business as usual case by 2013. One section of that plan contained a set of recommended transportation initiatives that would help us to meet that overall emission reduction goal (attached).

The recently completed County operations greenhouse gas inventory identifies vehicle fleet fuel use as the second largest contributor to the County's carbon footprint. County fleet operations account for about 32% of the total carbon emissions resulting from County controlled operations and facilities. Since the vehicle fleet is one of the largest contributors to our carbon footprint, actions which promote fuel efficiency and reduced fuel use must be a priority in order to achieve that goal. This report provides an update on our progress towards meeting that goal.

County Fleet Committee

One follow up action from the plan was the establishment of an interdepartmental fleet committee to look at specific actions we could take to meet the emission reduction goal. The purposes of the fleet committee were:

- to evaluate our current fleet retention policies in regards to fuel efficiency;
- to review policy options for fuel efficiency and emission reduction to be considered in the purchase of new vehicles; and
- to review the feasibility and process involved in transitioning to compressed natural gas and other alternative fuel options as a part of a longer term fleet strategy.

The committee consisted of staff members for the Sheriff's office, the County Auditor, Facility Manager, Sustainability Coordinator, a mechanic from Public Works and was chaired by the Public Works Director. The committee held six meetings between February 9 and May 1. Among the topics covered by the committee were the following issues:

- Vehicle utilization criteria What is the minimum number of annual miles that may be appropriate to justify the use of most county vehicles? (10,000 miles annually is a typical standard). Staff found 58 vehicles with less than 10,000 miles of annual use. However, many of these are specialty use vehicles such as ambulances, weed trucks search and rescue vehicles etc. Some reductions may be possible in the vehicle fleet size.
- Fleet turnover rates How long should the county retain various types of vehicles? Would a quicker turnover rate result in faster movement towards a higher average fuel economy standard for the fleet. Currently, the overall county fleet has an average fuel economy of about 16.5 MPG. Newly adopted federal emission standards will rapidly accelerate the reduction in en=missions from standard vehicles. See the attached chart (Table 1). At present we turnover pickups at between 95-120,000 miles, which typically takes from 3-7 years of use to attain.
- Fleet Acquisition Policies Should Summit County actively solicit and purchase the most efficient vehicles available for a specific use regardless of manufacturer? With a skeleton staff of two mechanics, the wider variety of vehicles we purchase the more complex the task of maintaining them becomes. Also, we currently only have in county dealers for Ford and Chevrolet while other manufactures may produce a better vehicle for our needs in the future.

Initial Results

As a result of the committee’s deliberations, we have already accomplished the following results:

- The County Health department replaced 4 standard sport utility vehicles with much more efficient vehicles such as Ford Escapes;
- The Facilities Manager evaluating the number of vehicles in the fleet pool and we may be reducing certain units or consolidating vehicles now issued to departments back into a pool.

County Fleet Characteristics

There are a number of ways to evaluate the nearly 250 vehicles operating in the county fleet. Here is a quick snapshot of the fleet’s vehicle composition and fuel use:

Vehicle Type	# in Fleet	% of Fleet	Average MPG	% of all Fuel Use *	
Pickup trucks	86	35.0%	16.2 MPG	50.7%	
Sport utility	71	28.9%	17.9 MPG	25.9%	
Sedans	8	3.2%	29.4 MPG	1.5%	
Vans	6	2.4%	17.4 MPG	0.8%	
Heavy trucks	23	9.3%	4.1 MPG	19.5%	
Miscellaneous	<u>52</u>	<u>21.1%</u>	N/A	<u>1.5%</u>	
Total	246	99.9%		99.9%	

*Based on a review of April 2012 Fuelman bills

One interesting note is although pickup trucks account for only 35% of all fleet vehicles they are responsible about half of all fuel use. Additionally heavy trucks used primarily in Public Works are also a major fuel user relative to their proportion of the fleet. Increases in fuel efficiency in these fleet components could have a dramatic impact on over all fuel economy and total carbon emissions. The fuel economy of cars, light trucks and SUVs will continue to increase as mandated by the federal government's new CAFÉ standards. By 2016, average fuel efficiency standards for all three classes will increase by almost 15% from today's standards (from 29.7 MPG to 34.1 MPG). By 2025, fuel efficiency standards will increase by 67% from today's standard of 29.7 to 49.7. Summit County will benefit from these increase fuel economy standards simply by continuing to purchase vehicles that will have increasingly higher MPG ratings. However, in order for the County to attain its short term reductions and likely longer term reductions, we need to implement a more aggressive strategy to lower our carbon footprint and achieve fuel savings.

Recommendations

The Fleet Committee has a series of both short and long term recommendations in order to reduce County fuel use and the fleet's contribution to our carbon footprint.

Short-Term Recommendations 2012-2013

- Purchase and distribute portable tire pressure check equipment to key departments(Sheriff, Public Works, Facilities and Health) and assign responsibility within those departments for ensuring monthly tire pressure checks of all vehicles under the supervision of that department. This will assure that 90% of all county fleet vehicles are compliant with the recommended tire pressure. This strategy alone is estimated to save 3% of annual fuel use and result in a similar reduction in carbon emissions.
- Implement an employee education and incentive program that will encourage efficient driving habits. Reducing unnecessary idling and inefficient driving is estimated to result in a 1.6% reduction in fuel use and carbon emissions.
- Adopt purchase policies for new vehicles which:
 - Create a process to determine the most efficient vehicle for particular functions and require justification for the purchase of a less efficient vehicle;
 - Allow out of county bidders if they meet state bid standards and require in county bidders to do so;
 - Require a life cycle cost analysis on new vehicle purchases that include the upfront cost, fuel and maintenance costs over the life of the vehicle and resale value (please see attached worksheet).
 - Conduct an annual audit of county fleet vehicles to identify and remove unneeded excess vehicles from the fleet;
 - Lobby Questar gas for the installation of a Compressed natural gas (VNG) fueling facility at the Sinclair station at Silver creek Junction at no cost to Summit County;
 - Work with other regional agencies on a coordinated CNG fleet strategy.

Intermediate Term Recommendations 2013-2014

- Facilitate the installation of a CNG fueling station through an effective planning and permitting process;
- Begin integrating bi-fuel CNG vehicles into the county fleet as the appropriate vehicles become available;
- Relocate a portion of the Public Works yard to the triangle parcel in the Snyderville basin to eliminate the need for 7-10,000 gallons of fuel used annually to send Basin- servicing trucks from the current yard in Wanship;
- Study the potential for CNG buses in the transit fleet.

Longer Term Recommendations 2015-onward

- If it proves feasible, adopt a County policy to transition the majority of the fleet to CNG vehicles where they become available and meet department performance standards;
- Continue to integrate all other lower emission vehicles such as hybrid sedans , electric vehicles and other emission reducing technologies where CNG vehicles are impractical.

Attachments:

Table 1 Projected Fleet Wide Emission Compliance Targets
Table 2 County Fuel Use by Departments
Pie Chart Summit County Carbon Footprint 2011
Adopted Transportation Policies from Sustainability Plan
Sample Vehicle Purchase Worksheet

Regulatory Announcement

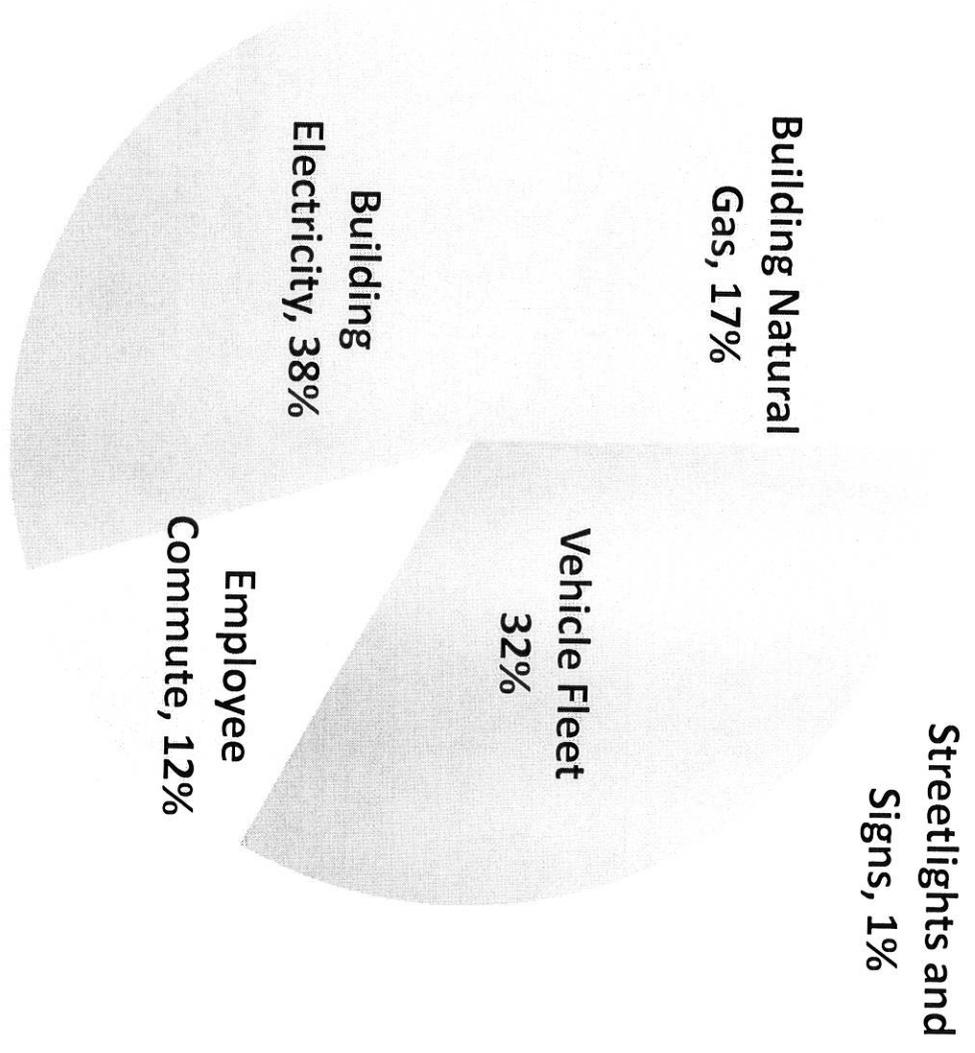
Table 1 - Projected Fleet-Wide Emissions Compliance Targets under the Footprint-Based CO ₂ Standards (g/mi) and Corresponding Fuel Economy (mpg)										
	2016 base	2017	2018	2019	2020	2021	2022	2023	2024	2025
Passenger Cars (g/mi)	225	212	202	191	182	172	164	157	150	143
Light Trucks (g/mi)	298	295	285	277	269	249	237	225	214	203
Combined Cars & Trucks (g/mi)	250	243	232	222	213	199	190	180	171	163
Combined Cars & Trucks (mpg)	35.5	36.6	38.3	40.0	41.7	44.7	46.8	49.4	52.0	54.5

Figures 1 and 2 show the actual footprint curves for cars and trucks, respectively. For passenger cars, the CO₂ compliance values associated with the footprint curves would be reduced on average by 5 percent per year from the MY 2016 projected passenger car industry-wide compliance level through MY 2025. To address the challenges facing light-duty trucks, as we transition from the MY 2016 standards to MY 2017 and later, while preserving the utility (e.g., towing and payload capabilities) of those vehicles, EPA's standards provide a lower annual rate of improvement for light-duty trucks in the early years of the program. The average annual rate of CO₂ emissions reduction in MYs 2017 through 2021 is 3.5 percent per year and 5 percent per year for MYs 2022 through 2025.

County Fuel Use by Department

Department	# Vehicles	%	Annual Fuel	% of Fuel
Sheriff	92	37.4%	77,852 gal	40.8%
Public Works	85	34.6%	80,026 gal	42.0%
Facilities	16	6.5%	1,743 gal	0.9%
Health	11	4.5%	6,668 gal	3.5%
Ambulance	11	4.5%	1,224 gal	0.6%
Engineering	7	2.8%	5,817 gal	3.1%
Assessors	7	2.8%	1,414 gal	0.7%
Animal Control	7	2.8%	7,299 gal	3.8%
Miscellaneous	<u>10</u>	<u>4.0%</u>	<u>8,652 gal</u>	<u>4.5%</u>
Total	246	99.9%	190,695 gal	99.9%

Carbon Footprint 2011, not including the landfill



Total=6,339 metric tons of carbon dioxide equivalent, or equivalent of 32 Richins Buildings' electricity use

Transportation Goals from Summit County Sustainability Plan

Goal 14 Implement county fleet management initiatives to increase fuel efficiency, reduce emissions and save money.

Action: Track monthly fuel use by department/office and report monthly to department heads.

Action: Increase fuel efficiency by checking tire pressure at county fueling facility, remove unnecessary equipment and weight from vehicles and extend reasonable time between oil changes.

Action: Install air compressor stations at the County fuel pumps.

Action: Promote efficient driving practices through employee education and accountability through Employee Driving Policy and fuel tracking software.

Action: Assemble fleet committee to evaluate fleet purchases and audit existing fleet for excess. Ensure vehicle size (truck, SUV, 4x4) fits purpose and anticipated use.

Action: Direct fleet committee to research and implement long-term fleet program to transition fleet to lower carbon emissions and higher fuel efficiency using alternative fuels and technologies (hybrids, natural gas and electric).

Goal 15 Eliminate vehicle idling in fleet vehicles.

Action: Research technological solution to avoid the need to idle by law enforcement and other public safety fleet vehicles in order to charge equipment.

Goal 16 Practice conservation in road construction and maintenance.

Action: Continue making brine solution in-house and retrofit county trucks with salt-brine spray systems.

Action: Evaluate the need for supplemental facilities to reduce employee trips during the work day including a salt storage facility in Summit Park.

Action: Continue the practice of asphalt recycling in an effort to reduce the need to haul old asphalt off-site and minimize the import of new materials.

Goal 17 Promote more sustainable County/Park City transit initiatives and increase ridership.

Actions: Implement route changes as recommended in the Short range transit plan to increase riders.

Action: Continue to track technology advancements in alternative fuels and vehicle technology for buses in an effort to lower emissions.

Action: Expand transit service to Kamas and Heber in addition to the UTA bus service to the Salt Lake City area when support infrastructure is complete.

Action: Design and build the Kimball Junction Transit Hub supporting green building and walkability elements.

Goal 18 **Enhance walkability and non-motorized transportation links in eastern Summit County.**

Actions: Map and prioritize corridors for a trails master plan in eastern Summit County to establish regional connectivity with a strategy for funding installation.

Action: Identify key corridors with high rates of cycling /motorist conflicts. Prioritize these corridors and match methods to reduce cycling/motorist conflicts through driver and cycling education, signage, wider shoulders and designated bike lanes. Implement in tandem with road repairs as funding allows.

Example of a Potential Summit County Vehicle Purchase Worksheet

Summit County is committed to reducing its fuel consumption in the County fleet. The County shall make every effort possible to obtain the most fuel-efficient vehicle while still meeting the operational needs of the County. Please complete this worksheet below that must accompany your request for a new vehicle (this policy excludes heavy-duty trucks).

Circle the type of vehicle requested:

Light duty truck (i.e., pick-up truck)

Passenger car

Sport Utility Vehicle (SUV)

Make:

Model:

Average miles per gallon (combined city and highway, search make and model at www.fueleconomy.gov):

Purpose of vehicle:

If the car you are requesting is a pick-up truck or SUV, explain why a passenger car could NOT be used in its place:

Please list hybrid makes and models that are available for this type of vehicle (i.e., pick-up trucks, SUVs, sedans)? Find hybrids for each type of vehicle at <http://www.fueleconomy.gov/feg/hybrids.jsp>

- 1.
- 2.
- 3.

Could the function of this vehicle be accomplished with a hybrid model listed above? (Circle one):
YES NO

If no, why not?

If yes, and the vehicle you are requesting is NOT a hybrid vehicle, explain why:

To determine whether it is cost effective to purchase a hybrid vehicle vs. a conventional vehicle, please visit: <http://iee.ucsb.edu/CleanCarCalculator/#.UEY95iLz7YQ> and complete the side-by-side comparison of the conventional car versus a hybrid model.

Dear County Council and Bob Jasper

September 12, 2012

Please find following June's health care update. This update includes the three groups participating in the program. PCFD's information will be added to next month's report. We are seeing more movement in claims paid per employee per month (PEPM). IHC expects the claims to be around \$790 PEPM, currently we are at \$633 PEPM. As you can tell from this month's graph the claims PEPM raised from \$623 last month to \$633 this month. Please remember we will see a drop in July when PCFD comes in the group. This will be due to adding more members, receiving their premium equivalent, but their claims will lag behind like ours did the first four months of the year.

As you can see we have 304 contracts with 965 members. There is a contract for each employee. We have 3.17 members per contract which is above the normal average of 2.75 members per contract. As you have probably already noted, these numbers vary from month to month. This is due to people either being hired or leaving the group's employ.

To help you understand the attached graphs:

Claims PEPM show where claims are expected to be (the blue line) and where the year to date claims are (the red square). As you can see we are still heading to the blue line but the rise is almost flat.

The top five diagnostic codes have stayed the same this month.

Top 5 Diagnostic Codes

V Codes include: Contraceptive management, hearing problems, sight problems, general exams, carriers of infectious disease, fertility testing, etc.

Ill Defined Conditions include: Convulsions, malaise & fatigue, head ache, shortness of breath, unspecified chest pain etc.

Rx is self-explanatory.

Respiratory System: Tonsillitis, asthma, emphysema, pneumonia, etc.

Muscle System: Disc disorders, arthritis, joint disorders, and myalgia

The top five prescriptions have had a change; Lantus Solostar has reappeared replacing Amphetamine/Dextroamphetamine.

Top 5 RX is self-explanatory.

Cymbalta is used for depression and chronic musculoskeletal pain.

Advair Diskus is an asthma medication.

Androgel Pump is a medicated gel containing testosterone.

Revatio is used to treat pulmonary arterial hypertension

Lantus Solostar is a diabetic medication

We do have a new chart regarding prescription utilization. This chart shows, thus far, 81.92% of our prescriptions being filled are generic, with 12.89% being formulary and 5.19% non-formulary. I am led to believe, most groups average around 70% generic utilization.

As of the June report we had not hit our first \$100,000. Subsequently, in July, we have hit our first \$150,000 claim; it is a new claim, not listed on this chart. We are trying to find out what it entails. Thirteen of the top eighteen claims belong to the County, SBR has one claim, and MRW has four of the top claims. The claims in blue are new as of May. The group's top claims are as follows:

Diagnosis	Total Paid	Prior Month Paid	Change from Prior Month	% to Total Claims
1 Digestive System/III Defined Condition	\$ 102,676.51	\$ 98,302.30	\$ 4,374.21	8.95%
2 Circulatory System/Intercranial Injury	\$ 53,510.53	\$ 51,571.14	\$ 1,939.39	4.67%
3 Respiratory System/Infectious Disease	\$ 49,358.81	\$ 13,808.51	\$ 35,550.30	4.30%
4 Digestive System/III Defined Condition	\$ 35,477.03	\$ 35,477.03	\$ -	3.09%
5 Respiratory System/III Defined Condition	\$ 26,296.14	\$ 26,296.14	\$ -	2.29%
6 Nervous System/III Defined Condition	\$ 22,104.81	\$ 18,606.21	\$ 3,498.60	1.93%
7 Mental Disorders/Other Injury/Poisonings	\$ 21,835.44	\$ 10,993.26	\$ 10,842.18	1.90%
8 Sprains of Joints and Muscles	\$ 20,359.48	\$ 19,251.72	\$ 1,107.76	1.78%
9 Circulatory System/Pharmacy	\$ 19,738.32	\$ 12,848.60	\$ 6,889.72	1.72%
10 Musculoskeletal System	\$ 17,283.51	\$ 17,283.51	\$ -	1.51%
11 Sprains of Joints and Muscles	\$ 17,010.03	\$ 17,010.03	\$ -	1.48%
12 Sprains of Joints and Muscles	\$ 16,341.34	\$ 15,406.28	\$ 935.06	1.42%
13 Pharmacy/Genitourinary System	\$ 16,009.44	\$ 11,369.56	\$ 4,639.88	1.40%
14 Nervous System/Musculoskeletal System	\$ 14,572.80	\$ 10,499.00	\$ 4,073.80	1.27%
15 Musculoskeletal System/Respiratory System	\$ 14,165.61	\$ 12,318.21	\$ 1,847.40	1.24%
16 III Defined Conditions/Pharmacy	\$ 13,067.33	\$ 13,067.33	\$ -	1.14%
17 Immunity Systems/Pharmacy	\$ 12,648.31	\$ 11,896.13	\$ 752.18	1.10%
18 Pharmacy/Digestive system	\$ 12,403.46		\$ 12,403.46	1.08%
19 Neoplasms/Genitourinary System	\$ 11,331.54	\$ 11,331.54	\$ -	0.99%
20 Musculoskeletal System/Nervous System	\$ 10,518.17		\$ 10,518.17	0.92%
21 Other/Pharmacy	\$ 10,160.17		\$ 10,160.17	0.89%
22 Musculoskeletal System/Pharmacy	\$ 10,068.67		\$ 10,068.67	0.88%
	\$ 526,937.45	\$ 407,336.50	\$ 119,600.95	45.95%

With these numbers we know that 45.95% of claims paid this year have been incurred by 02.3% of the population.

The group's top ten prescription medication usage by category is as follows:

Usage	% of Prescriptions
1 Asthma	10.56%
2 ADHD	8.48%
3 Diabetes	6.23%
4 Anti-Depressant	5.18%
5 Pulmonary Arterial Hypertension	5.10%
6 Hormone Therapy	3.98%
7 Anti-Cholesterol	3.62%
8 Steroid - Anti-Inflammatory	3.51%
9 Anti-Rejection	2.46%
10 Seizure Control	2.28%

Best,
Brian Bellamy

Summit County Employee Benefit Plan

Monthly Reporting
Executive Summary
8/2/2012

We are pleased to present our monthly reporting package to review the 2012 Plan Year utilization of the Summit County Employee Benefit Plan. The enclosed reports do not include either the run-out information from Summit County or the experience of Park City Fire District, unless otherwise noted.

The following reports will illustrate the current performance of your plan. Below is a brief summary of a few specific items. Please note that these reports provide data through Jun-12.

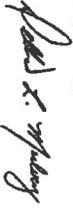
Medical Plan

1. June 2012 enrollment was 304 contracts, with 965 members.
2. Based on plan year-to-date claims and administration paid divided by estimated premiums collected, we estimate the Plan's total experience ratio to be 78.92%.
3. The Plan's year to date claims paid, as reported by SelectHealth, are:

Medical	\$963,547.89
Rx	\$183,392.99
Total	\$1,146,940.88
4. The Plan's year-to-date administration and consulting fees paid are: \$196,910.
5. The Plan's estimated year-to-date premium collected is: \$1,672,315.
6. The Plan does not currently have any claims in excess of the \$150,000 specific reinsurance level.

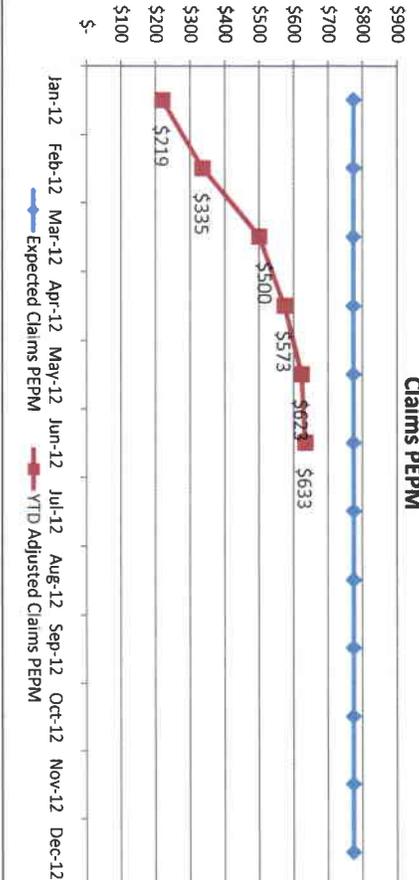
We appreciate the opportunity to work with you and look forward to our continued business relationship. If you have any questions regarding the information found in this reporting package, please feel free to reach out to us at any time.

Sincerely,

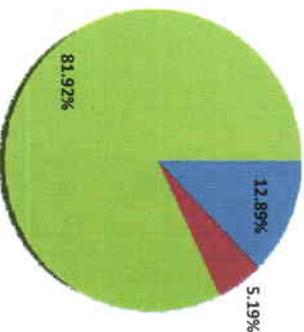


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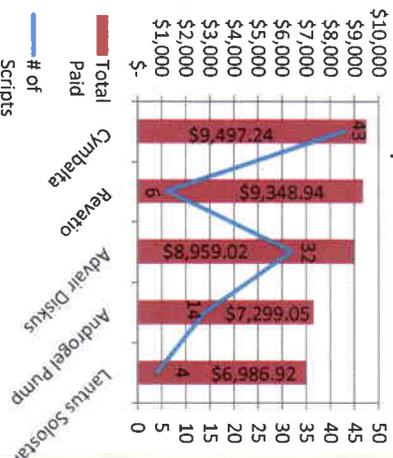
Claims PEPM



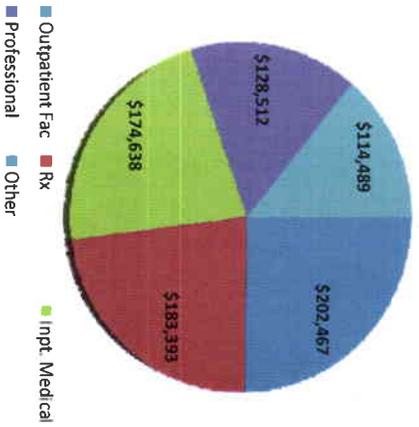
Prescription Utilization



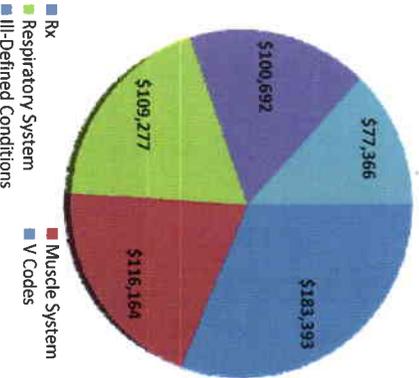
Top 5 Rx - Total Paid



Top 5 Experience Categories - Total Paid



Top 5 Diagnostic Categories - Total Paid





Kimber Gabryszak, AICP
County Planner III

STAFF REPORT

To: Summit County Council (SCC)
Report Date: Thursday, August 23, 2012
Meeting Date: Wednesday, September 12, 2012
Author: Kimber Gabryszak, AICP
Project Name & Type: Moderate Income Housing – Model and 2012 Needs Assessment
Type of Meeting: Work Session

EXECUTIVE SUMMARY: Per State Code Section 17.27a.403, each Planning Commission is required to have an *estimate of the need* for moderate-income housing, and a *plan to provide a realistic opportunity to meet estimated needs*. The SCC adopted a needs assessment for the Snyderville Basin in 2006 (2006 Assessment). The 2012 Needs Assessment and Model (2012 Assessment) is the proposed update to and replacement of the 2006 Assessment.

The Snyderville Basin Planning Commission (SBPC) held a public hearing on July 31, 2012, and voted unanimously to forward a positive recommendation to the SCC on the 2012 Assessment.

Staff recommends that the SCC hold a work session to review the Needs Assessment in preparation for a public hearing and decision currently scheduled for September 26, 2012.

A. **Project Description**

- **Project Name:** 2012 Needs Assessment and Model
- **Type of Item:** Legislative

B. **Background**

In 2005, Summit County began an effort to update the Snyderville Basin General Plan (GP) and Development Code (Code) to bring the County into compliance with Utah State affordable housing requirements as modified by Senate Bill 60 and codified in Section 17.27a.403 of the State Code.

The Snyderville Basin Needs Assessment was completed by a consultant and adopted by the Summit County Board of Commissioners (BCC) on October 5, 2005. Work was then done to incorporate the findings into the General Plan, and on December 13, 2006, the BCC adopted the amended General Plan Housing Element (Chapter 7 of the Snyderville Basin General Plan) and technical appendix (2006 Affordable Housing Needs Assessment), which set a goal of 250 units of affordable housing by 2011.

In 2010, a consultant, Jim Wood of the University of Utah Bureau of Economic and Business Research, provide the County with a draft updated Needs Assessment (2010 Assessment) for the Snyderville Basin and Eastern Summit County. The SBPC and SCC reviewed the 2010 Assessment several times:

- September 28, 2010 – work session

- October 12, 2010 – public hearing, continued to a future meeting due to concerns with methodology and information provided
- November 9, 2010 – continued discussion, recommendation tabled pending additional information
- April 12, 2011 – public hearing, recommendation to reject the 2010 assessment
- May 4, 2011 – work session by Summit County Council (SCC), direction given to not move forward with the 2010 Assessment

With the rejection of the 2010 Assessment, the 2006 Assessment remained in effect as it was still contained in the General Plan as a technical appendix.

Strategic Plan

In 2010, the SCC began a Strategic Planning effort, and the overall Summit County Strategic Plan was adopted in July 2011. In September 2011, the SCC created Strategic Plan Committees to address each priority in the Strategic Plan; one of the priorities in the Strategic Plan was affordable housing. Scott Loomis of Mountainlands Community Housing Trust (MCHT) was named as chairman of the Summit County Strategic Plan Affordable Housing Committee (committee). In September 2011 he assembled a group of stakeholders including County Planners, members of the public, representatives from other housing nonprofits, an Eastern Summit County municipality planner, representatives from Park City Municipal Corporation (PCMC), and housing consultant Bob Rosenthal.

The primary issue with the 2010 Assessment was disagreement about the methodology and assumptions that went into the Assessment. Using this as a starting point, the committee worked first to create a methodology upon which they reached consensus, and then used the methodology to draft an assessment for Summit County (2012 Assessment).

C. Community Review

This item has been placed on the work session agenda. A public hearing will be scheduled at a later date and noticed appropriately.

D. Identification and Analysis of Issues

2012 Model and Assessment

The 2012 Assessment takes into account the County region as a whole, including PCMC and Eastern Summit County as well as the Snyderville Basin, with information specific to each area within the larger context.

The 2012 Assessment can be used as a model for future housing needs assessments, which will provide consistency and clarity when comparing future, present, and past conditions. The methodology and results differ from the 2006 Assessment in that there is no identified number of needed units going forward, and does not identify a number for “pent up demand.” Instead, it provides a snapshot of the potential maximum demand for housing among different categories such as income, employment type, household type and size, and age.

This statement from page 1 of the 2012 Assessment sums up the intent of the model:

“You will note that the component demand estimates in Figure 1 are not summed – a hypothetical total demand number is not presented. This report

is not intended to provide that kind of estimate. Rather it is intended to provide an order of magnitude estimate of various categories of demand which can be separately evaluated, and as appropriate planned for further, more detailed analysis. Simply put, the thinking is to make this a working tool rather than a report formalizing an estimate of a possible affordable housing deficit in Summit County.”

With this order of magnitude information, the SBPC and SCC can use the indicators in each category to help guide policy, such as identifying which categories should take priority, what programs should be utilized, setting short and long term housing goals, prioritizing Code amendments, and more.

General Content

As mentioned above, the 2012 Assessment does not identify a total number or type of units, nor a date by which units should be created / obtained. Instead, the 2012 Assessment does identify several key items:

- For households making more than \$50,000 a year, there are few cost burdened households. The majority of demand occurs for households making less than \$50,000 a year, with almost all households being cost burdened. *(The Federal definition of cost burdened is that the household spends more than 30% of its annual income on housing. Highly or extremely cost burdened households spend more than 50% of their annual income on housing.)*
- There were very few seniors identified as cost burdened.
- Cost burdened owners are difficult to address as they may be locked into a current house, unable to sell & get financing for a new unit, or otherwise assisted in non-financial contribution ways.
- The need is broken down into categories that may or may not be identified as priorities by the SBPC and SCC during future policy discussions (Figure 1 of the 2012 Assessment):
 - Cost burdened renter households
 - Local government essential service employees, public safety, school district and fire district employees who live out of area but prefer to live locally if affordable housing of the proper type and price were available
 - Locally employed private-sector workers who live out of area but would like to live locally if affordable housing were available (as above)
 - Local area renters with income adequate to support home purchase
 - Cost burdened renters 65 years and older
 - Cost burdened homeowners.

April 10, 2012 SBPC work session

The SBPC reviewed the 2012 Assessment during their April 10, 2012 meeting. The SBPC also took some public comment during the work session. Generally, the methodology seemed to be supported, with the primary questions and concerns as follows:

A. How to address seasonality in the assessment

The seasonal employees are difficult to capture in any assessment, as they don't show up clearly in the Census and update surveys, and there isn't Federal or State funding available to specifically target this group. Currently, the best avenue is to create housing for other categories of need. This will indirectly provide housing for the

seasonal group either by occupancy of this housing by seasonal employees, or by freeing up other housing for seasonal employees.

- B. Which groups to target, and a question about how to determine which groups get priority as well as the unintended consequences of choosing one group over another
The 2012 Assessment provides a snapshot of need in different categories, and then it is a policy call for the SBPC and SCC to choose which groups are priorities and which may be less so. There may certainly be unintended consequences by making such a decision, however it is important to remember that when resources are limited, it is not possible to meet the needs of every group equally.
- C. Providing an escape valve to enable requirements to change earlier than on a 5-year basis if the economy changes
The SBPC recently reviewed draft Code amendments that would provide an option for the SBPC or SCC to request an updated Needs Assessment sooner than the 5-year timeframe. Staff will be presenting these Code amendments in the future, incorporating other suggestions of the SBPC and guided by the information in the 2012 Assessment.
- D. Potential amendments to target lower incomes
See item C – this will be addressed in the Code amendments.
- E. Verification of what the State actually requires
Staff has attached Section 17.27a.403, which contains the requirements for the General Plan. State Code requires an estimate of need in the County per Planning Commission – the Assessment – and a plan to provide a realistic opportunity to meet estimated needs. The language pertinent to the Needs Assessment is in Section (2)(a)(iii) below (emphasis added), while section (2)(b) below will be more applicable to the General Plan Housing Element itself:
- (2)
- (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:
- (i) a land use element that [...]
 - (ii) a transportation and circulation element consisting of [...]
 - (iii) **an estimate of the need** for the development of additional moderate income housing within the unincorporated area of the county, and a **plan to provide a realistic opportunity to meet estimated needs** for additional moderate income housing if long-term projections for land use and development occur.
- (b) In drafting the moderate income housing element, the planning commission:
- (i) shall consider the Legislature's determination that counties should facilitate a reasonable opportunity for a variety of housing, including moderate income housing:
 - (A) to meet the needs of people desiring to live there; and
 - (B) to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life; and

(ii) may include an analysis of why the recommended means, techniques, or combination of means and techniques provide a realistic opportunity for the development of moderate income housing within the planning horizon, which means or techniques may include a recommendation to:

- (A) rezone for densities necessary to assure the production of moderate income housing;
- (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing;
- (C) encourage the rehabilitation of existing uninhabitable housing stock into moderate income housing;
- (D) consider general fund subsidies to waive construction related fees that are otherwise generally imposed by the county;
- (E) consider utilization of state or federal funds or tax incentives to promote the construction of moderate income housing;
- (F) consider utilization of programs offered by the Utah Housing Corporation within that agency's funding capacity; and
- (G) consider utilization of affordable housing programs administered by the Department of Workforce Services.

F. How to factor in current housing stock

The 2012 Assessment does not include platted and unbuilt parcels or future predictions of housing stock, but does include a snapshot of housing stock at the time the assessment was done. Through the County's contract with MCHT, information is available on current vacancy rates, resales, and other identifiable factors.

G. Creating a tracking system to verify and monitor vacancy rates and turnover in affordable units

Through the contract with MCHT, this system is in place for ownership units, but not yet for rental vacancy. They are working on expansion of this tracking to include rental units, which will eventually provide a useful history of rental trends and may help capture information on seasonal employees as well.

H. Follow up with an online survey for employees and employers as an appendix

At this time, that portion of the 2012 Assessment is no longer contemplated, as the employers contacted by Mr. Rosenthal supplied information. MCHT would like to follow up with a survey independently of the 2012 Assessment to gain this additional information, much like PCMC is currently doing.

I. A plan and timeline for more specific research

Unless the SCC feels that specific research should be contained in the assessment, Staff would prefer to delve into this research as part of future policy decisions, guided by the 2012 Assessment.

July 31, 2012 SBPC hearing and recommendation

The SBPC reviewed the above information, and discussed the model. Minutes from that meeting are not yet available, but the SBPC voted unanimously to forward a positive recommendation to the SCC on the 2012 Assessment as presented. Minutes will be provided to the SCC prior to the public hearing.

E. **Consistency with the General Plan**

The current Housing Element can be found in Chapter 5 of the Snyderville Basin General Plan. The purpose of the element is stated as:

Facilitate a reasonable opportunity for a variety of housing, including low and moderate income housing in order to meet the needs of people desiring to in Summit County and to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life.

The stated goals to achieve this purpose are:

Goal 1: Ensure an adequate supply of housing to meet the needs of all income groups in the Snyderville Basin

Goal 2: Remove or mitigate avoidable constraints to the maintenance, improvement and development of affordable housing.

Goal 3: Balance the need and provision of housing in the community with its impacts on the environment and needed public facilities and services.

Goal 4: Provide equal housing opportunities for all residents of Summit County.

Goal 5: Provide housing affordable to all segments of the community.

Most of these goals have to do with the actual provision of housing, not the identification of needs. Instead, the 2012 Needs Assessment will provide the estimate of the needs outlined in the purpose statement. It provides a snapshot in time of this need in various categories to help policymakers decide where to set priorities as these goals are pursued. Therefore, the 2012 Assessment complies with the purpose of the Housing Element of the General Plan.

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

Section 10-7-2(D) of the Code outlines the criteria for amendments to the General Plan. As the 2012 Assessment will eventually become an appendix to the General Plan, Staff has outlined the criteria below:

1. The proposed amendment will not affect the existing character of the surrounding area in an adverse or unreasonable manner;
The amendment affects the Basin as a whole, therefore there is no surrounding area. That being said, the Assessment gives information to guide future amendments to the General Plan and Development Code, and does not itself have any regulatory effect.
2. The amendment is consistent with the General Plan Land Use Map, the goals, objectives and policies of the General Plan and neighborhood planning areas, and the Program for Resort and Mountain Development established in Chapter 1 of this Title;
There is currently no General Plan Land Use Map. The 2012 Assessment complies

with the Housing Element of the General Plan. Staff has attached Chapter 1 of the Development Code for SCC review. Staff has found that the 2012 Assessment does not contradict Chapter 1; updates to the General Plan Housing Element and related Code amendments will be reviewed for compliance with this chapter as they go through the approval process.

3. The amendment is consistent with the uses of properties nearby;
The 2012 Assessment is a guiding document that will aid in future General Plan and Code amendments. The Assessment itself does not affect the uses of properties, and individual Code and General Plan amendments will be reviewed for compliance with this criterion as they are adopted.
4. The property for which the amendment is proposed is suitable for the intensity of use which will be permitted on the property if the amendment is allowed;
There is no specific property for which the amendment is proposed.
5. The removal of the then existing restrictions will not unduly affect nearby property;
and
The 2012 Assessment does not remove any existing restrictions.
6. The public health, safety and welfare will not be adversely impacted by the proposed amendment.
The 2012 Assessment will enhance and protect public health, safety, and welfare by providing accurate information to guide future policy decisions.

G. Recommendation(s)/Alternatives

Staff recommends that the SCC conduct a work session to review the 2012 Assessment, ask questions and give direction to Staff concerning changes or additional information needed in preparation for the public hearing currently (tentatively) scheduled for late September.

Exhibit(s)

Exhibit A – 2012 Assessment and Model (pages 8-38)

Exhibit B – State Code Section 17.27a.403 (pages 39-40)

Exhibit C – Code Chapter 1, Program for Resort and Mountain Development (pages 41-44)

SUMMIT COUNTY HOUSING AFFORDABILITY ANALYSIS

An analysis of shelter cost burden for employee and resident households in three Summit County, Utah study areas that include Snyderville Basin, Park City and East County

March 27, 2012

Rosenthal & Assoc. Inc.
435.658.3700

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EXECUTIVE SUMMARY

This report is an analysis of housing cost burden¹ and potential affordable housing demand in three study areas that comprise Summit County – Snyderville Basin, East County and Park City². It is directed towards current conditions and does not address projected future conditions.

Methodology in this analysis is different from the more typical approach of aggregate analysis. This analysis is based on examination of potential housing demand characteristic of certain key affordable housing constituencies, termed “demand indicators”. Demand indicators are intended to be a representative subset of the kind and quantity of overall affordable housing demand. In the case of this analysis the demand indicators are comprehensive because the selected constituencies make up a large part of potential demand. This report also includes an aggregate analysis of demand which looks at the “economic mismatch” between the price of the housing stock and purchasing power of residents. This “mismatch” is not an affordable housing deficit. It is useful to give context to the cost burden analysis, and as another perspective to evaluate potential intervention measures and inform the policy discussion.

This analysis is intended to provide actionable intelligence for decision-makers. It looks at discrete categories of demand which are more readily quantifiable, are verifiable (focus groups, surveys, interviews, etc.) and are easier to understand and conceptualize. It provides a framework and focal point for understanding the current state of housing affordability. And it is the first step in a process of evaluation that will lead to an affordable housing policy and implementation plan – whether that plan be building units, providing financial assistance such as mortgage or down payment assistance or other forms of intervention that will provide affordable shelter for targeted beneficiaries. To remain useful, the picture of affordable housing demand presented here must be monitored and updated regularly.

The analytical approach used in this analysis stems from a different view as to the most effective way to meet affordable housing demand. In a given year only a limited number of units can be planned, funded, built, and occupied. This implies limited resources and a limited ability to impact affordable housing need. In turn, this requires a willingness to prioritize one constituency over another – an approach under which “all” demand (were that to be both static and quantifiable) will not be met, immediately. Instead the progress of the program will be guided, and clearly guided, by community priorities as to what type of housing and what type of resident will be of most benefit, now. Such an approach stands a better chance of achieving “buy-in”, which allows for the possibility that the program will be ongoing.

You will note that the component demand estimates in Figure 1 are not summed – a hypothetical total demand number is not presented. This report is not intended to provide that kind of estimate. Rather it is intended to provide an order of magnitude estimate of various categories of demand which can be separately evaluated, and as appropriate planned for further, more detailed analysis. Simply put, the thinking is to make this a working tool rather than a report formalizing an estimate of a possible affordable housing deficit in Summit County.

¹ A shelter cost burdened household is one that pays more than 30% of income for owner cost or rent.

² Snyderville Basin and East County refer to County defined a planning areas.

DEMAND INDICATORS

INTRODUCTION

Demand indicators provide a way of estimating housing cost burden³ and potential affordable housing demand, based on analysis of certain representative subsets of the population of affordable housing beneficiaries. Demand indicators in this analysis include the following:

1. Cost burdened renter households.
2. Local government essential service employees, public safety, school district and fire district employees who live out of area but prefer to live locally if affordable housing of the proper type and price were available.
3. Locally employed private-sector workers who live out of area but would to live locally if affordable housing were available (as above).
4. Local area renters with income adequate to support home purchase.
5. Cost burdened renters 65 years and older
6. Cost burdened homeowners.

Demand indicators represent an improved methodology compared to aggregate analysis because this approach looks at discrete and actionable categories of demand which are more readily quantifiable, and are verifiable (by means of focus groups, surveys, interviews, etc.). In the case of this analysis the demand indicators are comprehensive because the selected constituencies include most potential beneficiaries of an affordable housing program.

Cost burden and demand estimates developed here are intended to be followed up by further, more detailed, site and topic specific research, which includes the following:

- *Interviews with employers* to discuss the housing needs of employees in their particular business or business sector – characteristics that impact the kind of housing that should be provided such as family size, unit type, price range, tenure (rent or own) credit worthiness, down payment ability, etc.
- *Interview with multiple employers* across one sector of the local economy (retail, restaurant, recreation, etc.) to estimate aggregate demand and later at a more detailed level and perhaps accompanied by a survey, to validate that estimate if housing implementation plans are developed.
- *Focus groups* with interested community members to solicit input, discuss the implementation plan, and revise the plan so that it more closely aligns with community expectations.
- *Meetings with potential affordable housing beneficiaries* to confirm their level of interest, identify housing needs, financial challenges etc.
- *Neighborhood meetings* to discuss specific development proposals, their impact on the neighborhood, and their desirability.
- *Market studies* to evaluate specific development plans.

³ A shelter cost burdened household is one that pays more than 30% of income for owner cost or rent.

SUMMARY OF AFFORDABLE HOUSING DEMAND

FIGURE 1

AFFORDABLE HOUSING ANALYSIS							
<i>Potential Demand Presented by Selected Affordable Housing Constituencies</i>							
Category of Affordable Housing Demand	Current Residence	Household Income	Income Category	Affordable Purchase Price		Number of Households	
				Single Family	Multi Family		
Cost Burdened Renter Households (households that earn less than \$50,000 per year)	Park City	\$42,500	42% of AMI	\$163,900	\$127,600	189	
	Park City	\$27,500	27% of AMI	\$95,800	\$59,500	357	
	Park City	\$20,000	20% of AMI	\$61,800	\$25,500	238	
	Snyderville Basin	\$27,500	27% of AMI	\$95,800	\$59,500	46	
	Snyderville Basin	\$20,000	20% of AMI	\$61,800	\$25,500	210	
	East County	\$42,500	42% of AMI	\$163,900	\$127,600	190	
	East County	\$27,500	27% of AMI	\$95,800	\$59,500	172	
Public Sector Employees	East County	\$20,000	20% of AMI	\$61,800	\$25,500	84	
	Park City Municipal (Public Safety, Transit, Streets, Water,	\$60,093	60% of AMI	\$243,700	\$207,400	25	
	Summit County (Public Safety, Public Works, Health, Government Services, General Government	Outside of Summit County	\$64,359	64% of AMI	\$42,598	\$64,359	19
	Park City Fire Service District	\$56,305	56% of AMI	\$226,500	\$190,200	10	
Park City School District	\$57,895	58% of AMI	\$233,700	\$197,400	70		
Non-Resident Private Sector Employees	Salt Lake County, Income \$15,000 or Less	\$32,224	32% of AMI	\$117,200	\$80,900	4,099	
	Income \$15,000 to \$40,000	Wasatch County and other	\$48,355	48% of AMI	\$190,400	\$154,100	2,530
	Income Greater than \$40,000	\$61,605	61% of AMI	\$250,500	\$214,200	1,784	
Renters with Income Adequate to Support Home purchase	Income \$50,000 to \$75,000	\$62,500	62% of AMI	\$254,600	\$218,300	548	
	Income \$75,000 to \$100,000	Park City, Snyderville Basin, East County	\$87,500	87% of AMI	\$368,000	\$331,700	439
	Income Greater than \$100,000	\$100,000	100% of AMI	\$424,700	\$388,400	474	
Cost Burdened Renters 65 Years and Older	Park City, Snyderville Basin, East County					12	
Cost Burdened Home Owners	Park City					760	
	Snyderville Basin					1,678	
	East County					803	

Source – Renter cost burden from Figure 2. Public sector demand shown in Figure 5. Non-resident worker demand from Figure 6. High income renters from Figure 8. Cost burdened renters 65 years and older from Figure 9. Homeowner cost burden from Figure 10. AMI is HUD Area Median Income. 2012 AMI is \$100,300.

Figure 1 shows the components of potential affordable housing demand. For various reasons, actual demand in each category is almost certainly less than shown. The degree to which demand is overstated will be tested by further research. As written though, Figure 1 does it serve its intended purpose – to bound the affordable housing problem (it identifies relevant categories of demanders and an upside estimate for each) and to provide a focal point for discussion leading to the definition of policy, and an action plan.

The categories of demand analyzed in this report include existing residents who are cost burdened and two categories of “external demand” – public and private sector workers who are locally employed and who live out of area. External demand is a valid affordable housing constituency because resident employees are invested in the community, contribute to a stable labor force and are more readily available (especially important for essential service workers). As regards a resort area, resident employees are desirable because they are more effective in providing a continuing high level of service that will protect and enhance the reputation of the resort. A stable (resident) labor force is also most cost effective for employers.

As regards renters – cost burdened renters are a prime target of an affordable housing program. Low-end and very low end renters who are highly cost burdened (30% to 50%) live an impaired life. Whether they are in relatively more expensive Summit County or less expensive areas elsewhere, at the very low end of the scale, the degree of cost burden is so high that locale is less than significant. Some Summit County renters are at an income level that makes them capable of home purchase. Of course there are reasons why a financially able household does not purchase a home. However, given the possibility of an affordable purchase some may find it advantageous, and in so doing will contribute to the affordable housing program in that, as renters they may occupy units that are affordable to lower income households. As they move out of these units, the supply of affordable units effectively increases (at no cost to the affordable housing program).

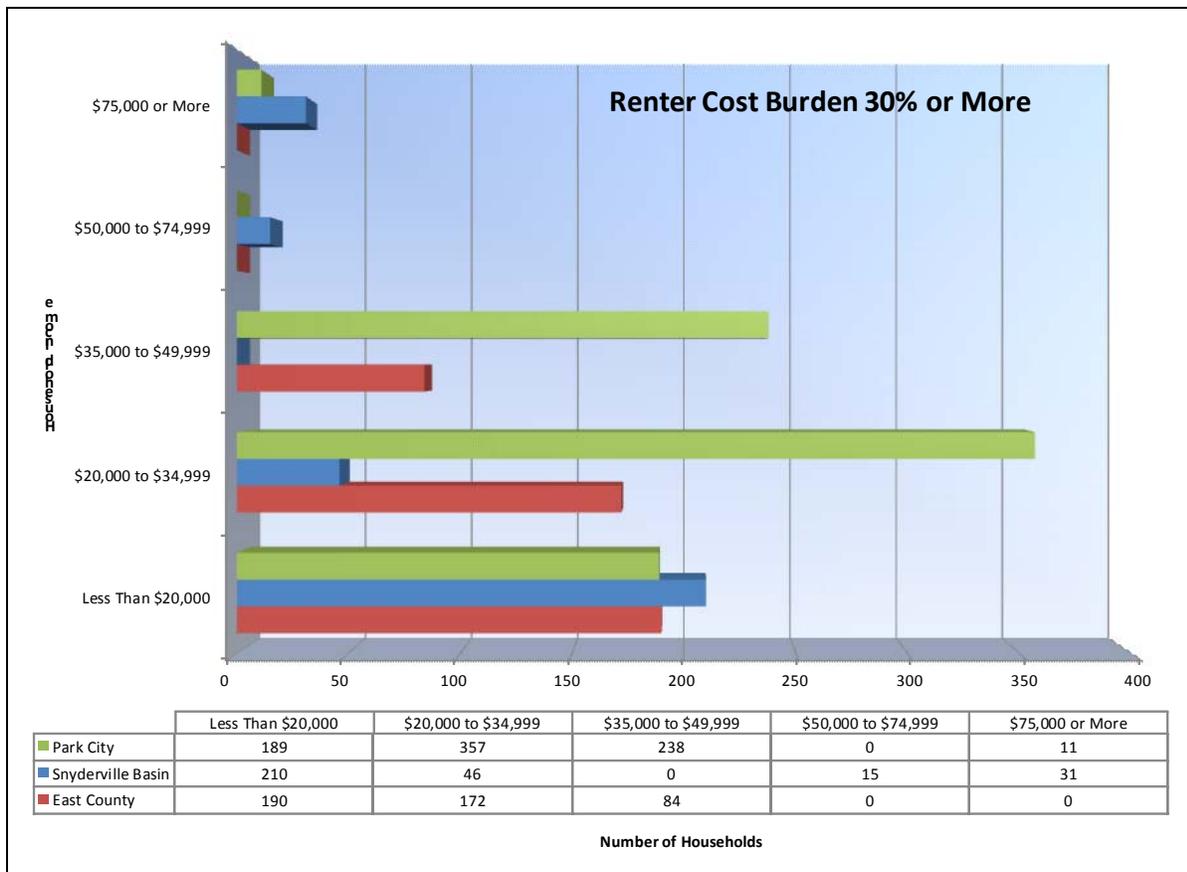
Cost burdened owners may not be addressed as a primary constituency in the affordable housing action plan. Their number is included here for reference.

RENTER COST BURDEN

Figure 2 shows cost burden and income for renter households.

- Of households that earn more than \$50,000, very few are cost burdened (11 of 468⁴ in Park City, and 46 of 677 in Snyderville Basin).
- For households that earn less than \$50,000, most are cost burdened (784 in Park City 256 in Snyderville Basin and 446 in East County).
- Some low-end renters are able to reduce their cost burden by obtaining subsidized units. However the supply is limited and as Figure 1 shows, there may be a number of these households, with income of only 22% or 27% of AMI⁵, that are in market rate units at very high cost.

FIGURE 2



Source – 2006-2010 American Community Survey 5-Year Estimates, Table B25074.

⁴ Cost burden analysis is based on the Census Bureau 2006 to 2010 American Community Survey. Cost burden tables the ACS includes a category for which cost burden is not computed. This is usually the same number as shown in complementary tables, for households that pay no cash rent. Because households that do not pay rent are not cost burdened, cost burden analysis in Figure 2 and elsewhere in this report excludes “Not Computed”.

⁵ 2012 Area Median Income.

In Figure 2 \$50,000 is selected as a cutoff point for low income renter households because at about \$50,000 renters earn too much to qualify for subsidies, and at the same time earn enough to potentially qualify for an affordable home purchase.

Figure 3 shows number of households with cost burden of 30% to 35% and greater than 35%.

FIGURE 3

RENTER COST BURDEN			
<i>Household Income \$50,000 or Less</i>			
	30% to 35%	Greater Than 35%	Total
	(cost burden)		
Park City	102	682	784
Snyderville Basin	0	256	256
East County	76	370	446

Source – 2006-2010 American Community Survey 5-Year Estimates, Table B25074.

Figure 4 shows rent affordable to various categories of employment, and rent if cost burden is 50% of income.

FIGURE 4

AFFORDABLE RENT						
<i>Household Income \$50,000 or Less</i>						
Job Description	Wages	Household Income	Affordable Shelter Cost (30% of income)	Utilities	Affordable Rent	Rent at 50% Cost Burden
			(per month)			
Minimum Wage (\$7.31 per hour)	\$15,200	\$32,224	\$806	(\$106)	\$699	\$1,236
Hospitality, Retail and service sector	\$23,144	\$43,738	\$1,093	(\$106)	\$987	\$1,716
Administrative and support services	\$33,180	\$54,376	\$1,359	(\$106)	\$1,253	\$2,159
Teacher, firefighter, PCMC public safety/streets/water/transit, county general government, health, sheriff	\$35,832	\$57,187	\$1,430	(\$106)	\$1,323	\$2,277

Source – income from Figure 12. Utilities cost from Figure 28.

LOCAL GOVERNMENT, EMERGENCY SERVICE WORKERS AND SCHOOL DISTRICT EMPLOYEES

Figure 5 shows one of the two categories of affordable housing “external demand” – demand from public sector employees. The number of these employees that have an interest in living in Summit County is as estimated by human resource and department managers. The estimates are knowledgeable but informal. There are plans, shortly, to develop an online survey for employees that have an interest in affordable housing in Summit County, to answer detailed questions about housing preference, financial capability, location, housing type, number of bedrooms, and other. By means of this survey housing planners can begin to distinguish between households with casual or unrealistic expectations, and those with a committed desire to live locally, realistic expectations and the wherewithal to purchase.

Figure 5

NONRESIDENT PUBLIC SECTOR EMPLOYEE HOUSEHOLDS								
<i>Potential Affordable Housing Demand</i>								
	Number of Staff			Average Wages	Household Income		Affordable Purchase Price	
	Total	Live Outside Summit County	Want to Live Locally		Income	% of HUD Area Median Income	Single Family	Multi Family
Park City Municipal (Public Safety, Transit, Streets, Water)	186	124	25	\$38,574	\$60,093	60%	\$243,700	\$207,400
Summit County (Public Safety, Public Works, Health, Govt. Services, General Government)	275	64	19	\$42,598	\$64,359	64%	\$263,000	\$226,700
Park City Fire Service District	92	62	10	\$35,000	\$56,305	56%	\$226,500	\$190,200
Park City School District (experienced teacher)	350	125	70	\$36,500	\$57,895	58%	\$233,700	\$197,400
Total	903	375	124					

Source – interview with department supervisors and human resource managers, January to March 2012.

Affordable purchase price in Figure 5 is calculated as shown in Figure 11 based on estimating assumptions which include down payment, current mortgage rate, closing costs, utility expense, real estate taxes, and property insurance, along with estimated household income. Surprisingly, Figure 5 shows that affordable multifamily price is less than single-family. Households can afford a higher single family price because the price of a multifamily unit is has the extra expense of a monthly condominium fee.

Household income and is calculated as shown in Figure 12. In general, the calculation assumes 1.5 workers per household; primary income corresponding average wages for the subject employee type; secondary income based on Summit County average wage as reported by the Utah Department of Workforce Services; and an estimate of additional income to recognize investments, non-cash benefits, tips, and other. Estimating assumptions are detailed in Figure 26.

NON-RESIDENT PRIVATE SECTOR WORKERS

Figure 6 shows the second category of “external demand” – that from nonresident private sector employees. Figure 6 is based on an employee home area destination analysis prepared by the Census Bureau that shows where workers live who are employed in Summit County (the report is summarized in Figure 7). Figure 6 shows that there are a number of nonresident employees – though how many have potential to live locally is not clear. Figure 6 does serve the purpose of highlighting this constituency and makes it clear that it is an appropriate subject for further, more detailed and topic-specific research.

FIGURE 6

NON-RESIDENT PRIVATE SECTOR EMPLOYEE HOUSEHOLDS									
<i>Potential Affordable Housing Demand</i>									
Employment Income	Park City	Snyderville Basin	East County	Total	Average Wages	Household Income		Affordable Purchase Price	
	(number of non-resident employees)					Income	% of HUD Area Median	Single Family	Multi Family
Income \$15,000 or Less	2,585	1,262	252	4,099	\$15,200	\$32,224	32%	\$117,200	\$80,900
Income \$15,000 to \$40,000	970	1,198	362	2,530	\$27,500	\$48,355	48%	\$190,400	\$154,100
Income Greater than \$40,000	832	702	251	1,784	\$40,000	\$61,605	61%	\$250,500	\$214,200
Total	4,387	3,161	865	8,413					

Source – wages and number of nonresident workers from US Census Bureau Local Employment Dynamics (LED), LED on the Map, Work Area Profile, Home destination and work destination reports. Calculation of the number of non-resident workers is detailed in Figure 25. Number of workers is adjusted to delete nonresident public sector employees. <http://lehd.did.census.gov/led/datatools/datatools.html>

FIGURE 7

WHERE WORKERS LIVE				
<i>Summit County Housing Affordability Analysis</i>				
	Park City	Snyderville Basin Planning Area	East County Planning Area	County Total
	(number of employees)			
Total Jobs (workers) in The Study Area	9,431	5,303	2,076	16,810
Place of Residence for Study Area Workers				
Summit County, UT	4,733	2,142	1,147	8,022
Salt Lake County, UT	2,150	1,646	380	4,176
Wasatch County, UT	991	380	157	1,528
Other (Utah, Davis, Weber, Cache, Toole, Morgan and other)	1,557	1,135	392	3,084
Non-Resident Workers	4,698	3,161	929	8,788
Less - Non-Resident Public Sector Employees	(311)	0	(64)	(375)
Net Out of Area Employees	4,387	3,161	865	8,413

Source – number of employees is from Figure 23. Non-resident public-sector employees is from Figure 5 (allocation by area of residence is estimated).

The analysis in Figure 7 is based on primary jobs. It excludes secondary jobs which are thought to be primarily seasonal, resort related employees.

RENTERS WITH INCOME ADEQUATE TO SUPPORT HOME PURCHASE

A sizeable number of renter households appear to be financially able to afford home purchase (Figure 13).

In the Snyderville Basin (and similarly in Park City and East County) 695 renter households– 2/3 of the total – have income at or above \$50,000. These households could afford to purchase an affordable single family unit priced at or above \$197,900.

380 renter households – about 1/3 of the total – earn more than \$75,000. These households could afford a single family purchase of \$312,300. 22% of the housing stock is valued at or below this price which suggests that a number of these purchases could be for market rate units. These sales would not compete with lower income purchasers, for more affordable units.

There are 253 renter households – 1/4 of the total – that earn more than median income (\$100,300). Affordable price for these households is \$426,100 (the value of the median priced single-family unit in Snyderville basin). Presumably all or most of these purchases would be at market rate, again reducing competition for lesser priced and subsidized, affordable units.

FIGURE 8

INCOME OF RENTER HOUSEHOLDS				
<i>Summit County Housing Affordability Analysis</i>				
	Park City	Snyderville CDP	East County	Total
Total Renters	1,507	1,035	935	3,477
Renter households that earn 50% or more of AMI (\$50,150 per year)	468	695	298	1,461
Renter households that earn 75% or more of AMI (\$75,225 per year)	388	380	145	913
Renter households that earn 100% or more of AMI \$100,300 per year)	143	253	78	474

Source – 2006-2010 American Community Survey 5-Year Estimates, Table B250118..

COST BURDENED RENTERS 65 YEARS AND OLDER

There are very few cost burdened renter households among the population 65 years and older – 12, in Snyderville Basin as shown below in Figure 9.⁶

There are no seniors in group quarters, and based on the demographic profile, no other special housing needs are associated with this population.

FIGURE 9

DEMOGRAPHIC PROFILE OF THE POPULATION 65 YEARS AND OLDER						
<i>Summit County Housing Affordability Analysis</i>						
	Park City	Snyderville Basin	East County	Total	County	% of County
Population						
in Households	639	729	1,006	2,374	35,295	7%
In Group Quarters	0	0	0	0		
Housing Units						
Total	394	452	697	1,543	13,600	11%
Single Family Owned	343	373	661	1,377	9,269	15%
Rental Units						
With Cash Rent	0	27	4	31	3,257	1%
No Rent	22	25	0	47		
Renter Cost Burden						
More than 30%	0	12	0	12		
Less than 30%	0	15	4	19		
Household Size	1.62	1.61	1.44	1.54	2.59	
Household Type						
Married	259	335	324	918		
Male householder, no wife present:	0	14	29	43		
Female householder, no husband present:	7	27	46	80		
Living alone:	116	76	283	475		
Income						
Less than \$25,000	25%	13%	26%	22%		
\$25,000 to \$50,000	18%	15%	36%	25%		
More than \$50,000	56%	73%	38%	53%		

Source – 2006-2010 American Community Survey 5-Year Estimates, Tabs b09017, b25125, b25055, b25052, b25011, b19037..

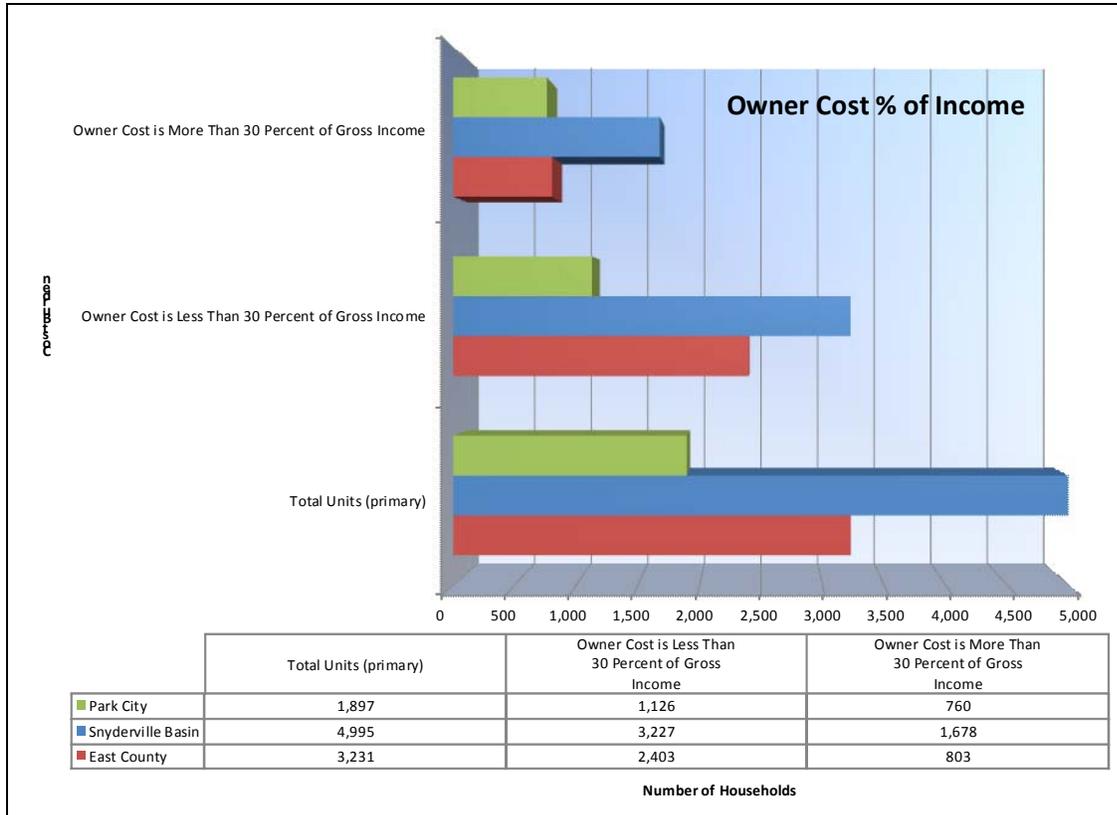
⁶ These 12 households are included in the earlier described category of renter households with cost burden in excess of 30%. They are highlighted here because this is a noteworthy segment of the population.

OWNER COST BURDEN

About one third of homeowners in the study area are cost burdened at least than 30% of income – 34% Snyderville Basin, 25% in East County, and 40% in Park City. More than 10% pay more than 50% of income for housing expense.

Cost burdened owners may not be addressed as a primary constituency, in an affordable housing action plan. Their number is included here for reference.

FIGURE 10



Source – 2006-2010 American Community Survey 5-Year Estimates, Table B25091..

HOUSING AFFORDABILITY

PRICE GAP

The housing affordability “price gap” is a comparison of affordable purchase price against home value. The magnitude of the gap is indicative of the degree to which income is outstripped by housing cost. Figure 11 shows the price gap for Park City and the Snyderville Basin, and shows that there is no price gap in the East County (meaning that in that study area, average income is adequate purchase the median priced home)..

FIGURE 11

HOUSING PRICE GAP				
<i>Market Value Compared to Affordable Purchase Price</i>				
	Estimating Assumptions	Single Family & Multi Family (Primary)		
		Park City	Snyderville CDP	East County
Household Income				
Summit County Average Monthly Wage (Utah DWS 2011)	\$2,986	\$35,832		
Other Earnings (tips, bonus, overtime, incentives)	3.0%	\$1,075		
Other Income (investments, non-cash benefits)	3.0%	\$1,075		
Workers per Household (# FTE)	1.51	\$57,187		
Purchase Price Assumptions				
Shelter Cost % of income	30.0%			
Property Insurance				
Insured Value (value of improvements)	60.0%			
Average Cost (% of insurable value)	0.75%			
Real Estate Tax				
Estimated Average Tax Rate	0.92%			
Taxable value (primary res.) % of Market Value	55%			
Utilities (gas, elec. Telephone - per month)	\$147			
Down Payment (% of purchase price)	5.0%			
Mortgage Rate	4.33%			
Mortgage Term	30			
Condominium Fee (per month)	\$200			
Closing Cost	\$2,500			
Affordable Purchase Price				
Household Income (per month)		\$4,766	\$4,766	\$4,766
Shelter Cost % of income		30%	30%	30%
Maximum Monthly Housing Cost		\$1,430	\$1,430	\$1,430
Property Insurance		(\$86)	(\$86)	(\$86)
Real Estate Tax		(\$97)	(\$97)	(\$97)
Utilities		(\$147)	(\$147)	(\$147)
Condominium Fee		\$0	\$0	\$0
Monthly Mortgage Payment		\$1,099	\$1,099	\$1,099
Mortgage Amount		\$221,460	\$221,460	\$221,460
Down Payment		\$11,524	\$11,524	\$11,524
Closing Cost		(\$2,500)	(\$2,500)	(\$2,500)
Affordable Purchase Price (rounded)		\$230,484	\$230,484	\$230,484
Housing Unit Market Value				
2011 Average of Median Market Value 600 to 1,599 sq. ft. Units (value per sq. ft.)		\$395	\$387	\$195
Summit County Assessor's Office dataset)				
Unit Area (unit equivalent, sq. ft.)		900	900	900
Market Value (rounded)		\$355,500	\$348,500	\$175,500
Price Gap (per UE) Affordable Purchase Price				
Compared to Median Market Value		(\$125,016)	(\$118,016)	\$0

Source – estimating assumptions are detailed in Figure 26. Affordable purchase price is calculated based on average income for a Summit County employed household (\$57,187). Purchase price is calculated as the percent value of monthly Mortgage Payment.

Affordable price is calculated as shown below in Figure 12. Market value is calculated based on data provided by the Summit County Assessor’s Office. The price gap is expressed in terms of cost per U.E (“unit equivalent”). A unit equivalent is the planning definition of one residential equivalent unit of development, and is 900 square feet.

INCOME AND AFFORDABLE PURCHASE PRICE

Figure 12 illustrates affordable purchase price for typical categories of local employment. Its purpose is to give context to the earnings/price disparity that exists in the local market. It shows that most local employees that support basic Summit County businesses cannot afford local home purchase – even including emergency service workers who should live close to their place of employment. As shown below, jobs at 79% of maximum earning potential – most jobs in the County – generate annual household income of about \$57,187. This will support a purchase price of about \$230,500 which is about 1% of the housing stock in the Snyderville Basin. These potential purchasers are prime candidates for an affordable housing program.

FIGURE 12

HOUSEHOLD INCOME AND AFFORDABLE PURCHASE PRICE									
Jobs in Summit County									
Household Income % of HUD AMI	Wages				Other Income			Household Income	Notes
	Primary Job		Part-time Job		Tips, Overtime and Other Earnings	Investments, Non-Cash Benefits & Other Income			
	Wages (annual)	FTE	FTE	Wages (annual)					
32%	\$15,200	1.0	0.51	\$15,200	3%	3%	\$32,224	Primary jobs in this group comprise 72% of all private sector jobs in the County 14% of jobs 5% of jobs 2% of jobs	Minimum Wage (\$7.31 per hour)
44%	\$23,144	1.0	0.51	\$18,118	3%	3%	\$43,738		Hospitality, Retail and service sector
54%	\$33,180	1.0	0.51	\$18,118	3%	3%	\$54,376		Administrative and support services
<i>Utah DWS Average for Summit County</i>	\$35,832	1.0	0.51	\$18,118	3%	3%	\$57,187		Teacher, firefighter, PCMC public safety/streets/water/transit, county general government, health, sheriff
75%	\$52,849	1.0	0.51	\$18,118	3%	3%	\$75,225		75% of Median Income
100%	\$76,505	1.0	0.51	\$18,118	3%	3%	\$100,300		HUD Median Income (2012)
122%	\$96,911	1.0	0.51	\$18,118	3%	3%	\$121,930	Income required to purchase Snyderville Basin Median Single Family	

Affordable Purchase Price		
	Single Family	Multi Family
\$32,224 Minimum Wage Household	\$117,200	\$80,900
\$43,738	\$169,500	\$133,200
\$54,376	\$217,700	\$181,400
\$57,187 <i>Summit County Average Wages</i>	\$230,500	\$194,200
\$75,225	\$312,300	\$276,000
\$100,300	\$426,100	\$389,800
\$121,930 Income required to purchase Snyderville Basin Median Single Family	\$524,300	\$488,000

Source – estimating assumptions are detailed in Figure 26. Utah DWS wages is the average for Summit County, 2011 Q2 and is typical of earnings for public sector employees. Hospitality and Administrative wages are from Figure 29. Median single family market value in Park City and East County is \$615,300 and \$238,300, respectively. Requisite annual primary job earnings are \$116,000 and \$38,000.

In Figure 12 income shown as a percent of HUD AMI is an analytical convention used to characterize the degree of difficulty in providing affordable shelter. Standard analytical categories are 30%, 50%, and 80% of AMI. 2012 Summit County AMI is \$100,300. As a point of reference, a fully employed minimum wage household earns about \$32,224, which is 32% of AMI. This is nearly the lowest defined income category and is the most difficult to serve. Most local employees (teachers, firefighters, local government, essential service workers, hospitality employees, etc.) earn at or below 57% of AMI. The top 7% of the highest paying jobs earn 100% of AMI.

AGGREGATE COST BURDEN ANALYSIS

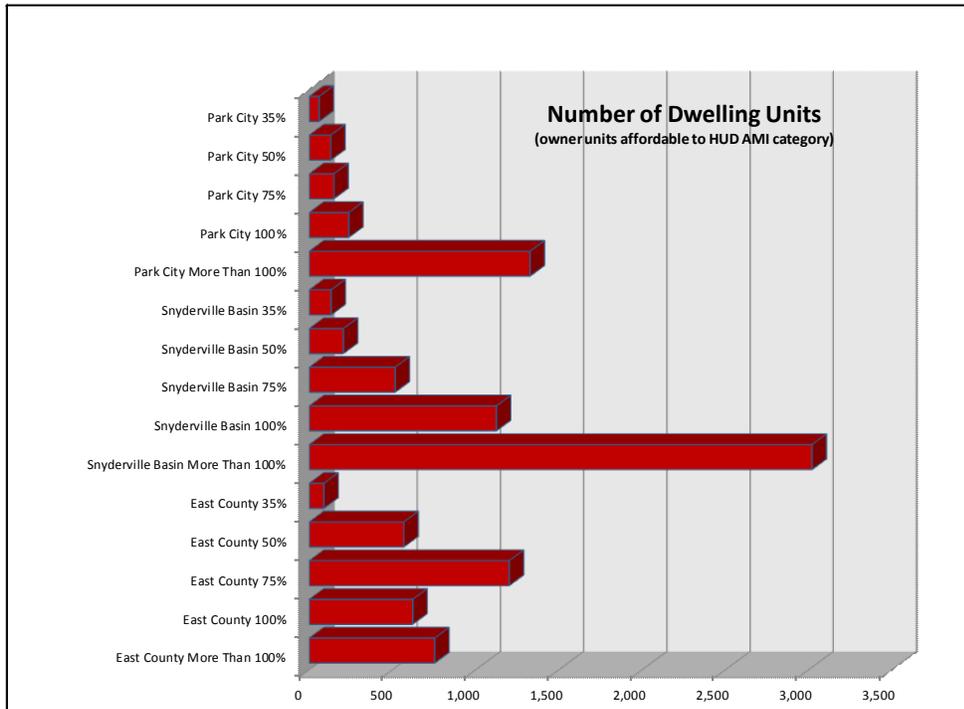
Aggregate analysis of a housing market provides a way of illustrating the “economic mismatch” that exists between income and value – i.e. the difference between the profile of market value and that of purchasing power based on income. This mismatch is often termed an affordable housing “deficit”. This is misleading because by definition every household that exists in a housing market lives in a housing unit, meaning that there is no physical shortage of units⁷ even though there may be a significant dislocation between prices and income.

Although not a measure of affordable housing deficit, aggregate analysis is useful as an indicator of the potential for physical rehab and other intervention measures such as mortgage or down payment assistance, that could be used to reduce the effective cost of housing, and in so doing reduce the cost burden and better align the market with income. Aggregate analysis is a maximum estimate of “economic mismatch”. Some of this apparent dislocation is both intentional and desirable – fixed income households that occupy high value seemingly unaffordable, but paid-for units; households that occupy units that have appreciated over time (high value, but an affordable mortgage payment); households that intentionally spend more than 30% of income for shelter cost.

Figure 13 show the price profile of the housing stock in Summit County (number of units that are affordable to households in each income category). Figure 14 shows the income profile of households (number of households in each income category). A comparison of the two in Figure 15 shows the “economic mismatch”.

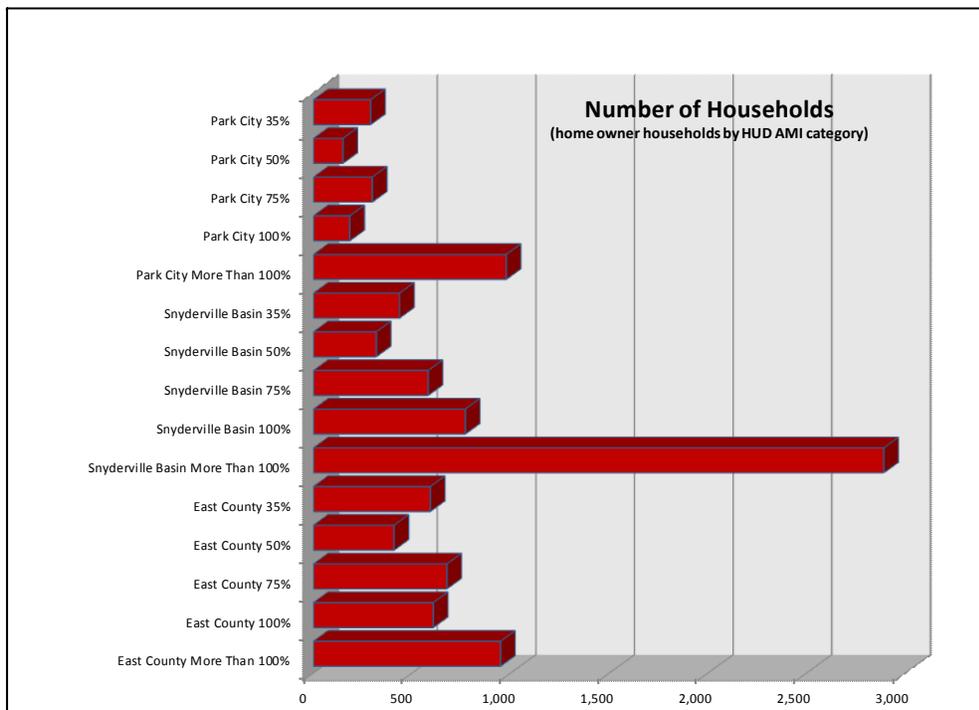
⁷ With obvious exceptions that fall outside this particular analysis.

FIGURE 13



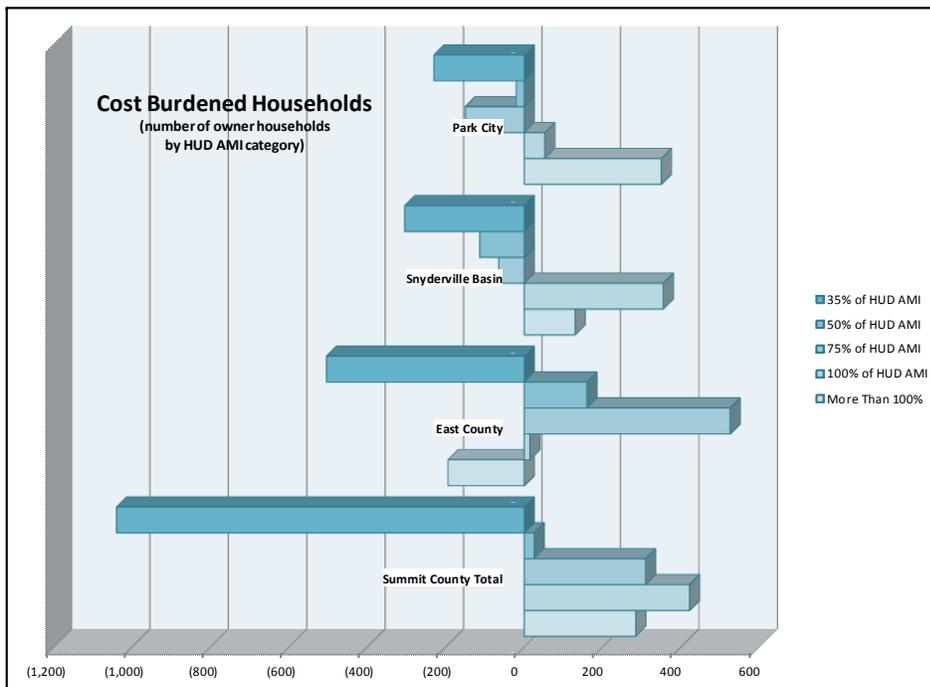
Source – analysis of 2011 market value data provided by the Summit County Assessor's Office.

FIGURE 14



Source – 2006-2010 American Community Survey 5-Year Estimates, Table 25118. 2010 dollars. Census data is provided for Summit County, Park City, and the Park City School District. The data is recast to show totals for the three affordable housing study areas – Park City, Snyderville Basin and East County.

FIGURE 15



Source – Figure 13 and Figure 14. Household income is expressed in 2010 dollars. Market Value is for 2011. Given the low-growth housing market, the difference is assumed to be negligible.

PLANNED NEW AFFORDABLE UNITS

Following is a list of affordable units that currently under construction, or are approved for construction.

FIGURE 16

POTENTIAL FUTURE AFFORDABLE UNITS		
<i>Units Provided by Private Sector Developers (uncertain timing)</i>		
Type	Approved or Under Construction	
(as of March 2012)		
Units Committed to Park City Municipal		
Flagstaff Mountain/Empire Pass Annexation		42
IHC/USSA Annexation		28
Park City Heights Annexation		16
Marsac Avenue (Habitat for Humanity)		2
Park City Heights		35
1440 Empire Avenue (Bonanza Park AUEs)		
Lower Park Avenue RDA		
Treasure Hill		
Total		123
Units Committed to Summit County		
Liberty Peak Apartments	Rental	152
Total		74,552

Source – Park City Sustainability Department and Summit Planning Department.

DEMOGRAPHIC PROFILE

Demographic characteristics shown here do not directly support the foregoing analysis, but are included here as a reference in service of further analysis, as policy and action plan discussions proceed.

FIGURE 17

DEMOGRAPHIC PROFILE			
<i>Summit County Housing Affordability Analysis</i>			
	Park City	Snyderville Basin	East County
Population	7,553	15,828	11,914
Housing Units	9,444	8,072	7,505
Housing Unit Occupancy Status			
Total	9,444	8,072	7,505
Occupied	3,404	6,030	4,166
Vacant	6,040	2,042	3,339
Housing Unit Vacancy Status			
Total	6,040	2,042	3,339
For rent	232	341	69
Rented, not occupied	0	9	59
For sale only	226	49	49
Sold, not occupied	68	118	165
For seasonal, recreational, or occasional use	5,465	1,525	2,926
For migrant workers	0	0	0
Other vacant	49	0	71
Population in Occupied Housing Units			
Total	7,553	15,774	11,914
Owner occupied	4,361	13,699	9,014
Renter occupied	3,192	2,075	2,900
Households			
Total	3,404	6,030	4,166
Owner Occupied	1,897	4,995	3,231
Renter Occupied	1,507	1,035	935
Household Size			
Total	2.22	2.62	2.86
Owner Occupied	2.30	2.74	2.79
Renter Occupied	2.12	2.00	3.10
Households by Family Type			
Total	3,404	6,030	4,166
Owner Households	1,897	4,995	3,231
Non family	563	973	629
Family	1,334	4,022	2,602
Renter Households	1,507	1,035	935
Non family	660	556	147
Family	847	479	788

Source – . 2006-2010 American Community Survey 5-Year Estimates, Table,,,tbd

FIGURE 18

HOUSEHOLD SIZE BY NUMBER OF BEDROOMS				
<i>Summit County Housing Affordability Analysis</i>				
Census PUMA 400		PUMA 400 Extrapolated for Affordable Housing Study Areas Planning		
# Bedrooms	Household Size	Park City	Snyderville Basin	East County
Owner Units - Single Family				
1	1.74	1.34	1.60	1.63
2	2.01	1.55	1.85	1.89
3	2.70	2.08	2.48	2.53
4	3.24	2.50	2.99	3.04
5	3.87	2.99	3.57	3.63
Census Actual (average)	2.97	2.30	2.74	2.79
Rental Unit - Single Family				
1	1.36	1.00	0.94	1.46
2	2.12	1.55	1.47	2.27
3	3.09	2.26	2.14	3.31
4	3.42	2.51	2.38	3.67
5	4.49	3.29	3.11	4.81
Census Actual (average)	2.89	2.12	2.00	3.10
Rental Unit - Multi Family				
1	1.43	1.18	1.12	1.73
2	2.55	2.10	1.99	3.08
3	3.46	2.86	2.70	4.18
4	4.08	3.37	3.19	4.94
Census Actual (average)	2.56	2.12	2.00	3.10

Source – calculated based on *Public Use Microdata Sample, (PUMS)*, United States, prepared by the U.S. Census Bureau

FIGURE 19

HOUSEHOLD INCOME FOR RENTERS				
<i>Summit County Housing Affordability Analysis</i>				
Census PUMA 400		PUMA 400 Extrapolated for Affordable Housing Study Areas Planning		
Household Size (persons)	Average Income (2010)	Park City	Snyderville Basin	East County
All Renter Households				
1	\$29,780	\$32,462	\$48,596	\$28,085
2	\$47,311	\$51,572	\$77,205	\$44,619
3	\$44,515	\$48,524	\$72,643	\$41,982
4	\$61,975	\$67,556	\$101,134	\$58,448
5	\$48,431	\$52,793	\$79,033	\$45,675
Renter Households That Earn \$50,000 or Less				
1	\$19,380	\$38,669	\$57,889	\$33,455
2	\$22,684	\$45,260	\$67,756	\$39,158
3	\$29,825	\$59,508	\$89,086	\$51,485
4	\$29,448	\$58,756	\$87,960	\$50,834
5	\$33,498	\$66,837	\$100,058	\$57,826
Renter Households That Earn More Than \$50,000				
1	\$84,450	\$49,039	\$73,413	\$42,427
2	\$86,734	\$50,365	\$75,399	\$43,575
3	\$87,237	\$50,657	\$75,836	\$43,827
4	\$85,882	\$49,870	\$74,658	\$43,146
5	\$74,756	\$43,410	\$64,986	\$37,557

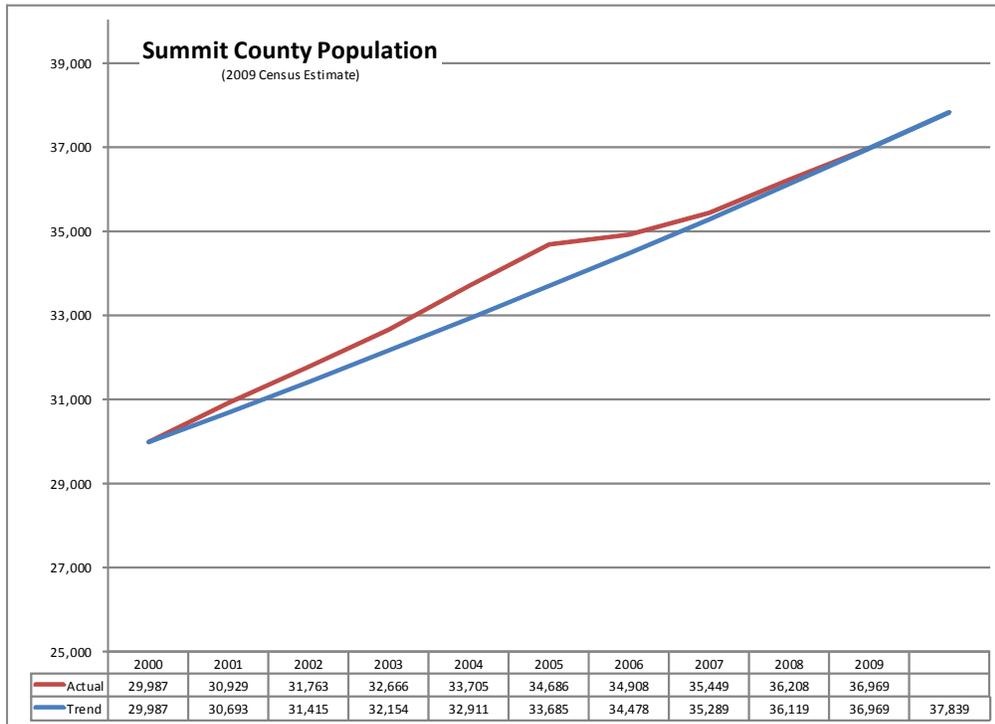
Source – calculated based on 2006-2010 American Community Survey 5-Year Estimates , *Public Use Microdata Sample*, (PUMS), United States, prepared by the. U.S. *Census Bureau*

FIGURE 20

UTAH COUNTIES IN PUMA 400	
<i>2006-2010 ACS 5-year Public Use Microdata Samples (PUMS)</i>	
	Population
Carbon County	19,989
Daggett County	941
Duchesne County	17,948
Emery County	10,629
Grand County	9,660
Morgan County	8,908
San Juan County	15,049
Summit County	36,969
Uintah County	31,536
Wasatch County	21,600
Total	173,229

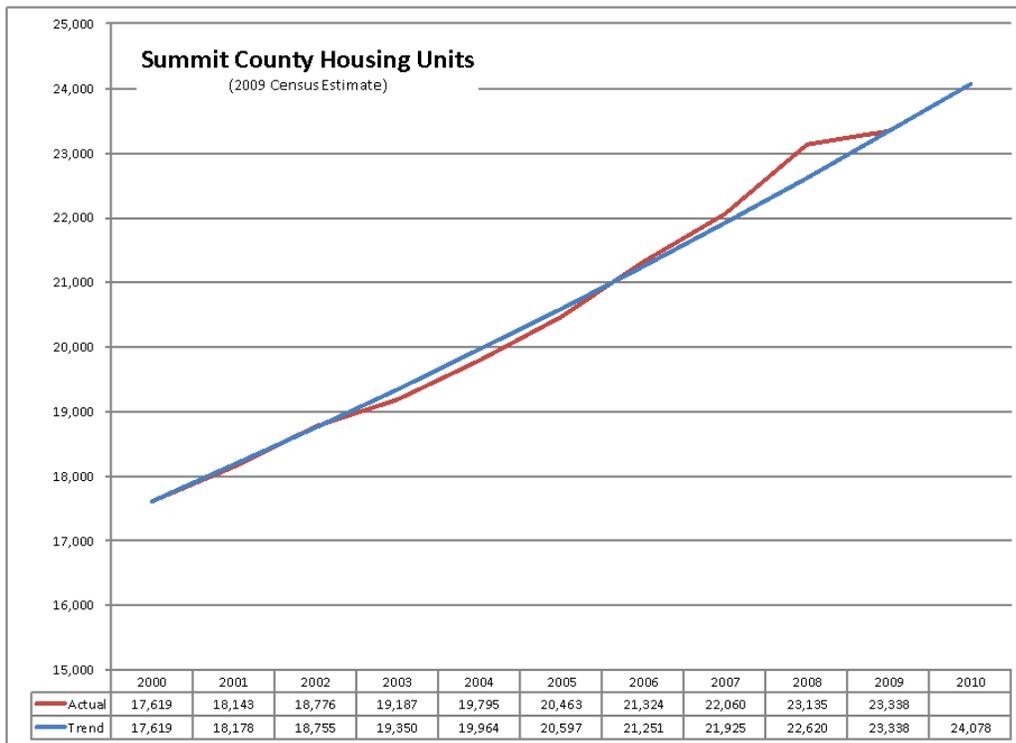
Source – 2006-2010 American Community Survey 5-Year Estimates , *Public Use Microdata Sample*, (PUMS), United States, prepared by the. U.S. *Census Bureau*

FIGURE 21



Source – .US Census Bureau Population Estimates, Intercensal Estimates for Summit County population, 2009 - <http://www.census.gov/popest/data/datasets.html>

FIGURE 22



Source – .US Census Bureau Population Estimates, Intercensal Estimates for Summit County population, 2009 - <http://www.census.gov/popest/data/datasets.html>

APPENDIX

EMPLOYEE HOME AND DESTINATION

FIGURE 23

WHERE WORKERS LIVE						
<i>Summary of LED Home Area Destination Report for Summit County</i>						
	Park City		Snyderville Basin Planning Area		East County Planning Area	
	(number of workers in each study area)					
Total Jobs (workers) in The Study Area	9,431		5,303		2,076	
Study Area Residents Who Have Jobs Live & Work in The Study Area	3,906		7,589		3,450	
	1,911		1,182		923	
Place of Residence for Study Area Workers						
Summit County, UT	4,733		2,142		1,147	
Salt Lake County, UT	2,150		1,646		380	
Wasatch County, UT	991		380		157	
Other	1,557		1,135		392	
Total	9,431		5,303		2,076	
Detailed Place of Residence for Study Area Workers						
Summit County, UT						
Park City city, UT	1,911		556		70	
Snyderville CDP, UT	908		427		56	
Summit Park CDP, UT	778		529		64	
Silver Summit CDP, UT	496		226		34	
Kamas city, UT			0		243	
Other Summit County	640		404		680	
Salt Lake County, UT						
Salt Lake City , UT	712		448		81	
Millcreek CDP, UT	325		232		51	
Sandy city, UT	197		143		35	
West Valley City , UT	111		109		26	
Other Salt Lake County	805		714		187	
Wasatch County, UT						
Heber city, UT	723		293		112	
Other Wasatch County	268		87		45	
Utah County, UT	476		352		83	
Davis County, UT	251		224		96	
Weber County, UT	104		115		92	
Cache County, UT	91		85		17	
Tooele County, UT	60		60		14	
Morgan County, UT	47		32		23	
All Other Locations	528		267		67	
Total	9,431		5,303		2,076	
Characteristics of Workers						
Male	5,273	56%	2,971	56%	1,346	65%
Female	4,158	44%	2,332	44%	730	35%
Age 29 or younger	3,427	36%	2,124	36%	609	29%
Age 30 to 54	4,563	48%	2,568	48%	1,181	57%
Age 55 or older	1,441	15%	611	15%	286	14%
Income \$15,000 or Less	5,190	55%	2,117	40%	563	27%
Income \$15,000 to \$40,000	2,571	27%	2,009	38%	810	39%
Income More than \$40,000	1,670	18%	1,177	22%	703	34%

Source – .US Census Bureau Local Employment Dynamics (LED), LED on the Map, Work Area Profile, Home destination and work destination reports. <http://lehd.did.census.gov/led/datatools/datatools.html>. The LED analysis is reported in terms of Park City, Park City School District and Summit County, and is here recast in terms of the three affordable housing study areas.

FIGURE 24

WHERE RESIDENTS ARE EMPLOYED			
<i>Summit County Housing Affordability Analysis</i>			
	Park City	Snyderville Basin Planning Area	East County Planning Area
	(number of workers in each study area)		
Total Jobs (workers) in The Study Area	9,431	5,303	2,076
Study Area Residents Who Have Jobs	3,906	7,589	3,450
Live & Work in The Study Area	1,911	687	790
Place of Work for Study Area Residents			
Summit County, UT	2,537	3,825	1,660
Salt Lake County, UT	882	2,780	876
Wasatch County, UT	25	76	107
Other	462	908	807
Total	3,906	7,589	3,450
Detailed Place of Work for Study Area Resic			
Summit County, UT			
Park City city, UT	1,911	2,362	460
Snyderville CDP, UT	329	687	157
Silver Summit CDP, UT	76	183	203
Summit Park CDP, UT	70	229	50
Kamas city, UT		0	247
Other Summit County	151	364	543
Salt Lake County, UT			
Salt Lake City city, UT	443	1,319	323
Murray city, UT	69	220	61
West Valley City city, UT	61	272	103
Sandy city, UT	60	150	60
Millcreek CDP, UT	49	170	47
Other Salt Lake County	200	649	282
Utah County, UT			
Provo city, UT			0
Other Utah County	135	257	197
Davis County, UT	91	193	124
Weber County, UT	54	147	116
Cache County, UT	37	80	52
Wasatch County, UT	25	76	107
Uintah County, UT		35	22
Uinta County, WY		0	61
Sweetwater County, WY		0	47
All Other Locations	145	196	188
Total	3,906	7,589	3,450
Characteristics of Residents			
Male	2,124		1,953
Female	1,782		1,497
Age 29 or younger	1,271		1,153
Age 30 to 54	2,053		1,775
Age 55 or older	582		522
Income \$15,000 or Less	1,839		1,179
Income \$15,000 to \$40,000	1,075		1,305
Income More than \$40,000	992		966

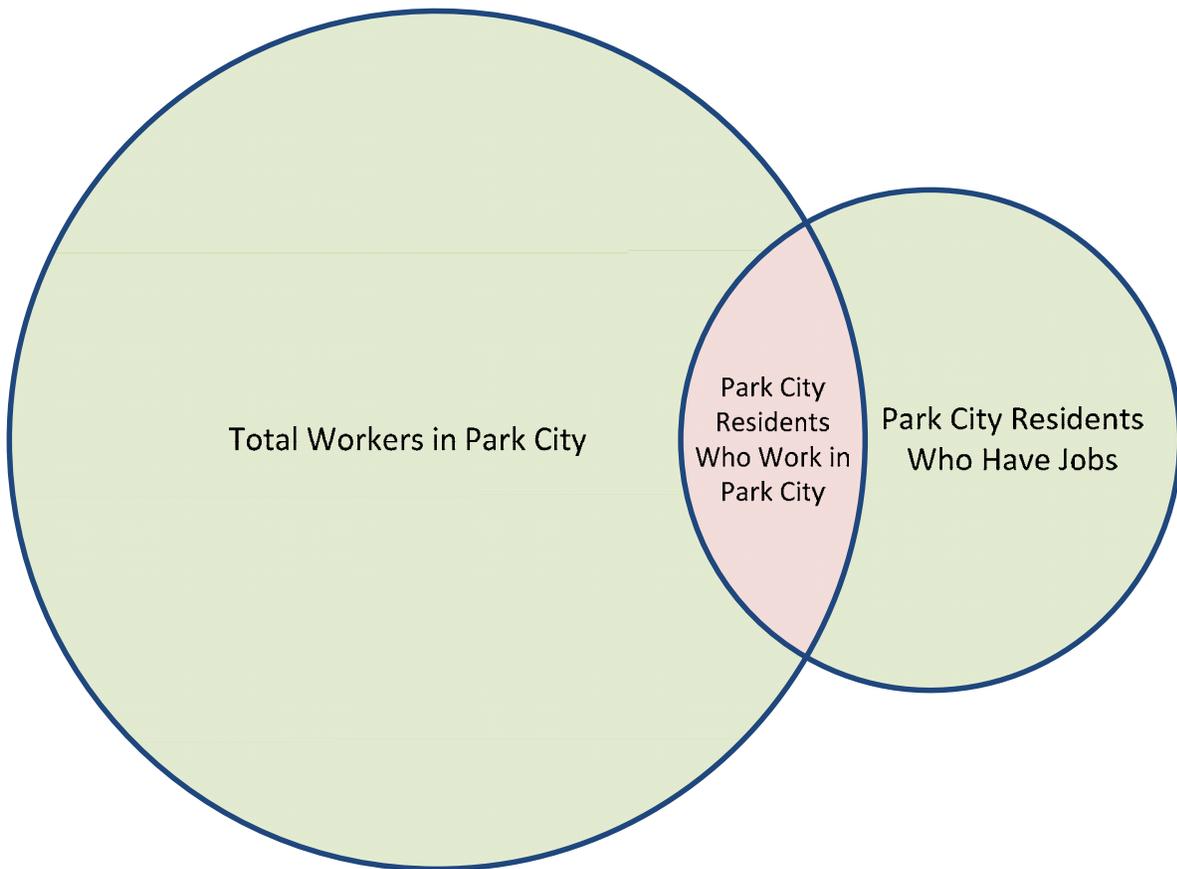
Private sector primary jobs - 2009

Source – .US Census Bureau Local Employment Dynamics (LED), LED on the Map, Work Area Profile, Home destination and work destination reports. <http://lehd.did.census.gov/led/datatools/datatools.html>

Figure 25 illustrates the concept of home area/work area destination reports.

FIGURE 25

Illustration of A Work Area Origin and Destination
Profile
Using Park City as An Example



HOUSING PRICE GAP SOURCE NOTES

This section shows source notes and supporting calculations for the housing affordability “price” gap calculated in Figure 11.

FIGURE 26

HOUSING PRICE GAP SOURCE NOTES	
Summit County Housing Affordability Analysis	
Description	Estimating Assumptions Source Notes
Household Income	Income is calculated assuming employment in Summit County, and based on the average
Summit County Average Monthly Wage	Average monthly wages for Summit County - Q2 2011 - State of Utah Workforce Services. http://jobs.utah.gov/jsp/wi/utalmis/gotoCounties.do
Other Earnings (tips, bonus, overtime, incentives)	Estimate
Other Income (investments, non-cash benefits)	Estimate
Workers per Household (# FTE)	Data source is Census Transportation Planning Products - calculated value using Tables 14100 and 13100 - workers per household and number of households for Utah urban, 2009 - http://data.ctpp.transportation.org/CTPP/TableViewer/document.aspx?ReportId=1786
Part-time job earnings	Part-time wages are 50% of Summit County average wages.
Purchase Price Assumptions	
Shelter Cost % of Income	This is a commonly used measure of shelter cost burden
Estimated Property Insurance	
Insured Value (improvements % of market value)	Estimate. Assumes that homeowners insurance is calculated based on the value of improvements, not including land.
Estimated Average Rate (% of insurable value)	This is an estimate.
Estimated Real Estate Tax	
Est. Avg Tax Rate	Estimated as the average of 2011 tax rates for assessment districts 10, 13, 27, 29. Estimate is calculated as shown in the Appendix, Figure labeled "Estimated Real Estate Tax")
Taxable value (primary res.) % of Market Value	Summit County primary residential taxable value % of market value
Utilities (gas, and electricity)	The estimate is calculated as shown in the Appendix, Figure labeled "Estimated Average Utility Expense")
Down Payment (% of purchase price)	Estimate of typical down payment for affordable unit, from Mountainlands Community Housing
Mortgage Rate	MCHT estimate
Mortgage Term	MCHT estimate
Condominium Fee (per month)	MCHT estimate. This is not used in the calculation of the single family price gap.
Closing Cost	MCHT estimate
Affordable Purchase Price	
Household Income (per month)	Monthly household income (from annual income as calculated as above).
Shelter Cost % of Income	From Shelter Cost % of Income, above
Maximum Housing Payment (per month)	Calculated as the product of income and shelter cost burden.
Property Insurance	Calculated as the product of affordable purchase price, insured value, and estimated rate.
Real Estate Tax	Calculated as the product of affordable purchase price, taxable value, and estimated rate.
Utilities	From utilities cost as calculated above
Condominium Fee	Used only for the calculation of of multi family price gap.
Monthly Mortgage Payment	Calculated as Maximum Monthly Housing Cost less Property Insurance, Real Estate Tax and utilities and Condominium Fee (multi family only)
Mortgage Amount	Calculated as the present value of Monthly Mortgage Payment, Mortgage Rate and Term
Down Payment	Calculated as the product of Affordable Purchase Price and Down Payment %.
Closing Cost	From Closing Cost, above
Affordable Purchase Price (rounded)	Calculated as the sum of Mortgage Amount and Down Payment, less Closing Cost.
Housing Unit Market Value	Housing unit value is calculated using 2011 market value from the Summit County Assessor's Office.
2011 median market value per sq. ft.,	The average of median per square foot market values for single family/multi family units 600 to 1,599 square feet. Square foot value is calculated as the quotient of market value and square footage. Square footage includes basement and living area. Market value for the Snyderville Basin Planning Area is calculated based real estate assessment districts for the Park City School District (not including Park City) - assessment districts include 10,11,12,13,14,28,29,30,56,57. Market value for the East County planning area includes all Summit County assessment districts, less the Snyderville Basing Planning Area and Park City (districts 6,7,8,9,60,61,61)
Unit Area (unit equivalent, sq. ft.)	Square footage from the Planning Department for a unit equivalent residential unit.
Market Value	Calculated as the product of Market Value per Sq. Ft. and UE square footage.

FIGURE 27

ESTIMATED REAL ESTATE TAX RATE		
<i>Estimated Average Tax Rate</i>		
Tax District Number	Name	2011 Real Estate Tax
10	Canyons	0.00853800
13	Jeremy	0.00902700
27	Silver Creek	0.01003000
29	Highland Estates	0.00902700
Example Market Value		\$320,400
Taxable % OF Value		55%
Taxable Value		\$176,220
Tax Revenue		
10	Canyons	\$1,505
13	Jeremy	\$1,591
27	Silver Creek	\$1,767
29	Highland Estates	\$1,591
Average		\$1,613
Average Tax Revenue % of Taxable Value		0.92%

Source – tax rates from Summit County Assessor’s Office. Example Market Value is Snyderville Basin single family value from Figure 11.

FIGURE 28

ESTIMATED AVERAGE UTILITIES EXPENSE		
<i>Summit County Housing Affordability Analysis</i>		
	Total	Per Month
Single Family (3 and 3 bedroom)		
Electricity	\$1,132	\$94
Natural Gas	\$636	\$53
Total	\$1,768	\$147
Apartment (2 bedroom)		
Electricity	\$842	\$70
Natural Gas	\$433	\$36
Total	\$1,275	\$106

Source – U.S. Energy Information Administration microdata, 2005 (data updated to 2009). Utility expense for mountain division, 2 and 3 bedroom single family units.

<http://www.eia.gov/consumption/residential/data/2005/index.cfm#tabs-2>

SUMMIT COUNTY JOBS

FIGURE 29

SUMMIT COUNTY JOBS						
<i>Ranked by Earnings (2010 Q1, Q2, Q3 and 2011 Q1)</i>						
Salary Rank	NAICS Category and Description	Average Annual Earnings	Monthly	Hourly	Number of Jobs	% of Jobs
1	334 Computer and Electronic Product Manufacturing	\$161,040	\$13,420	\$78.63	131	1%
2	522 Credit Intermediation and Related Activities	\$87,336	\$7,278	\$42.64	167	1%
3	423 Merchant Wholesalers, Durable Goods	\$72,600	\$6,050	\$35.45	97	1%
4	524 Insurance Carriers and Related Activities	\$71,304	\$5,942	\$34.82	92	1%
5	541 Professional, Scientific, and Technical Services	\$64,920	\$5,410	\$31.70	692	4%
6	517 Telecommunications	\$63,096	\$5,258	\$30.81	86	0%
7	237 Heavy and Civil Engineering Construction	\$51,924	\$4,327	\$25.35	335	2%
8	236 Construction of Buildings	\$46,860	\$3,905	\$22.88	274	2%
9	621 Ambulatory Health Care Services	\$44,376	\$3,698	\$21.67	472	3%
10	813 Religious, Grantmaking, Civic, Professional, and Similar Organizations	\$42,276	\$3,523	\$20.64	272	1%
11	531 Real Estate	\$39,744	\$3,312	\$19.41	1,010	6%
12	454 Nonstore Retailers	\$39,432	\$3,286	\$19.25	174	1%
13	441 Motor Vehicle and Parts Dealers	\$36,516	\$3,043	\$17.83	91	0%
14	611 Educational Services	\$34,968	\$2,914	\$17.07	342	2%
15	238 Specialty Trade Contractors	\$34,068	\$2,839	\$16.63	535	3%
16	711 Performing Arts, Spectator Sports, and Related Industries	\$33,216	\$2,768	\$16.22	411	2%
17	561 Administrative and Support Services	\$33,180	\$2,765	\$16.20	604	3%
18	713 Amusement, Gambling, and Recreation Industries	\$32,868	\$2,739	\$16.05	2,794	15%
19	451 Sporting Goods, Hobby, Book, and Music Stores	\$30,144	\$2,512	\$14.72	292	2%
20	444 Building Material and Garden Equipment and Supplies Dealers	\$28,788	\$2,399	\$14.06	182	1%
21	721 Accommodation	\$28,488	\$2,374	\$13.91	2,262	12%
22	445 Food and Beverage Stores	\$25,536	\$2,128	\$12.47	594	3%
23	812 Personal and Laundry Services	\$25,404	\$2,117	\$12.40	208	1%
24	485 Transit and Ground Passenger Transportation	\$24,804	\$2,067	\$12.11	202	1%
25	442 Furniture and Home Furnishings Stores	\$24,648	\$2,054	\$12.04	95	1%
26	453 Miscellaneous Store Retailers	\$24,480	\$2,040	\$11.95	180	1%
27	452 General Merchandise Stores	\$23,088	\$1,924	\$11.27	235	1%
28	624 Social Assistance	\$22,344	\$1,862	\$10.91	178	1%
29	448 Clothing and Clothing Accessories Stores	\$20,304	\$1,692	\$9.91	862	5%
30	722 Food Services and Drinking Places	\$18,048	\$1,504	\$8.81	2,426	13%
31	447 Gasoline Stations	\$17,172	\$1,431	\$8.38	168	1%
	Not Specified			\$0.00	1,761	10%
	All NAICS subsectors	\$36,384	\$3,032	\$17.77	18,224	100%

Source – .US Census Bureau, Local Employment Dynamics, Industry Focus. High Growth Industries. All 31 eligible industries. State=Utah, County=043 Summit, Sex=Male and Female, Age=14-99. Private Firms Only. Group: NAICS 3-digit industry name. Average Quarterly Employment (2010Q2,2010Q3, 2010Q4,2011Q1).

FIGURE 30

SUMMIT COUNTY JOBS						
<i>Ranked by # Jobs (2010 Q1, Q2, Q3 and 2011 Q1)</i>						
Salary Rank	NAICS Category and Description	Average Annual Earnings	Monthly	Hourly	Number of Jobs	% of Jobs
	6 517 Telecommunications	\$63,096	\$5,258	\$30.81	86	0%
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	1 334 Computer and Electronic Product Manufacturing	\$161,040	\$13,420	\$78.63	131	1%
	2 522 Credit Intermediation and Related Activities	\$87,336	\$7,278	\$42.64	167	1%
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	12 454 Nonstore Retailers	\$39,432	\$3,286	\$19.25	174	1%
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	20 444 Building Material and Garden Equipment and Supplies Dealers	\$28,788	\$2,399	\$14.06	182	1%
	24 485 Transit and Ground Passenger Transportation	\$24,804	\$2,067	\$12.11	202	1%
	23 812 Personal and Laundry Services	\$25,404	\$2,117	\$12.40	208	1%
	27 452 General Merchandise Stores	\$23,088	\$1,924	\$11.27	235	1%
	10 813 Religious, Grantmaking, Civic, Professional, and Similar Organizations	\$42,276	\$3,523	\$20.64	272	1%
	8 236 Construction of Buildings	\$46,860	\$3,905	\$22.88	274	2%
	19 451 Sporting Goods, Hobby, Book, and Music Stores	\$30,144	\$2,512	\$14.72	292	2%
	7 237 Heavy and Civil Engineering Construction	\$51,924	\$4,327	\$25.35	335	2%
	14 611 Educational Services	\$34,968	\$2,914	\$17.07	342	2%
	16 711 Performing Arts, Spectator Sports, and Related Industries	\$33,216	\$2,768	\$16.22	411	2%
	9 621 Ambulatory Health Care Services	\$44,376	\$3,698	\$21.67	472	3%
	15 238 Specialty Trade Contractors	\$34,068	\$2,839	\$16.63	535	3%
	22 445 Food and Beverage Stores	\$25,536	\$2,128	\$12.47	594	3%
	17 561 Administrative and Support Services	\$33,180	\$2,765	\$16.20	604	3%
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	29 448 Clothing and Clothing Accessories Stores	\$20,304	\$1,692	\$9.91	862	5%
	11 531 Real Estate	\$39,744	\$3,312	\$19.41	1,010	6%
	21 721 Accommodation	\$28,488	\$2,374	\$13.91	2,262	12%
	30 722 Food Services and Drinking Places	\$18,048	\$1,504	\$8.81	2,426	13%
	18 713 Amusement, Gambling, and Recreation Industries	\$32,868	\$2,739	\$16.05	2,794	15%
	Not Specified			\$0.00	1,761	10%
	All NAICS subsectors	\$36,384	\$3,032	\$17.77	18,224	100%

Source – .see Figure 29

Title/Chapter/Section:

Go To

[Search Code by Key Word](#)[<< Previous Section \(17-27a-402\)](#)[Next Section \(17-27a-404\) >>](#)[Utah
Code](#)[Title 17](#) Counties[Chapter
27a](#) County Land Use, Development, and Management ActSection
403 Plan preparation.**17-27a-403. Plan preparation.**

(1) (a) The planning commission shall provide notice, as provided in Section [17-27a-203](#), of its intent to make a recommendation to the county legislative body for a general plan or a comprehensive general plan amendment when the planning commission initiates the process of preparing its recommendation.

(b) The planning commission shall make and recommend to the legislative body a proposed general plan for the unincorporated area within the county.

(c) (i) The plan may include planning for incorporated areas if, in the planning commission's judgment, they are related to the planning of the unincorporated territory or of the county as a whole.

(ii) Elements of the county plan that address incorporated areas are not an official plan or part of a municipal plan for any municipality, unless it is recommended by the municipal planning commission and adopted by the governing body of the municipality.

(2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:

(i) a land use element that:

(A) designates the long-term goals and the proposed extent, general distribution, and location of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and

(B) may include a statement of the projections for and standards of population density and building intensity recommended for the various land use categories covered by the plan;

(ii) a transportation and traffic circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, and any other modes of transportation that the planning commission considers appropriate, all correlated with the population projections and the proposed land use element of the general plan; and

(iii) an estimate of the need for the development of additional moderate income housing within the unincorporated area of the county, and a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.

(b) In drafting the moderate income housing element, the planning commission:

(i) shall consider the Legislature's determination that counties should facilitate a reasonable opportunity for a variety of housing, including moderate income housing:

(A) to meet the needs of people desiring to live there; and

(B) to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life; and

(ii) may include an analysis of why the recommended means, techniques, or combination of means and techniques provide a realistic opportunity for the development of moderate income housing within the planning horizon, which means or techniques may include a recommendation to:

(A) rezone for densities necessary to assure the production of moderate income housing;

(B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing;

(C) encourage the rehabilitation of existing uninhabitable housing stock into moderate

income housing;

(D) consider general fund subsidies to waive construction related fees that are otherwise generally imposed by the county;

(E) consider utilization of state or federal funds or tax incentives to promote the construction of moderate income housing;

(F) consider utilization of programs offered by the Utah Housing Corporation within that agency's funding capacity; and

(G) consider utilization of affordable housing programs administered by the Department of Workforce Services.

(c) In drafting the land use element, the planning commission shall:

(i) identify and consider each agriculture protection area within the unincorporated area of the county; and

(ii) avoid proposing a use of land within an agriculture protection area that is inconsistent with or detrimental to the use of the land for agriculture.

(3) The proposed general plan may include:

(a) an environmental element that addresses:

(i) the protection, conservation, development, and use of natural resources, including the quality of air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources; and

(ii) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards;

(b) a public services and facilities element showing general plans for sewage, water, waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them, police and fire protection, and other public services;

(c) a rehabilitation, redevelopment, and conservation element consisting of plans and programs for:

(i) historic preservation;

(ii) the diminution or elimination of blight; and

(iii) redevelopment of land, including housing sites, business and industrial sites, and public building sites;

(d) an economic element composed of appropriate studies and forecasts, as well as an economic development plan, which may include review of existing and projected county revenue and expenditures, revenue sources, identification of basic and secondary industry, primary and secondary market areas, employment, and retail sales activity;

(e) recommendations for implementing all or any portion of the general plan, including the use of land use ordinances, capital improvement plans, community development and promotion, and any other appropriate action;

(f) provisions addressing any of the matters listed in Subsection [17-27a-401](#)(2); and

(g) any other element the county considers appropriate.

Amended by Chapter 212, 2012 General Session

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CHAPTER 1

PROGRAM FOR RESORT AND MOUNTAIN DEVELOPMENT

SECTION:

- 10-1-1: Statement of Purpose
- 10-1-2: Maintaining a Balanced Community
- 10-1-3: New Model for Neighborhood and Community Planning

10-1-1: STATEMENT OF PURPOSE:

- A. The Snyderville Basin General Plan (hereinafter referred to as the "plan"), was developed to ensure that the resort and mountain character of the basin is to be embraced and protected, while suburban development patterns, which erode the unique character of the basin, is discouraged and, to the extent possible, prohibited. Additionally, the General Plan was developed to ensure that resort and mountain development occurred in harmony with the mountain environment. The development pattern of the Snyderville Basin shall be rural in nature, with low densities of one unit per twenty (20) acres, and up to one unit per ten (10) acres in certain instances, to ensure the rural character. These low rural densities will help to protect the mountain environment.
- B. Interspersed in the rural environment of the Snyderville Basin, tightly knit, neighbor friendly, town, village and resort centers shall be permitted in designated locations. Each type of center must serve the specific function stated in the General Plan and in this Title. The character of these centers, particularly the town and village centers, shall be patterned after traditional communities, but each shall be phased to ensure proper growth and concurrency management. These centers shall be designed to maintain and renew a sense of place and foster a feeling of belonging.
- C. It must be shown that these centers will benefit, not detract from, the general health, safety and welfare of the entire community. Higher density town, village and resort centers can only be achieved through significant contributions to the community at large. The nature of the contributions in order to achieve higher development densities are established in this Title. Moreover, there must be a transfer of density from outside of the designated center, where development is less desirable, to the center.
- D. The intention of the County is to assure the managed, proper and sensitive development of land to protect and enhance these desired qualities and the lifestyle that exists. In adopting the Snyderville Basin Development Code (hereinafter referred to as "this Title"), the County will fully exercise all of the powers granted to it by Utah Code Annotated, Title 17 to require, to the extent possible and practical, that all development is consistent with the goals and expectations of the residents. In order to accomplish the stated purpose, this Title will:

1. Ensure that the quality and character of all development undertaken in the Snyderville Basin will be compatible with the mountain environment and the resort nature of the area.
2. Protect the environmentally sensitive nature of the land.
3. Promote a community of neighborhoods, where rural open space is interspersed with traditional small town characteristic forms as the dominant patterns of development.
4. Provide a new model for community and neighborhood planning, integrating concepts of traditional zoning with incentives offered by the community, which together are intended to allow the creative energies of residents, property owners and developers, along with the County, to achieve our vision of the future, as described in the plan.
5. Ensure and maintain balanced community growth, with an appropriate commercial and industrial base to support the general costs associated with residential development.
6. Ensure that there is adequate infrastructure and services in place prior to development approval.
7. Ensure that development mitigates and pays its fair share of the impacts it creates on the community through an approval process which is equitable to all parties.
8. Ensure that individual residential development projects, to the extent reasonable, minimize its impact on the desired community balance. (Ord. 323, 3-9-1998)

10-1-2: MAINTAINING A BALANCED COMMUNITY:

- A. The County shall strive to maintain a balanced community. By balanced, it is meant a variety of land uses, including residential development, is desirable. It is recognized that most residential development does not pay for the impact it creates. The exception to this is the large, expensive home that produces a substantial assessed valuation for tax purposes. However, it is the community desire that there be a variety of housing types. Residential development requires a variety of governmental, social and other services. It generates impacts on fire, recreation, and other special districts that serve the Snyderville Basin.
- B. While it is possible to minimize the impact of residential development, it is necessary that there be an appropriate amount of commercial and industrial

development to offset the impact of residential development. For this reason, the Snyderville Basin General Plan has identified the type of growth pattern that the residents believe will produce the most sustainable community balance. The County will undertake an economic and community impact assessment related to the type of growth espoused in the General Plan to define the baseline between revenues available and expenditures required to provide local government and special district services.

- C. Future amendments to the General Plan shall, among other things, consider the impact of the proposed development on the desired community balance, as established by the economic and community impact assessment. While it is recognized that most residential development will not adequately pay for the costs associated with it, any residential development that unreasonably or inappropriately affects the desired balance between expenditures requested to support development and the resources available to pay for the associated impacts is not appropriate and will not be approved. (Ord. 323, 3-9-1998)

10-1-3: NEW MODEL FOR NEIGHBORHOOD AND COMMUNITY PLANNING:

- A. This Title will implement a new model for community and neighborhood planning. Its objective is a community development pattern which is based on traditional town planning principles and rural open spaces, not the traditional types of suburban development that has been occurring in past years. This Title is intended to ensure that development shall have the following principal characteristics:
1. Compactness and tight development form;
 2. Medium densities within principal development pods;
 3. Town and resort centers will permit the most intense development areas within the Snyderville Basin; with the sole town center at Kimball's Junction. These centers will permit higher densities because they shall be required to provide appropriate economic enhancements in the form of various tax revenues and fees that are required to help sustain residential development throughout the Snyderville Basin.
 4. A focal point or center, with street edge buildings, mixed uses, gathering places, public buildings and facilities, parks and open spaces;
 5. Commercial uses that are of a type and scale that are appropriate for a mountain and resort environment and the specific neighborhood in which they are located;
 6. Residential neighborhoods adjacent to and surrounding the

community/neighborhood activity center;

7. Pedestrian friendly, but also automobile accessible;
 8. Streets and parking lots scaled for typical use, rather than worst case;
 9. Civic open spaces within and rural open spaces and lower densities on the edges and beyond;
 10. An appropriate system of trails and roads that connect the principal development pods; and
 11. The transfer of density from the least desirable development sites to those areas that is most consistent with these principles.
- B. This Title will serve as a systematic, consistent and comprehensive mechanism to implement the community's vision for the basin, as described in the plan. To accomplish the community's desires, this Title hereby establishes rules, regulations and standards that define:
1. An underlying or "initial zoned density" for all lands based on the current use of the property and the unique characteristics of the land;
 2. Sound land use planning principles which would be mandatory for all new development; and
 3. Community design standards that will ensure that the quality and character of all development and matches the desires of the community and maintains desired service levels. (Ord. 323, 3-9-1998)



STAFF REPORT

To: Summit County Council (SCC)
Report Date: Thursday, September 6, 2012
Meeting Date: Wednesday, September 12, 2012
Author: Kimber Gabryszak, AICP
Title: Amendments to Snyderville Basin Development Code Chapter 10-5

EXECUTIVE SUMMARY: The Snyderville Basin Planning Commission (SBPC) and Staff have been working on amendments to clean up, clarify, and update the affordable housing chapter of the Snyderville Basin Development Code (Code), Chapter 10-5.

Staff recommends that the SCC review the proposed amendments in preparation for a public hearing tentatively scheduled for later in September.

A. Project Description

- **Project Name:** Code Section 10-5, general amendments
- **Type of process:** Legislative
- **Type of Action:** Work session
- **Future Routing:** Public hearing & decision by SCC

B. Background

In December 2007, Summit County adopted the inclusionary housing language now contained in Section 10-5 of the Snyderville Basin Development Code: Workforce Housing. This portion requires all new development in the Snyderville Basin to provide some affordable housing. In July 2008, the incentive portion, Section 10-5-16 (aka CORE) was adopted.

In June of 2011, the SCC placed the CORE program under moratorium; the SBPC held a public hearing on November 15, 2011, and voted to forward a positive recommendation to the SCC on amendments to Chapter 10-5 repealing the CORE program.

After three (3) years of applying the mandatory requirements to various developments, several other amendments were proposed to clean up and clarify various sections of the mandatory language. These amendments were discussed at the November 15, 2011 hearing, and the SBPC voted to continue the decision pending further edits recommended to Staff. The SBPC discussed the amendments again at their February 28, 2012 meeting,

and suggested several other minor changes. They again discussed the amendments at a meeting on March 13, 2012. Following that meeting, Staff placed the amendments on hold pending the 2012 Affordable Housing Needs Assessment and Model, which was recently reviewed and recommended by the SBPC.

The 2012 Needs Assessment was recently recommended to the SCC, who is scheduled to review the 2012 Needs Assessment on September 6, 2012 and potentially make a decision concerning its adoption later in September. Some of the proposed amendments to the Code are intended to incorporate the information in the 2012 Needs Assessment.

After the Needs Assessment recommendation, the SBPC held a work session on the code amendments on August 14, 2012 and a public hearing on August 28, 2012. The SBPC voted unanimously to forward a positive recommendation on the amendments to the SCC, with several suggested changes.

In short, the SBPC discussed these amendments:

- in public hearing on November 15, 2011
- in continued discussion on February 28, 2012
- in continued discussion on March 13, 2012
- in work session July 31, 2012
- in work session on August 14, 2012
- in public hearing on August 28, 2012, at which time they made a positive recommendation

C. **Community Review**

This item has been placed on the agenda as a work session. A public hearing has tentatively been scheduled for late September 2012.

D. **Identification and Analysis of Issues**

The proposed amendments include the following:

- Change “workforce” to “affordable” per SBPC discussion
- Edit the Affordable Unit Equivalent (AUE) formulas to help people work backward and forward, and changing the format from a table to a list
- Edit the AUE formulas to lessen the incentive for building all larger units, and encourage smaller units (the total square footage requirement gets less as smaller units are proposed)
- Increase the reductions in requirements that are available to developers when they target lower income households to incentivize the development of housing targeting incomes of less than 50% of the Area Median Income
- Modify the fee-in-lieu and how it is calculated

- Remove the income percentages and replace them with the HUD definitions of Low Income, Very Low Income, and Extremely Low Income
- Add seniors to the target population
- Remove the maximum number of AUEs for commercial and residential projects to qualify for fees-in-lieu
- Provide more options for off-site housing for both residential and commercial developments
- Exempt the first 5,000 square feet of commercial from the housing requirement
- Make off-site housing more feasible, and make it easier for developers to work with housing non-profits
- Change the allowable sales and rental price calculations to be more in line with Federal standards (30% annual income rather than 35%).
- Add needs assessment timeline
- Other minor changes

Mandatory percentage

At the July 31, 2012 and August 14, 2012 work sessions, the SBPC discussed whether or not to reduce the mandatory requirement from 20% to 15%. At the August 28, 2012 hearing, the SBPC voted to reduce the requirement to 15% for commercial development, and keep the residential requirement at 20%.

At the SBPC request, Staff provided Park City Municipal Corporation's housing ordinance as Exhibit C. PCMC requires 15% of residential development to be affordable, and for commercial developers to provide housing for 20% of their predicted employee generation.

Staff has been working with various commercial developers, which has indicated that one of the most difficult components for project approvals has been the provision of affordable housing.

For reference, Staff has done the calculation on an example 20,000 square foot development of general office, both with and without the proposed exemption for the first 5,000 s.f.. The results are outlined in tables 1 and 2 below.

Table 1: Impacts without exempting the first 5,000 s.f. from the obligation:

Proposal	20,000 s.f medium office	20,000 s.f medium office	20,000 s.f medium office
Est. employees per 1000 s.f.	3.7	3.7	3.7
Estimated total employees	$20 \times 3.7 = 74$	$20 \times 3.7 = 74$	$20 \times 3.7 = 74$
Obligation rate	20% of employees	15% of employees	10% of employees
Employees to house	$74 \times .20 = 14.8$	$74 \times .15 = 11.1$	$74 \times 0.10 = 7.4$
1.5 workers per household & 1.2 jobs per worker	$14.8 \div 1.5 \div 1.2 = 8.22$	$11.1 \div 1.5 \div 1.2 = 6.17$	$7.4 \div 1.5 \div 1.2 = 4.11$
# of AUEs	8.22	6.17	4.11
AUE approx. s.f.	$8.22 \times 900 = 7395$	$6.17 \times 900 = 5553$	$4.11 \times 900 = 3699$
% of development square footage	36.99%	27.7%	18.5%
~ cost to build	\$100/s.f. = \$739,500 \$125/s.f. = \$934,375	\$100/s.f. = \$555,300 \$125/s.f. = \$694,125	\$100/s.f. = \$369,900 \$125/s.f. = \$462,375
~fee in lieu, current (~\$86,600 per AUE)	\$711,852	\$534,322	\$355,926
~fee in lieu, future (~120,000 per AUE)	\$986,400	\$740,400	\$493,200

Table 2: Impacts after exempting the first 5,000 s.f. from the obligation:

Proposal	20,000 s.f medium office	20,000 s.f medium office	20,000 s.f medium office
Obligation after exempt 5,000 s.f.	15,000 s.f.	15,000 s.f.	15,000 s.f.
Est. employees per 1000 s.f.	3.7	3.7	3.7
Estimated total employees	$15 \times 3.7 = 55.5$	$15 \times 3.7 = 55.5$	$15 \times 3.7 = 55.5$
Obligation rate	20% of employees	15% of employees	10% of employees
Employees to house	$55.5 \times .20 = 11.1$	$55.5 \times .15 = 8.32$	$55.5 \times 0.10 = 5.55$
1.5 workers per household & 1.2 jobs per worker	$11.1 \div 1.5 \div 1.2 = 6.17$	$8.32 \div 1.5 \div 1.2 = 4.62$	$5.55 \div 1.5 \div 1.2 = 3.08$
# of AUEs	6.17	4.62	3.08
AUE approx. s.f.	$6.17 \times 900 = 5553$	$4.62 \times 900 = 4158$	$3.08 \times 900 = 2772$
% of development square footage	27.7%	20.79%	13.86%
~ cost to build	\$100/s.f. = \$555,300 \$125/s.f. = \$694,125	\$100/s.f. = \$415,800 \$125/s.f. = \$519,750	\$100/s.f. = \$277,200 \$125/s.f. = \$346,500
~fee in lieu, current (~\$86,600 per AUE)	\$534,322	\$400,092	\$266,728
~fee in lieu, future (~120,000 per AUE)	\$740,400	\$554,400	\$369,600

In the interest of economic opportunities in the Snyderville Basin, Staff recommended that the first 5,000 s.f. of new and expanded commercial development be exempt from the requirements, and that the obligation for commercial development be reduced to 15% from the current 20% of employees generated. Staff also recommended that the exemption be limited to a one-time opportunity. **The SBPC agreed and made it a part of their recommendation to the SCC.**

Other amendments

Staff also made several additional changes to the Code based on the direction of the SBPC. These are highlighted in yellow in the attached draft and include:

- Adding a one-time limit to the 5,000 s.f. exemption for commercial development to prohibit use of this exemption to skirt the housing requirement entirely
- Allow off-site housing for residential development where it would improve walkability and transportation
- Add a marketing component
- Add language requiring energy efficiency
- Allowing fees-in-lieu for any housing obligation
- Allow units in a single building to all be the same size and / or style and / or income level
- Clarify that multifamily housing is subject to the permitting requirements of the Code (i.e. in many zones a multifamily dwelling is a conditional use permit)

E. General Plan

The Affordable Housing element of the General Plan is in the process of being edited, but the Affordable Housing Element still in effect includes goals for ensuring that affordable housing is provided within the community. The amendments are in line with this element and these goals, as well as with both the existing 2006 Needs Assessment, which is an appendix to the General Plan, and the 2012 Needs Assessment, which is pending a decision by the SCC.

F. Findings/ Code Criteria and Discussion

Before an amendment to the Development Code can be approved, it must be reviewed in compliance with Section 10-7-3-C and meet the following criteria:

1. The amendment shall be consistent with the goals, objectives, and policies of the General Plan.
The proposed amendments are consistent with the goals, objectives, and policies of the housing element of the General Plan. The proposed amendments promote provision of affordable housing in the community.
2. The amendment shall not permit the use of land that is not consistent with the uses of properties nearby.
The proposed amendments will not permit uses that are inconsistent with existing neighborhood uses, through such requirements as ensuring that affordable units be designed similarly to market units.

3. The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted.
The amendments will not allow development of housing on properties where it is otherwise prohibited.
4. The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property.
Projects proposed which contain affordable units will still be required to meet all other Code requirements and standards.
5. The amendment will not grant special favors or circumstances solely for one property owner or developer.
The amendments are being proposed for the entire Basin.
6. The amendment will promote the public health, safety and welfare better than the existing regulations for which the amendment is intended to change.
The amendments will better serve the public in clarifying requirements and increasing compatibility.

G. Recommendation(s)/Alternatives

Staff recommends that the SCC review the proposed amendments and give direction and feedback to Staff in preparation for a public hearing to be held at a later date.

Exhibit(s)

- A. Section 10-5 with updated proposed changes, working (pages 7-22)
- B. Section 10-5 with updated proposed changes, clean (pages 23-38)
- C. PCMC housing ordinance (pages 39-50)

CHAPTER 5

AFFORDABLE HOUSING

SECTION:

- 10-5-1: Intent
- 10-5-2: Methodology and Applicability
- 10-5-3: Affordable Housing Development Requirements
- 10-5-4: Affordable Unit Equivalents (AUEs)
- 10-5-5: Residential Base Requirement
- 10-5-6: Commercial Base Requirement
- 10-5-7: Commercial Alternatives
- 10-5-8: Mixed-Use Requirement
- 10-5-9: Off-Site Affordable Housing
- 10-5-10: Fees-In-Lieu
- 10-5-11: Accessory Dwelling Units (ADUs)
- 10-5-12: Fee Waivers
- 10-5-13: Allowable Prices
- 10-5-14: Enforcement/Management
- 10-5-15: Approval Process

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10-5-1: INTENT

A. The purposes of this ordinance are to:

1. Provide requirements, guidelines, and incentives for the construction of housing affordable to Extremely Low Income, Very Low Income, and Low Income households in the Snyderville Basin;
2. Implement the affordable housing goals, policies, and objectives contained in the Snyderville Basin General Plan;
3. Ensure a wide variety of affordable housing options and opportunities for residents, seniors, workers, and special needs individuals in the Snyderville Basin;
4. Maintain a balanced community that provides housing for people of all income levels; and,
5. Implement planning for affordable housing as required by State Code,

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10-5-2: METHODOLOGY AND APPLICABILITY

A. Affordable Housing Needs; The County shall adopt a needs assessment model to determine the need for affordable housing, types of housing, special needs, and specific incomes to be targeted in the Snyderville Basin. The model shall be utilized to update the needs assessment, no less than once every five (5) years, unless requested sooner by the Planning Commission or County Council.

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B. Base Requirement: There shall be a base requirement to provide affordable housing throughout all zones of the Snyderville Basin. The base requirement shall apply to all new residential, commercial, and mixed use development, and shall be calculated using Affordable Unit Equivalents (AUEs).

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C. Exemptions: The following developments shall not be required to provide additional affordable housing:

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1. The construction of Accessory Dwelling Units in single-family residences.

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2. The construction of a single-family residence on an existing Lot of Record.

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3. The expansion of an existing residence.

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4. The construction of Schools, churches, public facilities, and other institutional uses.

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5. A change or expansion of an existing commercial use which is less than a 15% increase in the existing structure gross square footage or total project square footage, but no greater than 5,000 square feet; this is a one-time exemption.

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6. The first 5,000 square feet of a new commercial use; this is a one-time exemption.

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7. A change or expansion of an existing commercial use which is less than a 15% increase of the existing total acreage but no greater than 2 acres, if the use is primarily outdoors.

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8. A change in use which does not increase the employee generation by more than 2 employees per 1000 sq. ft., as outlined in paragraphs B and C below.

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D. Definitions:

1. Area Median Income (AMI): the amount of income which divides the income distribution of the area into two equal groups, half having income above that amount, and half having income below that amount as determined by the U.S. Department of Housing and Urban Development for Summit County from time to time.

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Comment [2]: Are there other terms that the SCC would like to see defined here?

2. Median lot size: half of all lots in the development are larger, and half are smaller.

10-5-3: AFFORDABLE HOUSING REQUIREMENTS

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A. All developments containing affordable units shall enter into a Housing Agreement with Summit County. The Housing Agreement shall be recorded against all parcels and units in the development identified as affordable, and shall include the following:

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1. Identification of the units to be deed restricted as affordable housing, including but not limited to unit ID number and / or address, square footage, location, and style of unit.
2. A specification of allowed starting sales and / or rental price(s), price increase methodology, and target household size and income range, for each unit.
3. Management plan for the affordable units, including the process for buyer qualification to ensure that employees working and living in Summit County are given priority. The management plan shall conform to a template to be provided by Summit County.
4. A copy of the approved deed restriction or document to assure affordability to be recorded against the individual affordable units.
5. Good faith marketing plan for the units. All sellers or owners of deed restricted affordable units shall engage in good faith marketing efforts each time a deed restricted unit is rented or sold such that members of the public who are qualified to rent or purchase such units have a fair chance of becoming informed of the availability of such units. A public marketing plan shall be submitted by the developer for the initial sale or lease of the units.

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B. Affordable units shall meet all of the following criteria:

1. The specific unit type and design shall be consistent with the character of the surrounding neighborhood and / or development. If the development contains both market rate and affordable units, the exterior design, look and feel, and finishes of affordable units shall match the exterior design, look and feel and finishes of market rate units in the development. Interior finishes may differ between affordable and market rate units.
2. Affordable housing units shall comply with all the development standards outlined in Chapter 4 of this Title, and shall comply with the requirements of the underlying zone, with the exceptions outlined in this Chapter.
3. The minimum size of an affordable housing unit shall be based on the category of unit, as outlined in Section 10-5-4 of this Chapter: "Affordable Unit Equivalents."
4. The affordable housing component in a development shall be constructed concurrently with the rest of the development. Each phase of a project must contain a proportionate amount of the required affordable housing. This applies to both on-site and off-site housing.
5. The affordable housing component of a development shall be constructed within the development site, except as outlined in this Chapter.
6. Residential parking shall be provided at a minimum rate of one (1) space per SRO, studio, or one-bedroom unit, and two (2) spaces per unit for multiple-

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bedroom units. Visitor parking will also be provided throughout the project at a rate of 0.25 spaces per unit.

7. The affordable units shall be provided in a variety of prices so that multiple income levels, as outlined in Section 10-5-13 of the Chapter, are targeted. No one target income level may make up more than 75% of the affordable units, except in cases where the total number of affordable units provided is ten (10) or fewer, or where the Land Use Authority determines that a different unit mix is compatible with the proposed development, or where all units are approved to be located in a single structure.

8. The affordable units shall be provided in a variety of sizes and styles, as outlined in Table 1 in Section 10-5-4 of this Chapter. No one size or style of unit may make up more than 75% of the affordable units, except in cases where the total number of affordable units provided is ten (10) or fewer, or where the Land Use Authority determines that a different unit mix is compatible with the proposed development, or where all units are approved to be located in a single structure.

9. To allow for the structures to be compatible with market homes within the subdivision and the existing neighborhoods the homes constructed can be multifamily to avoid having smaller homes within a larger home community. As an example, if the surrounding homes average 5000 square feet, it may be preferable to have a three-unit home of 4500 square feet rather than three 1500 square foot homes. Multifamily structures shall be subject to the permitting requirements in Chapter 2 of this title.

10. The minimum length of time for a unit to be deed restricted as an affordable unit shall be sixty (60) years as measured from issuance of Certificate of Occupancy, which may be renewable for an additional term.

11. All deed-restricted rental units shall be rented for a minimum period of 90 consecutive days. Nightly and weekly rentals shall be prohibited.

a. Exception: Special needs emergency/transitional/athlete/employee housing shall be exempt from the 90 day limitation, but shall be rented for a sufficient period to prevent nightly and weekly rentals. To qualify for the exemption, there must be a quantified, demonstrated need for the emergency/transitional housing within the Summit County boundaries, and the housing must be developed in collaboration with a federally recognized, 501(c)(3) nonprofit organization. The housing must satisfy all other requirements of this Chapter.

12. The maximum initial sales price or rent of an affordable unit shall be limited to a price that is affordable either to an "Extremely Low Income", "Very Low Income", or "Low Income" household as defined by the Department of Housing and Urban Development (HUD) for the Area Median Income (AMI) for Summit County each year, and annual appreciation shall be limited through a deed restriction to ensure that the unit remains affordable over time. Notwithstanding this

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provision, the deed restrictions may provide for sales or rental to higher income households in the event the unit is not sold or rented within a reasonable time.

13. In addition to the net income limit, qualifying households are limited to a net worth of four (4) times the AMI.

14. Master Leases: A qualified non-profit organization, or employer desiring to provide qualifying employees with affordable housing, may purchase or lease existing affordable units when a master-lease program is approved, whereby the non-profit organization or employer will rent or lease the units to qualifying employee households. A management plan shall be approved by Summit County and recorded against the affordable units as part of, or an amendment to, a Housing Agreement.

15. In an effort to ensure that the affordable housing is available for qualified individuals:

a. All renters of affordable units will be required to certify annually to the County, or its designee, that they still qualify for the targeted percentage of AMI. If a renter no longer qualifies for the housing, their lease will not be renewed and the property will then be made available to a qualifying renter.

b. If a for-sale unit owner's household's income increases to an amount above the targeted percentage of AMI while occupying a affordable unit, the household shall not be required to sell the unit. Upon vacating the premises naturally, a for-sale unit shall be sold pursuant to the terms of the deed restriction.

16. Households currently living or working in Summit County shall have priority in obtaining affordable units, through a selection process determined by the Legislative Body of Summit County, subject to compliance with Federal and State Fair Housing requirements.

17. A deed restriction shall be approved by the County and recorded on all affordable dwelling units. A template restriction approved by the Legislative body of Summit County shall be used for all new affordable units, unless substitute restrictions setting forth substantially the same information are provided by a community oriented housing non-profit group for units they develop, and if the substitute restriction is approved by the legislative body of Summit County. Such substitute restrictions may include the use of a Community Land Trust or management by a local housing nonprofit to ensure long-term control and stewardship. The deed restriction templates shall be reviewed annually, and shall at a minimum outline the following:

- a. income and net-worth qualification
- b. term of applicability
- c. assignable County right of first refusal
- d. allowable capital improvements

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- e. maintenance
- f. occupancy requirements
- g. rental and sales policies
- h. starting sales and rental prices
- i. allowable annual price increase
- j. reporting and monitoring structures
- k. management
- l. enforcement provisions

18. These restrictions may be modified to satisfy State and / or Federal requirements, if a project receives State and / or Federal Funding that requires modifications.

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19. All for sale and rental affordable units shall be certified by an independent qualified evaluator, at a minimum, Energy Star or its equivalent energy efficient certification.

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10-5-4: AFFORDABLE UNIT EQUIVALENTS (AUEs)

A. Affordable Unit Equivalents (AUEs): All new development shall be required to provide a certain number of Affordable Unit Equivalents (AUEs), as outlined in this Chapter.

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B. AUE is defined as a “two-bedroom unit with 900 square feet of net livable space, measured exterior wall to exterior wall.” Multiple smaller units together may constitute one AUE, or fewer larger units, according to the conversion in Section C below.

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C. AUE conversions:

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1. Dormitory Unit:

a. Minimum size = 150 square feet per bed

b. 1 AUE = 5 beds (1 bed = 0.2 AUE)

c. Example: 8 AUEs = 40 beds

i. $8 \times 5 = 40$, or

ii. $8 \div 0.2 = 40$

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2. Single Room Occupancy (SRO) Unit:

a. Minimum unit size = 275 square feet

b. 1 AUE = 2.75 units (1 unit = 0.3636 AUE)

c. Example: 8 AUEs = 22 units

i. $8 \times 2.75 = 22$, or

ii. $8 \div 0.36 = 22$

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3. Studio Unit

a. Minimum unit size = 400 square feet

b. 1 AUE = 2.0 units (1 unit = 0.5 AUE)

c. Example: 8 AUEs = 16 units

i. $8 \times 2.0 = 16$, or

ii. $8 \div 0.5 = 16$

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4. One Bedroom Unit
 - a. Minimum unit size = 650 square feet
 - b. 1 AUE = 1.25 unit (1 unit = 0.8 AUE)
 - c. Example: 8 AUEs = 10 units
 - i. $8 \times 1.25 = 10$, or
 - ii. $8 \div 0.36 = 10$

5. Two Bedroom Unit
 - a. Minimum unit size = 900 square feet
 - b. 1 AUE = 1 unit
 - c. Example: 8 AUEs = 8 units
 - i. $8 \times 1 = 8$, or
 - ii. $8 \div 1 = 8$

6. Three Bedroom Unit
 - a. Minimum unit size = 1150 square feet
 - b. 1 AUE = 0.80 unit (1 unit = 1.25 AUEs)
 - c. Example: 8 AUEs = 6.4 units
 - i. $8 \times 0.80 = 6.4$, or
 - ii. $8 \div 1.25 = 6.4$

7. Four Bedroom Unit
 - a. Minimum unit size = 1400 square feet
 - b. 1 AUE = 0.70 unit (1 unit = 1.43 AUEs)
 - c. Example: 8 AUEs = 5.6 units
 - i. $8 \times 2.75 = 5.6$, or
 - ii. $8 \div 1.43 = 5.6$

D. AUE Application:

1. Dormitory and SRO Units shall only be permitted to meet the requirement for commercial and resort uses, and shall not be permitted in single-family residential neighborhoods.

2. If units are provided that are larger than the minimum size outlined in Table 1, the number of units per AUE may be reduced, but:
 - a. in no case may the reduction exceed a total of 10% of the obligated AUEs for a development, and
 - b. in no case may the credit per unit exceed 150 sq. ft. per Dormitory unit, SRO, Studio, or one bedroom unit, and
 - c. for multiple bedroom units, in no case may the additional square footage credited towards the AUEs exceed 150 sq. ft. multiplied by the number of bedrooms.

- E. Fractional Obligation: if the total number of required AUEs contains a decimal, and the units provided do not account for the entire decimal, then the developer shall pay a fee in lieu for the remaining fractional obligation only. In no case shall the number of AUEs provided be less than the whole number portion of the obligation.

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- Example: If a developer has an obligation of 13.4 AUEs, and 13.2 AUEs are provided, a fee in lieu shall be paid for the 0.2 remainder, as outlined in Section 10-5-11. In this case the number of AUEs provided may not be less than 13, the whole number portion of the obligation.

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F. Reductions in requirement:

- If a developer provides all the required affordable housing up front, (prior to the first certificate of occupancy for the market portion of the development), the number of required AUEs may be reduced by up to 25% at the discretion of the Land Use Authority.
- If a developer provides the required affordable housing in such a manner that the average household income targeted does not exceed 50% of the Area Median Income, the number of required AUEs may be reduced by up to 25%.
- If a developer provides the required affordable housing in such a manner that the average household income targeted does not exceed 40% of the Area Median Income, the number of required AUEs may be reduced by up to 40%.
- If a developer provides the required affordable housing in such a manner that the average household income targeted does not exceed 30% of the Area Median Income, the number of required AUEs may be reduced by up to 50%.

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10-5-5: RESIDENTIAL BASE REQUIREMENT

- A. Obligation rate: All new residential development shall be required to develop or ensure the development of affordable housing at a rate of 20 percent (20%) of the units in a development. The affordable housing obligation shall be met concurrently with the construction of market rate units.

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- Calculation of Required AUEs: The total number of allowed market rate units shall be multiplied by twenty percent (20%). The resulting number shall represent the total number of AUEs required of the project, shall be provided in addition to the allowed market rate units in the project, and shall not count against the allowed density of the project.

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- Expansion: When existing development applies for additional units, the obligation rates shall be calculated on the net unit increase only.

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B. Example Calculation for Residential Development Requirement:

Number of Allowed Market Units in Example Development = 23,
 Obligation Rate = 23 x 20% = 4.6,
 Total AUEs Required = 4.6,
Total units permitted: 23 market + 4.6 workforce = 27.6 units,
Result: 27 units, fee-in-lieu for 0.6

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Deleted: C. - Required units shall be provided on site and integrated into the development at the discretion of the Planning Commission, the payment of an in lieu fee for all or a portion of the affordable housing obligation.

C. In projects developing for-sale lots, where the developer does not construct units on the lots but requires the purchaser to do so, the developer shall be required to create lots for the development of affordable housing at a rate of 20% of the total approved market-rate lots in the development.

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1. The affordable lots may be donated to an approved housing non-profit organization for the development of affordable housing on the lots. Utilities, curb and gutter, water shares and / or rights, and other necessary improvements shall be completed and provided by the developer so that an approved housing non-profit organization receives a construction-ready lot free and clear of all encumbrances. All required fees, such as special service fees, water shares and/or rights, impact fees but excepting Building and Planning fees, shall be paid by the developer of the project prior to the donation of the lots, unless otherwise agreed to in writing by the non-profit organization.

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2. The smallest affordable lot shall be no smaller 50% the size of the median market rate lot in the development.

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3. The affordable lots and units shall be integrated into the development. The Land Use Authority shall have the discretion to modify this provision if they find that the development of affordable housing and the overall project will be enhanced by the non-integration of the affordable units based upon the design of the project, the type and size of the affordable housing provided and the character of the surrounding neighborhood.

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10-5-6: COMMERCIAL BASE REQUIREMENT

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A. **Obligation Rate:** For new commercial development, or expansion of existing commercial development, an applicant shall be required to develop or ensure the development of affordable housing to meet fifteen percent (15%) of the employee housing demand generated by the new development.

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B. **Employee Generation:** Average employee generation, defined as Full Time Equivalents (FTEs, 2080 hours) per 1000 net leasable square feet, is established as outlined in the Table 2 below:

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Comment [5]: Moved up to Section 10-5-2(C)

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Table 2: Employee Generation by Type of Use:

Types of Use	FTEs
Restaurant/Bar	6.5
High intensity, including but not limited to call centers, real estate / property management offices, recreation/amusements	5.6
Lodging / Hotel	0.6/room
Medium intensity offices, including but not limited to banking and professional services.	3.7
Commercial / Retail	3.3
Low intensity, including but not limited to utilities, education, medical offices, <u>light industry</u> , research parks.	2.62

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

C. Independent Calculation: an applicant may submit an independent calculation of the number of employees to be generated by a proposed development, to be used in place of the Employee Generation Table, subject to the following requirements:

1. The County shall create a pool of approved entities, persons, or groups to conduct independent calculations. The pool shall be chosen from on a strictly rotational basis; each subsequent application requesting an independent calculation shall be assigned to the next entity, person, or group on the approved list.
2. The Land Use Authority makes the final determination of whether or not the calculation constitutes compelling evidence of a more accurate calculation of employee generation than Table 2: Employee Generation by Type of Use.
3. Should the independent calculation not be accepted, then the applicable generation factor from the Employee Generation Table shall be applied to the proposed development.
4. Any acceptance of an Independent Calculation shall be site and use specific, non-transferable, and be memorialized in the Housing Agreement for the property, which shall be executed prior to the issuance of any building or development permits.

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D. Calculation of Required AUE(s): Required AUEs for commercial development shall be calculated using the following formula:

Formula:

$$\frac{(\text{Employee Generation} \times \text{Square Footage}) \div 1000 = \text{Employees Generated}}{(\text{Employees Generated} \times \text{Obligation Rate of } 10\%) = \# \text{ of employees to } \underline{\text{Mitigate}}}$$

$$(\text{Employees to } \underline{\text{Mitigate}} \div 1.5 \text{ workers per household} \div 1.2 \text{ jobs per employee}) = \underline{\text{AUE obligation}}$$

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E. Example Calculation for Commercial Development Requirement:

EXAMPLE: Commercial Development application for a 15,000 sq. ft. project.

First 5,000 sq. ft. are exempt; calculation done on 10,000 sq. ft.

Employee Generation, general category:
 $(4.4 \times 10,000) \div 1000 = 44$ employees generated

Mitigation:

<u>44</u> employees multiplied by <u>.10</u> (mitigation rate)	= <u>4.4</u> employees
<u>4.4</u> divided by 1.5 (workers per household)	= <u>2.93</u> employees
<u>2.93</u> divided by 1.2 (jobs per worker)	= <u>2.4 AUEs</u>

F. Winter Seasonal Units: an applicant for a commercial development may choose to satisfy employee housing requirements by provision of dormitory units designed for occupancy by seasonal employees. The dormitory units must meet the requirements of this chapter, as well as the following minimum standards:

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1. Occupancy of each dormitory unit shall be limited to no more than six (6) persons.
2. There shall be at least 150 square feet of net livable square footage per person, including sleeping and bathroom uses.
3. At least one (1) bathroom shall be provided for shared use by no more than four (4) persons. The bathroom shall contain at least one (1) toilet, one (1) wash basin, and one (1) shower.
4. A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Building Department's approval and determination that the facilities are adequate in size to service the number of people using the facility.
5. Use of a minimum of 20 net usable square feet per person of enclosed storage area located within, or adjacent to, the unit.

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6. Seasonal dormitories may be required to house qualified employees of the community at large; if the development or ongoing expense of the development are substantially subsidized by an employer, and if federal funds do not require otherwise, that employer may be permitted to first offer the units to its employees.

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Comment [6]: This contradicts with the ability for a fee-in-lieu to be paid for all AUE obligations.

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10-5-7: **ALTERNATIVES TO ON-SITE HOUSING**

A. Development may meet their AUE obligation in one of the following ways:

1. Construct on-site affordable units. This option is required for residential development, unless the developer demonstrates that off-site housing will be more effective for walkability and transportation purposes.
2. Construct off site affordable units as outlined below:
 - a. Prior to obtaining approval for the market site, a suitable alternate site for affordable housing, along with a conceptual site plan and unit layout for the alternate site, shall be presented by the applicant and approved by the County.
 - b. Prior to commencement of improvements of the market site, a draw-down

bond with a minimum two-year term shall be posted in the amount equal to the fee-in-lieu of the required AUEs.

i. In the event the required unit equivalents are not completed with a certificate of occupancy, or if substantial progress satisfactory to the County Legislative Body has not occurred within two years, the bond shall be drafted and all funds deposited shall be forfeited by the developer to the County.

c. Prior to receiving a Certificate of Occupancy for any portion of the market site, a development plan, site plan, final plat if required, elevations, deed restriction, housing agreement, and timeline of construction for the affordable units shall be approved, and recorded where required, by the County.

d. The off-site housing shall be constructed within two (2) years of the market development.

3. Pay a fee-in-lieu as outlined in this Chapter.

4. Purchase existing unit(s) at market rate, record a County approved deed restriction on the unit(s), and sell the unit(s) to qualifying household(s) at an affordable price. The existing units shall be subject to the size and income requirements of this Chapter.

5. Donate land of sufficient size to accommodate the number of required AUEs to the County or its designee.

a. Examples of County designees may include qualifying community-based housing non-profits such as Habitat for Humanity, Mountainlands Community Housing Trust, religious organizations, and Peace House. The recipient shall provide written acceptance setting forth the terms and conditions of the acceptance of the proposed donation to the County.

b. Utilities, curb and gutter, water shares and / or rights, and other necessary improvements shall be completed and provided by the developer so that an approved housing non-profit organization receives a construction-ready lot free and clear of all encumbrances. All required fees, such as special service fees, water shares and/or rights, impact fees but excepting Building and Planning fees, shall be paid by the developer of the project prior to the donation of the lots, unless otherwise agreed to in writing by the non-profit organization.

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10-5-8: MIXED-USE BASE REQUIREMENT

A. Mixed-Use Development Requirements: The obligation rate for the residential portion of the development shall be determined using the Residential Development Requirements, and the obligation rate for the commercial portion of the development shall be determined using the Commercial Development Requirements. The total

required AUEs shall be the sum of the residential obligation and the commercial obligation.

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10-5-9: FEES-IN-LIEU

A. Applicability: fees-in-lieu shall be available for any AUE obligation.

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B. Fee Amount: The in-lieu fee shall be defined as the difference between the amount of the Allowable Price as set forth in Section 10-5-13 for a Low Income household for a family of four (4) and the median assessed square footage value of a 2-bedroom home in the Snyderville Basin, multiplied by 900 square feet.

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C. Payment of Fees: All fees-in-lieu shall be placed in a separate County account designated for affordable housing purposes only; fees may instead be paid directly to an approved housing nonprofit upon approval by the appropriate Land Use Authority.

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D. Use of Fees: Use of the funds shall be approved on a case by case basis by the Chief Executive of Summit County. Some examples of permitted uses may include, but shall not be limited to, the following:

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1. To provide down payment and mortgage assistance to qualifying households.

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2. To provide fee assistance for special district impact fees, for example the Snyderville Basin Special Recreation District and Snyderville Basin Water Reclamation District, specifically for Affordable Housing units.

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3. To buy down the price of affordable units that have naturally appreciated so as to become unaffordable to a qualifying household.

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4. To assist qualifying community based housing non-profit organizations in their affordable housing endeavors.

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5. To assist in the construction of affordable housing on County owned property.

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6. To purchase and/or rehabilitate existing properties in the Snyderville Basin that are available at below-market-rate prices.

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7. To preserve existing affordable units by purchasing mortgages or units to protect them from foreclosure.

8. To provide funds to take advantage of potential opportunities that will enhance the objectives of this chapter.

10-5-10: ACCESSORY DWELLING UNITS (ADUs)

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A. Purpose: ADUs may provide a good source of seasonal affordable housing, as well as year-round affordable rental units. Requirements for ADUs are found in Section 10-8-5 of this Title. Unless deed restricted, made available to rent on a permanent basis, and placed under the management of the County or its designee, ADUs will not count

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toward the AUE obligation as they are considered part of a single-family dwelling.

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10-5-11: FEE WAIVERS

A. Applicability: Affordable units may be eligible for waivers of Building Department and Planning Department application and permit fees. The waivers shall apply only to affordable units and/or lots, and shall not apply to market-rate units and/or lots in a development containing affordable units.

B. Schedule: Affordable units may be granted waivers as outlined below, up to the full amount of fees actually applied:

1. A waiver of up to 50% of the fees for each unit targeting Low Income households.

2. A waiver of up to 75% of the fees for each unit targeting Very Low Income households.

3. A waiver of up to 100% of the fees for each unit targeting Extremely Low Income households.

C. Process: Prior to construction an applicant shall submit an application to the appropriate County department, containing the following:

1. A site plan showing the total number of units in the development, and identifying the affordable units.

2. A summary outlining the sales and / or rental prices of each individual affordable unit.

3. Non-profit developers shall be granted a waiver of any waived fees up front.

4. For-profit developers shall post a bond for all required fees; any waived amount shall be released to the developer upon project completion, and unwaived fees paid to the appropriate department.

5. The final decision concerning the approval of fee-waiver applications shall be made by the Chief Executive of Summit County.

10-5-12: ALLOWABLE PRICES

A. Prices: The rent and sales prices of affordable units shall be based upon the size of the unit. Units that are the minimum allowed size shall be priced at the low end of the allowed range, and units that exceed the minimum allowed size may be allowed to be priced in the middle or upper end of the allowed range. The allowed price ranges shall be set as follows:

1. Dorm units, SRO, and studio units shall be priced for Extremely Low Income

households, adjusted for household size.

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a. Dorm units and Single Room Occupancy (SRO) units shall have an assumed household size of 0.75 persons per 150 sq. ft., and Studio units shall have an assumed household size of 1 person.

2. One-bedroom units shall be priced for Very Low Income households, adjusted for household size. One bedroom units shall have an assumed household size of two (2) persons.

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3. Two-bedroom units shall be priced for Low Income households, and have an assumed household size of three (3) persons.

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4. Three bedroom or more units and larger shall be priced for Low Income households, and shall have an assumed household size of four (4) persons.

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5. The allowable price shall be calculated based upon the monthly income (as defined by federal standards) of qualifying households.

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1. For Sale Units: The allowable sales price shall be calculated so that the sum of the monthly mortgage payment, plus mortgage insurance, property taxes, and HOA dues not exceed 30% of a household's gross monthly income, and based upon the following assumptions:

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- a. An available fixed-rate 30-year mortgage, consistent with the First Time Homebuyer Rate offered by the Utah Housing Corporation, plus 50 basis points. A lower rate may be used in calculating affordable prices if the developer can guarantee the availability of a fixed-rate, 30-year mortgage at this lower rate for all of the inclusionary units.
- b. A down payment of no more than five percent (5%) of the purchase price.
- c. A calculation of property taxes, and
- d. A calculation of homeowner insurance and/or homeowner association fees.

1. Homeowner Association (HOA) fees shall be no more than the HOA fee for market rate units and shall be the lesser of the actual HOA fee or an annual amount equal to 1% of the allowable price as adjusted annually based upon the permitted increases in the allowable price as set forth in the deed restrictions. This limitation of HOA fees shall be set forth in the recorded deed restrictions

2. For Rent Units: The allowable rental price shall be calculated so that the monthly rent, plus utilities, does not exceed 30% of a household's gross monthly income.

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10-5-13: ENFORCEMENT / MANAGEMENT

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A. The County or its designee shall have the authority and responsibility to enforce

compliance with the requirements outlined in this Chapter. The provisions of this Chapter shall apply to all agents, successors, and assigns of an applicant. No building permit or Certificate of Occupancy shall be issued, nor development approval be granted, which does not meet the requirements of this Chapter. In the event it is determined that rents or sales prices in excess of those allowed by this Chapter have been charged to a renter or buyer of an affordable unit, the County or its designee shall take appropriate legal action to correct the situation.

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10-5-14: APPROVAL PROCESS

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A. Each project shall comply with the applicable Development Application Procedure and Approval Processes outlined in Chapter 3 of this Title.

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CHAPTER 5

AFFORDABLE HOUSING

SECTION:

- 10-5-1: Intent
- 10-5-2: Methodology and Applicability
- 10-5-3: Affordable Housing Development Requirements
- 10-5-4: Affordable Unit Equivalentents (AUEs)
- 10-5-5: Residential Base Requirement
- 10-5-6: Commercial Base Requirement
- 10-5-7: Commercial Alternatives
- 10-5-8: Mixed-Use Requirement
- 10-5-9: Off-Site Affordable Housing
- 10-5-10: Fees-In-Lieu
- 10-5-11: Accessory Dwelling Units (ADUs)
- 10-5-12: Fee Waivers
- 10-5-13: Allowable Prices
- 10-5-14: Enforcement/Management
- 10-5-15: Approval Process

10-5-1: INTENT

A. The purposes of this ordinance are to:

1. Provide requirements, guidelines, and incentives for the construction of housing affordable to Extremely Low-Income, Very Low Income, and Low Income households in the Snyderville Basin;
2. Implement the affordable housing goals, policies, and objectives contained in the Snyderville Basin General Plan;
3. Ensure a wide variety of affordable housing options and opportunities for residents, seniors, workers, and special needs individuals in the Snyderville Basin;
4. Maintain a balanced community that provides housing for people of all income levels; and,
5. Implement planning for affordable housing as required by State Code.

10-5-2: METHODOLOGY AND APPLICABILITY

A. Affordable Housing Needs: The County shall adopt a needs assessment model to determine the need for affordable housing, types of housing, special needs, and specific incomes to be targeted in the Snyderville Basin. The model shall be utilized to update the needs assessment no less than once every five (5) years, unless requested sooner by the Planning Commission or County Council.

- B. Base Requirement: There shall be a base requirement to provide affordable housing throughout all zones of the Snyderville Basin. The base requirement shall apply to all new residential, commercial, and mixed use development, and shall be calculated using Affordable Unit Equivalents (AUEs).
- C. Exemptions: The following developments shall not be required to provide additional affordable housing:
 1. The construction of Accessory Dwelling Units in single-family residences.
 2. The construction of a single-family residence on an existing Lot of Record.
 3. The expansion of an existing residence.
 4. The construction of Schools, churches, public facilities, and other institutional uses.
 5. A change or expansion of an existing commercial use which is less than a 15% increase in the existing structure gross square footage or total project square footage, but no greater than 5,000 square feet; **this is a one-time exemption.**
 6. The first 5,000 square feet of a new commercial use; **this is a one-time exemption.**
 7. A change or expansion of an existing commercial use which is less than a 15% increase of the existing total acreage but no greater than 2 acres, if the use is primarily outdoors.
 8. A change in use which does not increase the employee generation by more than 2 employees per 1000 sq. ft., as outlined in paragraphs B and C below.
- D. **Definitions:**
 1. **Area Median Income (AMI):** the amount of income which divides the income distribution of the area into two equal groups, half having income above that amount, and half having income below that amount as determined by the U.S. Department of Housing and Urban Development for Summit County from time to time.
 2. **Median lot size:** half of all lots in the development are larger, and half are smaller.

10-5-3: AFFORDABLE HOUSING REQUIREMENTS

- A. All developments containing affordable units shall enter into a Housing Agreement with Summit County. The Housing Agreement shall be recorded against all parcels and units in the development identified as affordable, and shall include the following:

1. Identification of the units to be deed restricted as affordable housing, including but not limited to unit ID number and / or address, square footage, location, and style of unit.
2. A specification of allowed starting sales and / or rental price(s), price increase methodology, and target household size and income range for each unit.
3. Management plan for the affordable units, including the process for buyer qualification to ensure that employees working and living in Summit County are given priority. The management plan shall conform to a template to be provided by Summit County.
4. A copy of the approved deed restriction or document to assure affordability to be recorded against the individual affordable units.
5. Good faith marketing plan for the units. All sellers or owners of deed restricted affordable units shall engage in good faith marketing efforts each time a deed restricted unit is rented or sold such that members of the public who are qualified to rent or purchase such units have a fair chance of becoming informed of the availability of such units. A public marketing plan shall be submitted by the developer for the initial sale or lease of the units.

B. Affordable units shall meet all of the following criteria:

1. The specific unit type and design shall be consistent with the character of the surrounding neighborhood and / or development. If the development contains both market rate and affordable units, the exterior design, look and feel, and finishes of affordable units shall match the exterior design, look and feel and finishes of market rate units in the development. Interior finishes may differ between affordable and market rate units.
2. Affordable housing units shall comply with all the development standards outlined in Chapter 4 of this Title, and shall comply with the requirements of the underlying zone, with the exceptions outlined in this Chapter.
3. The minimum size of an affordable housing unit shall be based on the category of unit, as outlined in Section 10-5-4 of this Chapter: "Affordable Unit Equivalents."
4. The affordable housing component in a development shall be constructed concurrently with the rest of the development. Each phase of a project must contain a proportionate amount of the required affordable housing. This applies to both on-site and off-site housing.
5. The affordable housing component of a development shall be constructed within the development site, except as outlined in this Chapter.
6. Residential parking shall be provided at a minimum rate of one (1) space per SRO, studio, or one-bedroom unit, and two (2) spaces per unit for multiple-

bedroom units. Visitor parking will also be provided throughout the project at a rate of 0.25 spaces per unit.

7. The affordable units shall be provided in a variety of prices so that multiple income levels, as outlined in Section 10-5-13 of the Chapter, are targeted. No one target income level may make up more than 75% of the affordable units, except in cases where the total number of affordable units provided is ten (10) or fewer, or where the **Land Use Authority** determines that a different unit mix is compatible with the proposed development, or where all units are approved to be located in a single structure.
8. The affordable units shall be provided in a variety of sizes and styles, as outlined in Table 1 in Section 10-5-4 of this Chapter. No one size or style of unit may make up more than 75% of the affordable units, except in cases where the total number of affordable units provided is ten (10) or fewer, or where the **Land Use Authority** determines that a different unit mix is compatible with the proposed development, or where all units are approved to be located in a single structure.
9. To allow for the structures to be compatible with market homes within the subdivision and the existing neighborhoods the homes constructed can be multifamily to avoid having smaller homes within a larger home community. As an example, if the surrounding homes average 5000 square feet, it may be preferable to have a three-unit home of 4500 square feet rather than three 1500 square foot homes. Multifamily structures shall be subject to the permitting requirements in **Chapter 2** of this title.
10. The minimum length of time for a unit to be deed restricted as an affordable unit shall be sixty (60) years as measured from issuance of Certificate of Occupancy, which may be renewable for an additional term.
11. All deed-restricted rental units shall be rented for a minimum period of 90 consecutive days. Nightly and weekly rentals shall be prohibited.
 - a. Exception: Special needs emergency/transitional/athlete/employee housing shall be exempt from the 90 day limitation, but shall be rented for a sufficient period to prevent nightly and weekly rentals. To qualify for the exemption, there must be a quantified, demonstrated need for the emergency/transitional housing within the Summit County boundaries, and the housing must be developed in collaboration with a federally recognized, 501(c)(3) nonprofit organization. The housing must satisfy all other requirements of this Chapter.
12. The maximum initial sales price or rent of an affordable unit shall be limited to a price that is affordable either to an "Extremely Low Income", "Very Low Income", or "Low Income" household as defined by the Department of Housing and Urban Development (HUD) for the Area Median Income (AMI) for Summit County each year, and annual appreciation shall be limited through a deed restriction to ensure that the unit remains affordable over time. Notwithstanding this

provision, the deed restrictions may provide for sales or rental to higher income households in the event the unit is not sold or rented within a reasonable time.

13. In addition to the net income limit, qualifying households are limited to a net worth of four (4) times the AMI.
14. Master Leases: A qualified non-profit organization, or employer desiring to provide qualifying employees with affordable housing, may purchase or lease existing affordable units when a master-lease program is approved, whereby the non-profit organization or employer will rent or lease the units to qualifying employee households. A management plan shall be approved by Summit County and recorded against the affordable units as part of, or an amendment to, a Housing Agreement.
15. In an effort to ensure that the affordable housing is available for qualified individuals:
 - a. All renters of affordable units will be required to certify annually to the County, or its designee, that they still qualify for the targeted percentage of AMI. If a renter no longer qualifies for the housing, their lease will not be renewed and the property will then be made available to a qualifying renter.
 - b. If a for-sale unit owner's household's income increases to an amount above the targeted percentage of AMI while occupying a affordable unit, the household shall not be required to sell the unit. Upon vacating the premises naturally, a for-sale unit shall be sold pursuant to the terms of the deed restriction.
16. Households currently living or working in Summit County shall have priority in obtaining affordable units, through a selection process determined by the Legislative Body of Summit County, subject to compliance with Federal and State Fair Housing requirements
17. A deed restriction shall be approved by the County and recorded on all affordable dwelling units. A template restriction approved by the Legislative body of Summit County shall be used for all new affordable units, unless substitute restrictions setting forth substantially the same information are provided by a community oriented housing non-profit group for units they develop, and if the substitute restriction is approved by the legislative body of Summit County. Such substitute restrictions may include the use of a Community Land Trust or management by a local housing nonprofit to ensure long-term control and stewardship. The deed restriction templates shall be reviewed annually, and shall at a minimum outline the following:
 - a. income and net-worth qualification
 - b. term of applicability
 - c. assignable County right of first refusal
 - d. allowable capital improvements

- e. maintenance
 - f. occupancy requirements
 - g. rental and sales policies
 - h. starting sales and rental prices
 - l. allowable annual price increase
 - j. reporting and monitoring structures
 - k. management
 - l. enforcement provisions
18. These restrictions may be modified to satisfy State and / or Federal requirements, if a project receives State and / or Federal Funding that requires modifications.
19. All for sale and rental affordable units shall be certified by an independent qualified evaluator, at a minimum, Energy Star or its equivalent energy efficient certification.

10-5-4: AFFORDABLE UNIT EQUIVALENTS (AUEs)

- A. Affordable Unit Equivalents (AUEs): All new development shall be required to provide a certain number of Affordable Unit Equivalents (AUEs), as outlined in this Chapter.
- B. AUE is defined as a “two-bedroom unit with 900 square feet of net livable space, measured exterior wall to exterior wall.” Multiple smaller units together may constitute one AUE, or fewer larger units, according to the conversion in Section C below.
- C. AUE conversions:
1. Dormitory Unit:
 - a. Minimum size = 150 square feet per bed
 - b. 1 AUE = 5 beds (1 bed = 0.2 AUE)
 - c. Example: 8 AUEs = 40 beds
 - i. $8 \times 5 = 40$, or
 - ii. $8 \div 0.2 = 40$
 2. Single Room Occupancy (SRO) Unit:
 - a. Minimum unit size = 275 square feet
 - b. 1 AUE = 2.75 units (1 unit = 0.3636 AUE)
 - c. Example: 8 AUEs = 22 units
 - i. $8 \times 2.75 = 22$, or
 - ii. $8 \div 0.36 = 22$
 3. Studio Unit
 - a. Minimum unit size = 400 square feet
 - b. 1 AUE = 2.0 units (1 unit = 0.5 AUE)
 - c. Example: 8 AUEs = 16 units
 - i. $8 \times 2.0 = 16$, or
 - ii. $8 \div 0.5 = 16$

4. One Bedroom Unit
 - a. Minimum unit size = 650 square feet
 - b. 1 AUE = 1.25 unit (1 unit = 0.8 AUE)
 - c. Example: 8 AUEs = 10 units
 - i. $8 \times 1.25 = 10$, or
 - ii. $8 \div 0.36 = 10$

5. Two Bedroom Unit
 - a. Minimum unit size = 900 square feet
 - b. 1 AUE = 1 unit
 - c. Example: 8 AUEs = 8 units
 - i. $8 \times 1 = 8$, or
 - ii. $8 \div 1 = 8$

6. Three Bedroom Unit
 - a. Minimum unit size = 1150 square feet
 - b. 1 AUE = 0.80 unit (1 unit = 1.25 AUEs)
 - c. Example: 8 AUEs = 6.4 units
 - i. $8 \times 0.80 = 6.4$, or
 - ii. $8 \div 1.25 = 6.4$

7. Four Bedroom Unit
 - a. Minimum unit size = 1400 square feet
 - b. 1 AUE = 0.70 unit (1 unit = 1.43 AUEs)
 - c. Example: 8 AUEs = 5.6 units
 - i. $8 \times 2.75 = 5.6$, or
 - ii. $8 \div 1.43 = 5.6$

D. AUE Application:

1. Dormitory and SRO Units shall only be permitted to meet the requirement for commercial and resort uses, and shall not be permitted in **single-family** residential neighborhoods.

2. If units are provided that are larger than the minimum size outlined in Table 1, the number of units per AUE may be reduced, but:
 - a. in no case may the reduction exceed a total of 10% of the obligated AUES for a development, and
 - b. in no case may the credit per unit exceed 150 sq. ft. per Dormitory unit, SRO, Studio, or one bedroom unit, and
 - c. for multiple bedroom units, in no case may the additional square footage credited towards the AUEs exceed 150 sq. ft. multiplied by the number of bedrooms.

- E. Fractional Obligation: if the total number of required AUEs contains a decimal, and the units provided do not account for the entire decimal, then the developer shall pay a fee in lieu for the remaining fractional obligation only. In no case shall the number of AUEs provided be less than the whole number portion of the obligation.

1. Example: If a developer has an obligation of 13.4 AUEs, and 13.2 AUEs are provided, a fee in lieu shall be paid for the 0.2 remainder, as outlined in Section 10-5-11. In this case the number of AUEs provided may not be less than 13, the whole number portion of the obligation.

F. Reductions in requirement:

1. If a developer provides all the required affordable housing up front, (prior to the first certificate of occupancy for the market portion of the development), the number of required AUEs may be reduced by up to 25% at the discretion of the Land Use Authority..
2. If a developer provides the required affordable housing in such a manner that the average household income targeted does not exceed 50% of the Area Median Income, the number of required AUEs may be reduced by up to 25%.
3. If a developer provides the required affordable housing in such a manner that the average household income targeted does not exceed 40% of the Area Median Income, the number of required AUEs may be reduced by up to 40%.
4. If a developer provides the required affordable housing in such a manner that the average household income targeted does not exceed 30% of the Area Median Income, the number of required AUEs may be reduced by up to 50%.

10-5-5: RESIDENTIAL BASE REQUIREMENT

A. Obligation rate: All new residential development shall be required to develop or ensure the development of affordable housing at a rate of 20 percent (20%) of the units in a development. The affordable housing obligation shall be met concurrently with the construction of market rate units.

1. Calculation of Required AUEs: The total number of allowed market rate units shall be multiplied by twenty percent (20%). The resulting number shall represent the total number of AUEs required of the project, shall be provided in addition to the allowed market rate units in the project, and shall not count against the allowed density of the project.
2. Expansion: When existing development applies for additional units, the obligation rates shall be calculated on the net unit increase only.

B. Example Calculation for Residential Development Requirement:

Number of Allowed Market Units in Example Development = 23
Obligation Rate = $23 \times 20\% = 4.6$
Total AUEs Required = 4.6
Total units permitted: 23 market + 4.6 workforce = 27.6 units
Result: 27 units, fee-in-lieu for 0.6

- C. In projects developing for-sale lots, where the developer does not construct units on the lots but requires the purchaser to do so, the developer shall be required to create lots for the development of affordable housing at a rate of 20% of the total approved market-rate lots in the development.
1. The affordable lots may be donated to an approved housing non-profit organization for the development of affordable housing on the lots. Utilities, curb and gutter, water shares and / or rights, and other necessary improvements shall be completed and provided by the developer so that an approved housing non-profit organization receives a construction-ready lot free and clear of all encumbrances. All required fees, such as special service fees, water shares and/or rights, impact fees but excepting Building and Planning fees, shall be paid by the developer of the project prior to the donation of the lots, unless otherwise agreed to in writing by the non-profit organization.
 2. The smallest affordable lot shall be no smaller 50% the size of the median market rate lot in the development.
 3. The affordable lots and units shall be integrated into the development. The Land Use Authority shall have the discretion to modify this provision if they find that the development of affordable housing and the overall project will be enhanced by the non-integration of the affordable units based upon the design of the project, the type and size of the affordable housing provided and the character of the surrounding neighborhood.

10-5-6: COMMERCIAL BASE REQUIREMENT

- A. **Obligation Rate:** For new commercial development, or expansion of existing commercial development, an applicant shall be required to develop or ensure the development of affordable housing to meet **fifteen percent (15%) of the** employee housing demand generated by the new development.
- B. **Employee Generation:** Average employee generation, defined as Full Time Equivalents (FTEs, 2080 hours) per 1000 net leasable square feet, is established as outlined in the Table 2 below:

Table 2: Employee Generation by Type of Use:

Types of Use	FTEs
Restaurant/Bar	6.5
High intensity, including but not limited to call centers, real estate / property management offices, recreation/amusements	5.6
Lodging / Hotel	0.6/room
Medium intensity offices, including but not limited to banking and professional services.	3.7
Commercial / Retail	3.3
Low intensity, including but not limited to utilities, education, medical offices, light industry, research parks.	2.62

Overall/General*	4.4
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* The Overall/General Type of Use shall apply to any use not listed in the Employee Generation Table if an Independent Calculation is not performed.

- C. Independent Calculation: an applicant may submit an independent calculation of the number of employees to be generated by a proposed development, to be used in place of the Employee Generation Table, subject to the following requirements:
1. The County shall create a pool of approved entities, persons, or groups to conduct independent calculations. The pool shall be chosen from on a strictly rotational basis; each subsequent application requesting an independent calculation shall be assigned to the next entity, person, or group on the approved list.
 2. The Land Use Authority makes the final determination of whether or not the calculation constitutes compelling evidence of a more accurate calculation of employee generation than Table 2: Employee Generation by Type of Use.
 3. Should the independent calculation not be accepted, then the applicable generation factor from the Employee Generation Table shall be applied to the proposed development.
 4. Any acceptance of an Independent Calculation shall be site and use specific, non-transferable, and be memorialized in the Housing Agreement for the property, which shall be executed prior to the issuance of any building or development permits.
- D. Calculation of Required AUE(s): Required AUEs for commercial development shall be calculated using the following formula:

Formula:

$$\frac{(\text{Employee Generation} \times \text{Square Footage}) \div 1000 = \text{Employees Generated}}{(\text{Employees Generated} \times \text{Obligation Rate of 10\%}) = \# \text{ of employees to Mitigate}}$$

$$(\text{Employees to Mitigate} \div 1.5 \text{ workers per household} \div 1.2 \text{ jobs per employee}) = \text{AUE obligation}$$

E. Example Calculation for Commercial Development Requirement:

EXAMPLE: Commercial Development application for a 15,000 sq. ft. project:

First 5,000 sq. ft. are exempt; calculation done on 10,000 sq. ft.

Employee Generation, general category:
 $(4.4 \times 10,000) \div 1000 = 44$ employees generated

Mitigation:

44 employees multiplied by .10 (mitigation rate)	= 4.4 employees
4.4 divided by 1.5 (workers per household)	= 2.93 employees
2.93 divided by 1.2 (jobs per worker)	= 2.4 AUEs

- F. Winter Seasonal Units: an applicant for a commercial development may choose to satisfy employee housing requirements by provision of dormitory units designed for occupancy by seasonal employees. The dormitory units must meet the requirements of this chapter, as well as the following minimum standards:
1. Occupancy of each dormitory unit shall be limited to no more than six (6) persons.
 2. There shall be at least 150 square feet of net livable square footage per person, including sleeping and bathroom uses.
 3. At least one (1) bathroom shall be provided for shared use by no more than four (4) persons. The bathroom shall contain at least one (1) toilet, one (1) wash basin, and one (1) shower.
 4. A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Building Department's approval and determination that the facilities are adequate in size to service the number of people using the facility.
 5. Use of a minimum of 20 net usable square feet per person of enclosed storage area located within, or adjacent to, the unit.
 6. Seasonal dormitories may be required to house qualified employees of the community at large; if the development or ongoing expense of the development are substantially subsidized by an employer, and if federal funds do not require otherwise, that employer may be permitted to first offer the units to its employees.

10-5-7: ALTERNATIVES TO ON-SITE HOUSING

- A. Development may meet their AUE obligation in one of the following ways:
1. Construct on-site affordable units. This option is required for residential development, unless the developer demonstrates that off-site housing will be more effective for walkability and transportation purposes.
 2. Construct off site affordable units as outlined below:
 - a. Prior to obtaining approval for the market site, a suitable alternate site for affordable housing, along with a conceptual site plan and unit layout for the alternate site, shall be presented by the applicant and approved by the County.
 - b. Prior to commencement of improvements of the market site, a draw-down

required AUEs shall be the sum of the residential obligation and the commercial obligation.

10-5-9: FEES-IN-LIEU

- A. Applicability: fees-in-lieu shall be available for any AUE obligation.
- B. Fee Amount: The in-lieu fee shall be defined as the difference between the amount of the Allowable Price as set forth in Section 10-5-13 for a Low Income household for a family of four (4) and the median assessed square footage value of a 2-bedroom home in the Snyderville Basin, multiplied by 900 square feet.
- C. Payment of Fees: All fees-in-lieu shall be placed in a separate County account designated for affordable housing purposes only; fees may instead be paid directly to an approved housing nonprofit upon approval by the appropriate Land Use Authority.
- D. Use of Fees: Use of the funds shall be approved on a case by case basis by the Chief Executive of Summit County. Some examples of permitted uses may include, but shall not be limited to, the following:
 - 1. To provide down payment and mortgage assistance to qualifying households.
 - 2. To provide fee assistance for special district impact fees, for example the Snyderville Basin Special Recreation District and Snyderville Basin Water Reclamation District, specifically for Affordable Housing units.
 - 3. To buy down the price of affordable units that have naturally appreciated so as to become unaffordable to a qualifying household.
 - 4. To assist qualifying community based housing non-profit organizations in their affordable housing endeavors.
 - 5. To assist in the construction of affordable housing on County owned property.
 - 6. To purchase and/or rehabilitate existing properties in the Snyderville Basin that are available at below-market-rate prices.
 - 7. To preserve existing affordable units by purchasing mortgages or units to protect them from foreclosure.
 - 8. To provide funds to take advantage of potential opportunities that will enhance the objectives of this chapter.

10-5-10: ACCESSORY DWELLING UNITS (ADUs)

- A. Purpose: ADUs may provide a good source of seasonal affordable housing, as well as year-round affordable rental units. Requirements for ADUs are found in Section 10-8-5 of this Title. Unless deed restricted, made available to rent on a permanent basis, and placed under the management of the County or its designee, ADUs will not count

toward the AUE obligation as they are considered part of a single-family dwelling.

10-5-11: FEE WAIVERS

- A. Applicability: Affordable units may be eligible for waivers of Building Department and Planning Department application and permit fees. The waivers shall apply only to affordable units and/or lots, and shall not apply to market-rate units and/or lots in a development containing affordable units.
- B. Schedule: Affordable units may be granted waivers as outlined below, up to the full amount of fees actually applied:
 - 1. A waiver of up to 50% of the fees for each unit targeting Low Income households.
 - 2. A waiver of up to 75% of the fees for each unit targeting Very Low Income households.
 - 3. A waiver of up to 100% of the fees for each unit targeting Extremely Low Income households.
- C. Process: Prior to construction an applicant shall submit an application to the appropriate County department, containing the following:
 - 1. A site plan showing the total number of units in the development, and identifying the affordable units.
 - 2. A summary outlining the sales and / or rental prices of each individual affordable unit.
 - 3. Non-profit developers shall be granted a waiver of any waived fees up front.
 - 4. For-profit developers shall post a bond for all required fees; any waived amount shall be released to the developer upon project completion, and unwaived fees paid to the appropriate department.
 - 5. The final decision concerning the approval of fee-waiver applications shall be made by the Chief Executive of Summit County.

10-5-12: ALLOWABLE PRICES

- A. Prices: The rent and sales prices of affordable units shall be based upon the size of the unit. Units that are the minimum allowed size shall be priced at the low end of the allowed range, and units that exceed the minimum allowed size may be allowed to be priced in the middle or upper end of the allowed range. The allowed price ranges shall be set as follows:
 - 1. Dorm units, SRO, and studio units shall be priced for Extremely Low Income

households, adjusted for household size.

- a. Dorm units and Single Room Occupancy (SRO) units shall have an assumed household size of 0.75 persons per 150 sq. ft., and Studio units shall have an assumed household size of 1 person.
2. One-bedroom units shall be priced for Very Low Income households, adjusted for household size. One bedroom units shall have an assumed household size of two (2) persons.
3. Two-bedroom units shall be priced for Low Income households, and have an assumed household size of three (3) persons.
4. Three bedroom or more units and larger shall be priced for Low Income households, and shall have an assumed household size of four (4) persons.
5. The allowable price shall be calculated based upon the monthly income (as defined by federal standards) of qualifying households.
 1. For Sale Units: The allowable sales price shall be calculated so that the sum of the monthly mortgage payment, plus mortgage insurance, property taxes, and HOA dues not exceed 30% of a household's gross monthly income, and based upon the following assumptions:
 - a. An available fixed-rate 30-year mortgage, consistent with the First Time Homebuyer Rate offered by the Utah Housing Corporation, plus 50 basis points. A lower rate may be used in calculating affordable prices if the developer can guarantee the availability of a fixed-rate, 30-year mortgage at this lower rate for all of the inclusionary units.
 - b. A down payment of no more than five percent (5%) of the purchase price.
 - c. A calculation of property taxes, and
 - d. A calculation of homeowner insurance and/or homeowner association fees.
 1. Homeowner Association (HOA) fees shall be no more than the HOA fee for market rate units and shall be the lesser of the actual HOA fee or an annual amount equal to 1% of the allowable price as adjusted annually based upon the permitted increases in the allowable price as set forth in the deed restrictions. This limitation of HOA fees shall be set forth in the recorded deed restrictions
 2. For Rent Units: The allowable rental price shall be calculated so that the monthly rent, plus utilities, does not exceed 30% of a household's gross monthly income.

10-5-13: ENFORCEMENT / MANAGEMENT

- A. The County or its designee shall have the authority and responsibility to enforce

compliance with the requirements outlined in this Chapter. The provisions of this Chapter shall apply to all agents, successors, and assigns of an applicant. No building permit or Certificate of Occupancy shall be issued, nor development approval be granted, which does not meet the requirements of this Chapter. In the event it is determined that rents or sales prices in excess of those allowed by this Chapter have been charged to a renter or buyer of an affordable unit, the County or its designee shall take appropriate legal action to correct the situation.

10-5-14: APPROVAL PROCESS

- A. Each project shall comply with the applicable Development Application Procedure and Approval Processes outlined in Chapter 3 of this Title.

Resolution 20-07

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

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

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

WHEREAS, the 2005 Park City Housing Assessment and Demand Analysis concluded that the rise of housing costs has outpaced the increase in wages in the service sector areas of the resort based economy and has resulted in making housing unaffordable to working residents of the City; and

WHEREAS, the 2005 Park City Housing Assessment and Demand Analysis projects in the Leisure and Hospitality employment sector will continue to drive the demand for additional workforce housing in Park City; and

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

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

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

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

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

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

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

SECTION 5. DEFINITIONS.

Affordable Housing: Housing costs – rent plus basic utilities or mortgage, tax, insurance and/or Homeowners Association payments – that consume no more than 30 percent of a household's income.

Affordable Housing Unit: Dwelling units that are deed restricted to the housing size and type for individuals meeting occupancy guidelines approved by the Park City Council.

Affordable Unit Equivalent: A two-bedroom unit with 900 square feet of Net Livable Space shall be considered one Affordable Unit Equivalent.

Bedroom: Designed to be used for sleeping purposes and which contains closets and meets all applicable City Building Code requirements for light, ventilation, sanitation and egress.

Deed Restriction: A contract entered into between Park City Municipal Corporation and the owner or purchaser of real property identifying the conditions or occupancy and resale.

Household: All related and unrelated individuals occupying a unit.

Household Income: Combined gross income of all individuals who will be occupying the unit regardless of legal status. Adjustments to the gross for business expenses can be made for persons who are self-employed.

Net Livable Square Footage: Is calculated on interior living area and is measured interior wall to interior wall, including all interior partitions. Also included, but not limited to, habitable basements and interior storage areas, closets and laundry areas. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.

Park City Housing Wage: The median wage of the core Park City workforce as determined annually by the City Council.

Studio Unit: Living quarters designed around a relatively large single room incorporating the features of a living room, bedroom, dining room/kitchen and bathroom.

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

SECTION 7. FEE WAIVERS. Section 11-12-13 of the Municipal Code provides that “any part of the fees included in this Title may be waived by the City Council upon recommendation of the City Manager, for those projects which are deemed to serve a beneficial public purpose that would be harmed by the City requiring the payment of such fees, such as low income housing projects.” Pursuant to Section 11-13-4(A) of the Municipal Code, the City Council can waive impact fees for construction of affordable housing up to \$5,000 per unit.

SECTION 8. CALCULATION OF MINIMUM AFFORDABLE HOUSING REQUIREMENTS

A. Residential Development.

For projects where units are offered for sale or rent, the Developer shall provide affordable housing units in an amount equal to fifteen percent (15%) of the total residential units constructed. Affordable units developed on-site in fulfillment of this requirement are not included in the density calculation for the project.

RESIDENTIAL GENERATION CALCULATION EXAMPLE

- An Applicant has received approval for a 128 unit Master Planned Development.
1. 128 units (total units approved) multiplied by .15 (residential mitigation rate) equals 19.2 Affordable Unit Equivalents.
 2. One Affordable Unit Equivalent is 900 square feet of net livable space.
 3. The total approved units for this MPD is 128 market rate units plus 19.2 affordable unit equivalents.

B. Commercial Development

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

Table 1: Employee Generation by Type of Use.

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

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

EMPLOYEE GENERATION CALCULATION EXAMPLE

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

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

1. Using the above Employee Generation Table, the project will generate 114 employees.

- *Retail* at 3.3 employees per 1,000 square feet equals 33 employees
- *Restaurant/Bar* at 6.5 employees per 1,000 square feet equals 32.5 employees
- *Professional Services* at 3.7 employees per 1,000 square feet equals 18.5 employees
- *Hotel* at .6 employees per unit equals 60 employees.

2. 114 (total number of employees) multiplied by .20 (mitigation rate) equals 22.8 employees.

3. 22.8 employees divided by 1.5 (workers per household) equals 15.2 employee unit equivalents required.

4. 15.2 employees is equivalent to 9.6 Affordable Unit Equivalents configured as two-bedroom, 900 net livable square foot units.

5. The Developer is required to provide 9.6 Affordable Unit Equivalents in addition to approved commercial and hotel density.

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

D. Independent Calculation. An applicant may submit an independent calculation of the number of employees to be generated by a proposed development, to be used in place of the Employee Generation Table. The independent calculation shall be accepted by the City Council if the Council determines the calculation constitutes compelling evidence of a more accurate calculation of employee generation than Table 1: Employee Generation Table. Should the independent calculation not be accepted, then the applicable employee generation factor from the Employee Generation Table

shall be applied to the proposed Development. Any acceptance of an Independent Calculation shall be site and use specific, non-transferable and be memorialized in a Development Agreement between the property owner and the City. Such Agreement shall be executed prior to the issuance of any building permit.

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

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

SECTION 9. METHODS OF HOUSING REQUIREMENT COMPLIANCE

A. Size and Design Standards for Affordable Housing Units

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

- **Single Family:** In single family detached dwelling unit developments, the required on-site permanently affordable units shall also be single family detached units.
- **Mixed Unit Type:** In developments where there is a mix of two or more unit types: single-family detached units, attached units, multi-family apartment units, or other dwelling unit types, the required on-site deed restricted units shall be comprised of the different unit types in the same proportion as the market rate dwelling units within the development.
- **Alternative Distribution Ratios:** Different unit distribution among the deed restricted affordable unit types may be permitted if doing so would accomplish additional benefits or result in a better design than not using the distribution of units provided for in this section.

2. Minimum Sizes for Deed Restricted Units: In order to assure livability, the net livable square footage for affordable units shall be as follows:

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

The Planning Department prior to the issuance of any building permits for either the free market or employee housing component of the project must verify square footage. The Building Department may check the actual construction of the employee housing units for compliance with the approved building permit plans.

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

- Occupancy of a dormitory unit shall be limited to no more than 8 persons.
- There shall be at least 150 square feet of net livable square footage per person, including sleeping and bathroom uses.
- At least one bathroom shall be provided for shared use by no more than four persons. The bathroom shall contain at least one toilet, one wash basin, one bathtub with a shower and a total area of at least 60 net livable square feet.
- A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Building Department's approval and determination that the facilities are adequate in size to service the number of people using the facility.
- Use of 20 net leasable square feet per person of enclosed storage area located within, or adjacent to, the unit.
- Rents for dormitory units will be set by Special Review on a case-by-case basis, given the unique and varying characteristics of dormitory units, with affordability as the key issue.
- Seasonal Lodge Developments may be required to house qualified employees of the community at large.

4. Special Needs Emergency/Transitional Housing. Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy a portion of its employee housing requirements by provision of special needs emergency/ transitional housing units through either direct construction, land donation or the donation of existing units. There must be a quantified, demonstrated need for the emergency/transitional housing within the Park City boundaries. The housing must be developed in

collaboration with a federally recognized, 501(c)(3) nonprofit organization. The housing must satisfy all requirements of the applicable Housing Guidelines and Standards as well as comply with all applicable local, state and federal requirements. Given the unique and varying characteristics of the population to be served, the rents for emergency/transitional housing must be approved in advance by the City Council.

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

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

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

B. Methods of Meeting Minimum Requirements.

The following methods, in order of priority, may be used to meet the minimum affordable housing mitigation requirements.

1. Construction of unit(s) on the site on which the development is proposed.

Affordable housing units shall be constructed on the project site, unless the developer can demonstrate compelling evidence that an alternative method would result in a better design, enhanced level of affordability or that the construction on-site would adversely affect the design of the project.

2. Construction of the unit(s) within the Park City corporate limits provided such land, site or structure had not been previously deed-restricted to affordable housing by Park City or Summit County.

3. Dedication of existing units provided such units have not been previously restricted to employee or affordable housing by Park City or Summit County. Units shall be located within the City limits unless otherwise approved by the City. Units must be of equivalent value, quality and size of the deed restricted units that would have been constructed on-site. Existing units must be in move-in condition with appliances, windows, heating, plumbing, electrical systems, fixtures and equipment in good working condition. The value of dedicated existing units will be determined, at the expense of the developer, by an appraiser selected by the developer from a list of certified appraisers provide by the City of by such alternative means of valuation as to which a developer and

the City may agree. All units shall be inspected and shall meet applicable Park City building codes and state habitability standards, as applicable. Applicant shall bear the costs and expenses of any required upgrades to meet the above standards as well as any reports required to assess the suitability for occupancy and compliance with the standards of the proposed units. All appliances and products including light bulbs shall be Energy Star qualified products.

4. ***Construction of units outside Park City, but within the Park City School District boundary and/or the boundaries of the free transit system.***
5. ***Conveyance of land within the Park City School District boundary and/or the boundaries of the free transit system provided such land has not been previously restricted to employee or affordable housing by Park City or Summit County.*** The developer may elect to (a) convey land to the City or its designee that is of equivalent value to the cash in lieu contributions that would be required under this Resolution, plus an additional 25 percent to cover costs associated with holding, developing, improving or conveying such land; or (b) convey land to the City or its designee that is of equivalent value (as of the date of conveyance) to that land upon which required units would otherwise have been constructed and properly zoned such as to allow construction of at least that number of units for which the obligation of construction is being satisfied by the dedication of the land. Land conveyance shall occur prior to the issuance of any building permit for the free market portion of the development. Should the City Council later elect to sell the land, all proceeds from the sale of the land shall be placed in a dedicated housing fund.
6. ***Payment of Fees in Lieu of Development.*** If the City determines that (1) no other alternative is feasible, or (2) such a payment would result in more immediate development of housing or (3) such a payment would leverage additional resources, then a Payment of Fees in Lieu of Development may be accepted. The Payment in Lieu Fee for 2007 is \$160,553. The fees shall be reviewed and updated at least biennially. Updates may occur more frequently at the request of the City Council to reflect changing real estate conditions. The funds, and any interest accrued, shall be used only for the purpose of planning for, subsidizing or developing affordable and employee housing.

One-half of the in-lieu fee shall be paid (or a letter of credit posted) prior to issuance of a building permit for all or any part of the MPD. The remainder of the fee shall be paid before a certificate of occupancy (temporary or permanent) is issued for any unit in the Residential Development. The remaining fee will be calculated at the in lieu fee rate in effect at the time of payment. The Developer retains the option of paying the fees in full at time of building permit to avoid any increase in fees.

SECTION 10. DEED RESTRICTION. Prior to the plat recordation provisions to ensure continued affordability of inclusionary units shall be embodied in legally binding

agreements and/or deed restrictions, which shall be prepared by the developer, but which shall not be recorded or filed until reviewed and approved by the City Attorney with such modifications as it may deem necessary to carry out the purpose of this Resolution. No building permit application shall be accepted in the absence of proof of the execution of requirement agreements and covenants. In the event such restrictions are voided by bankruptcy or other legal action, the City may revoke the Certificate(s) of Occupancy until such time as subsequent owner complies with the standards herein.

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

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

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

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

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

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

A. Calculation and Method. The calculation of, and method by which housing is to be provided, in compliance with Section 6 "Calculation of Minimum Affordable Housing Requirement" and Section 7 "Method for Providing Housing"

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

SECTION 14. CONSTRUCTION TIMING. Affordable units shall be made available for occupancy on approximately the same schedule as a project's market units; except that Certificates of Occupancy (temporary or permanent) for the last ten percent of the market units shall be withheld until Certificates of Occupancy have been issued for all of the inclusionary units. Other phasing agreements may be accepted, if doing so would accomplish additional benefits for the City consistent with the purposes of this Resolution. A schedule setting forth the phasing of the total number of units in a covered project, along with a schedule setting forth the phasing of the required inclusionary units shall be approved prior to the issuance of a building permit.

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

SECTION 16. LOCAL PREFERENCE OPTION. The Park City area is defined as the Park City School District limits. The following target groups should be given priority in any deed restricted affordable housing project.

- Full time (30 hours of employment per week) employees of businesses located in the City limits.
- A resident of the City for the prior 24 months.
- An owner or owner's representative of a business within the City limits.
- Senior Citizens
- Physically and/or mentally challenged individuals.

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

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

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

B. Rental Units. Inclusionary rental units in any one development shall be rented at a price, which, on average, is affordable to a household with an annual income of 100% of the Park City Workforce Wage.

C. For Sale Units. The initial sales prices for affordable units in any one development shall average a price affordable to a household earning 150 percent of the Workforce Housing Wage for Park City according to the following guidelines.

- a. An available fixed-rate thirty year mortgage, consistent with the First Time Homebuyer Rate offered by the Utah Housing Corporation, plus 50 basis points. A lower rate may be used in calculating affordable prices if the developer can guarantee the availability of a fixed rate, 30-year mortgage at this lower rate for all of the inclusionary units.
- b. A down payment of no more than 5 percent of the purchase price
- c. A calculation of property taxes; and
- d. A calculation of homeowner insurance and/or homeowner association fees.

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

E. Limitation on Rental Rates and Terms. The rate at which the Owner shall rent the Units shall not exceed the Maximum Rent. The Maximum Rent shall be adjusted on January 1 of each year by the annual percentage increase in the Consumer Price Index for the western region using a base year of 2006. Unless otherwise approved, the minimum lease term shall be six months.

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

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

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

SECTION 20. ADMINISTRATIVE RELIEF. The City Council may waive all or part of the requirements of this Resolution where the applicant can establish by clear and

convincing financial data and other evidence relating to the character of the development or surroundings that the imposition of the requirements set forth in this article shall create an economic hardship. The Council shall use the same standards that it applies to historic properties in making a determination of economic hardship. A waiver under this section shall be granted only to the extent necessary to relieve the hardship or difficulty that serves as the basis for the requested waiver and shall not be considered precedent for future requests for administrative relief.

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

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

PASSED AND ADOPTED this 12th day of July 2007.

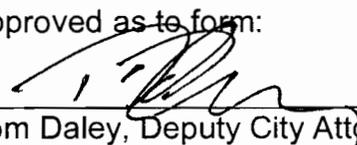
PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

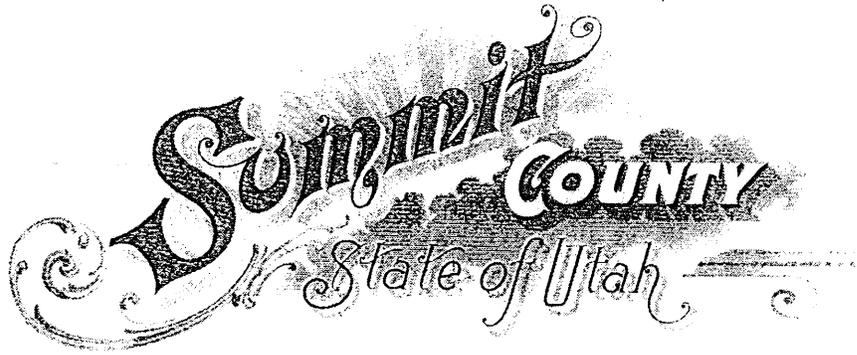
Approved as to form:


Tom Daley, Deputy City Attorney



Auditor

Blake Frazier



August 28, 2012

County Council

Please consider approving the BOE Stipulations on September 12th. They will be prepared by Travis Lewis for your review prior to that date.

Thank You,

A handwritten signature in black ink that reads "Kathryn Rockhill". The signature is written in a cursive style with a large initial "K".

Kathryn Rockhill
BOE Clerk

2012 BOE Adjustments

Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value
1372-WS-A	\$ 692,700.00	\$ 850,000.00	\$ (157,300.00)	\$ 692,700.00	\$ 850,000.00
1420-PA-1	\$ 482,432.00	\$ 482,432.00	\$ -	\$ 265,337.00	\$ 482,432.00
ALICES-2	\$ 103,769.00	\$ 103,769.00	\$ -	\$ 57,073.00	\$ 103,769.00
BEPC-1-1AM	\$ 1,500,000.00	\$ -	\$ 1,500,000.00	\$ 1,500,000.00	\$ -
BHVS-T10	\$ 370,000.00	\$ 370,000.00	\$ -	\$ 203,500.00	\$ 370,000.00
BHVS-T176	\$ 410,000.00	\$ 410,000.00	\$ -	\$ 225,000.00	\$ 410,000.00
BHWKS-1-44-2AM	\$ 285,442.00	\$ 285,442.00	\$ -	\$ 156,993.00	\$ 285,442.00
BHWKS-2-107	\$ 378,571.00	\$ 378,571.00	\$ -	\$ 208,214.00	\$ 378,571.00
BL-104-B	\$ 253,000.00	\$ 276,000.00	\$ (23,000.00)	\$ 139,150.00	\$ 276,000.00
BMDV-10	\$ 2,750,000.00	\$ 3,200,000.00	\$ (450,000.00)	\$ 2,750,000.00	\$ 3,200,000.00
BMDV-8	\$ 2,700,000.00	\$ 3,200,000.00	\$ (500,000.00)	\$ 2,700,000.00	\$ 3,200,000.00
BSR-6-90	\$ 198,688.00	\$ 198,688.00	\$ -	\$ 110,653.00	\$ 198,688.00
CCRK-H-13	\$ 90,000.00	\$ 90,000.00	\$ -	\$ 49,500.00	\$ 90,000.00
CD-390-H	\$ 520,000.00	\$ 766,987.00	\$ (246,987.00)	\$ 219,172.00	\$ 766,987.00
CD-72-B	\$ 234,926.00	\$ 234,926.00	\$ -	\$ 130,255.00	\$ 234,926.00
CLJR-1-3	\$ 405,000.00	\$ 405,000.00	\$ -	\$ 222,750.00	\$ 405,000.00
CLJR-1-39	\$ 405,000.00	\$ 475,000.00	\$ (70,000.00)	\$ 405,000.00	\$ 475,000.00
CSLC-A138-AM	\$ 955,000.00	\$ 1,100,000.00	\$ (145,000.00)	\$ 955,000.00	\$ 1,100,000.00
CSLC-A201-AM	\$ 1,008,000.00	\$ 1,500,000.00	\$ (492,000.00)	\$ 1,008,000.00	\$ 1,500,000.00
CSLC-A209-AM	\$ 1,008,000.00	\$ 1,500,000.00	\$ (492,000.00)	\$ 1,008,000.00	\$ 1,500,000.00
CSP-2C-B	\$ 350,000.00	\$ 350,000.00	\$ -	\$ 350,000.00	\$ 350,000.00
CT-10-A	\$ 186,665.00	\$ 186,665.00	\$ -	\$ 102,665.00	\$ 186,665.00
CT-138	\$ 113,094.00	\$ 113,094.00	\$ -	\$ 62,201.00	\$ 113,094.00
CT-189-190	\$ 343,976.00	\$ 413,998.00	\$ (70,022.00)	\$ 217,080.00	\$ 413,998.00
CT-328-B	\$ 197,682.00	\$ 197,682.00	\$ -	\$ 108,725.00	\$ 197,682.00
CT-60	\$ 86,098.00	\$ 86,098.00	\$ -	\$ 47,353.00	\$ 86,098.00
CWPC-4B-186	\$ 950,000.00	\$ 1,229,325.00	\$ (279,325.00)	\$ 950,000.00	\$ 1,229,325.00
DC-27	\$ 1,785,000.00	\$ 1,941,420.00	\$ (156,420.00)	\$ 982,020.00	\$ 1,941,420.00
DC-40-AM	\$ 1,400,000.00	\$ 1,809,572.00	\$ (409,572.00)	\$ 770,756.00	\$ 1,809,572.00
DC-67	\$ 1,506,000.00	\$ 1,838,324.00	\$ (332,324.00)	\$ 1,506,000.00	\$ 1,838,324.00
EKH-A-E12	\$ 631,932.00	\$ 631,932.00	\$ -	\$ 347,562.00	\$ 631,932.00
EKH-A-E71	\$ 590,726.00	\$ 590,726.00	\$ -	\$ 590,726.00	\$ 590,726.00
ELK-3A-903	\$ 235,000.00	\$ 235,000.00	\$ -	\$ 129,250.00	\$ 235,000.00
EP-III-53	\$ 1,339,383.00	\$ 1,339,383.00	\$ -	\$ 736,660.00	\$ 1,339,383.00
ESCLAL-423-AM	\$ 1,593,000.00	\$ 1,710,000.00	\$ (117,000.00)	\$ 1,593,000.00	\$ 1,710,000.00

FGR-I-46	\$	314,000.00	\$	450,000.00	\$	(136,000.00)	\$	314,000.00	\$	450,000.00
FHE-18	\$	2,260,400.00	\$	2,260,400.00	\$	-	\$	2,260,400.00	\$	2,260,400.00
FPRSV-11-H12	\$	182,000.00	\$	182,000.00	\$	-	\$	100,100.00	\$	182,000.00
FPRV-27-A-1	\$	240,000.00	\$	240,000.00	\$	-	\$	132,000.00	\$	240,000.00
FT-108-B	\$	213,651.00	\$	32,550.00	\$	181,101.00	\$	126,435.00	\$	32,550.00
FVL-1-34-B	\$	575,000.00	\$	635,000.00	\$	(60,000.00)	\$	575,000.00	\$	635,000.00
FVL-2-51	\$	750,000.00	\$	750,000.00	\$	-	\$	750,000.00	\$	750,000.00
GE-1	\$	1,209,007.00	\$	1,209,007.00	\$	-	\$	1,209,007.00	\$	1,209,007.00
GTF-11	\$	1,126,213.00	\$	1,126,213.00	\$	-	\$	629,407.00	\$	1,126,213.00
HBTRS-2	\$	185,014.00	\$	404,373.00	\$	(219,359.00)	\$	185,014.00	\$	404,373.00
HE-A-306A-AM	\$	520,000.00	\$	551,489.00	\$	(31,489.00)	\$	293,875.00	\$	551,489.00
HM-1-18	\$	550,000.00	\$	750,000.00	\$	(200,000.00)	\$	550,000.00	\$	750,000.00
HODV-1A-31	\$	400,000.00	\$	500,000.00	\$	(100,000.00)	\$	400,000.00	\$	500,000.00
HODV-2-46	\$	445,000.00	\$	687,500.00	\$	(242,500.00)	\$	445,000.00	\$	687,500.00
HPCR-219-AM	\$	274,200.00	\$	330,000.00	\$	(55,800.00)	\$	274,200.00	\$	330,000.00
HRECRC-1034	\$	3,610,000.00	\$	370,000.00	\$	3,240,000.00	\$	3,610,000.00	\$	370,000.00
HSD-10	\$	941,625.00	\$	941,625.00	\$	-	\$	517,894.00	\$	941,625.00
HT-100-E	\$	251,197.00	\$	251,197.00	\$	-	\$	138,158.00	\$	251,197.00
ISL-6	\$	2,400,000.00	\$	2,500,000.00	\$	(100,000.00)	\$	2,400,000.00	\$	2,500,000.00
IWDV-II-E-19	\$	2,170,000.00	\$	2,500,000.00	\$	(330,000.00)	\$	2,170,000.00	\$	2,500,000.00
JR-2-246	\$	118,000.00	\$	274,125.00	\$	(156,125.00)	\$	118,000.00	\$	274,125.00
JR-3-374	\$	565,654.00	\$	710,154.00	\$	(144,500.00)	\$	311,109.00	\$	710,154.00
JR-3-390	\$	568,930.00	\$	568,930.00	\$	-	\$	312,911.00	\$	568,930.00
JW-AM-9	\$	312,000.00	\$	312,000.00	\$	-	\$	312,000.00	\$	312,000.00
KE-A-43	\$	30,000.00	\$	59,500.00	\$	(29,500.00)	\$	30,000.00	\$	59,500.00
KRD-14	\$	458,000.00	\$	625,000.00	\$	(167,000.00)	\$	252,175.00	\$	625,000.00
KRD-8	\$	458,500.00	\$	494,000.00	\$	(35,500.00)	\$	458,500.00	\$	494,000.00
LR-1-9	\$	15,000.00	\$	20,000.00	\$	(5,000.00)	\$	15,000.00	\$	20,000.00
LR-2-84	\$	269,339.00	\$	269,339.00	\$	-	\$	148,541.00	\$	269,339.00
LWPCRS-4408-AM	\$	650,000.00	\$	800,000.00	\$	(150,000.00)	\$	650,000.00	\$	800,000.00
MC-9	\$	142,100.00	\$	275,000.00	\$	(132,900.00)	\$	142,100.00	\$	275,000.00
MOOSE-2-AM	\$	998,593.00	\$	998,593.00	\$	-	\$	573,121.00	\$	998,593.00
MOT-B	\$	282,500.00	\$	300,000.00	\$	(17,500.00)	\$	282,500.00	\$	300,000.00
MRE-10	\$	1,396,630.00	\$	1,442,158.00	\$	(45,528.00)	\$	768,146.00	\$	1,442,158.00
MRE-5	\$	1,176,182.00	\$	1,176,182.00	\$	-	\$	646,900.00	\$	1,176,182.00
MV-11	\$	141,303.00	\$	141,303.00	\$	-	\$	77,716.00	\$	141,303.00
NAKOMA-14-1AM	\$	5,200,000.00	\$	5,200,000.00	\$	-	\$	2,860,000.00	\$	5,200,000.00
NBRRE-4	\$	1,155,111.00	\$	2,230,008.00	\$	(1,074,897.00)	\$	678,151.00	\$	2,230,008.00
NR-1-A	\$	849,828.00	\$	1,009,828.00	\$	(160,000.00)	\$	849,828.00	\$	1,009,828.00
NS-144-G-1	\$	30,690.00	\$	294,600.00	\$	(263,910.00)	\$	30,690.00	\$	294,600.00

NS-144-G-1-A	\$	597,782.00	\$	666,032.00	\$	(68,250.00)	\$	362,530.00	\$	666,032.00
NS-152-D-1	\$	650.00	\$	9,375.00	\$	(8,725.00)	\$	650.00	\$	9,375.00
NS-359	\$	19,800.00	\$	43,560.00	\$	(23,760.00)	\$	374,212.00	\$	43,560.00
NS-390	\$	14,625.00	\$	74,625.00	\$	(60,000.00)	\$	565.00	\$	74,625.00
NS-429	\$	1,350.00	\$	40,500.00	\$	(39,150.00)	\$	42.00	\$	40,500.00
OAKS-92	\$	400,000.00	\$	480,000.00	\$	(80,000.00)	\$	400,000.00	\$	480,000.00
OT-103-A	\$	155,449.00	\$	155,449.00	\$	-	\$	85,496.00	\$	155,449.00
PB-3-114	\$	515,000.00	\$	601,896.00	\$	(86,896.00)	\$	283,250.00	\$	601,896.00
PB-3-A-364	\$	720,000.00	\$	762,655.00	\$	(42,655.00)	\$	720,000.00	\$	762,655.00
PB-PR-117	\$	110,000.00	\$	203,500.00	\$	(93,500.00)	\$	110,000.00	\$	203,500.00
PB-PR-11-AM	\$	1,416,883.00	\$	1,416,883.00	\$	-	\$	896,786.00	\$	1,416,883.00
PB-PR-57	\$	705,992.00	\$	819,908.00	\$	(113,916.00)	\$	388,295.00	\$	819,908.00
PC-653	\$	225,000.00	\$	300,000.00	\$	(75,000.00)	\$	225,000.00	\$	300,000.00
PD-9-A	\$	460,000.00	\$	522,480.00	\$	(62,480.00)	\$	460,000.00	\$	522,480.00
PI-44	\$	98,000.00	\$	156,785.00	\$	(58,785.00)	\$	54,620.00	\$	156,785.00
PI-C-16	\$	105,263.00	\$	181,716.00	\$	(76,453.00)	\$	105,263.00	\$	181,716.00
PI-G-23	\$	440,796.00	\$	440,796.00	\$	-	\$	242,437.00	\$	440,796.00
PKM-17	\$	457,851.00	\$	457,851.00	\$	-	\$	251,818.00	\$	457,851.00
PKVC-1	\$	411,000.00	\$	450,000.00	\$	(39,000.00)	\$	411,000.00	\$	450,000.00
PKVC-33	\$	411,000.00	\$	450,000.00	\$	(39,000.00)	\$	411,000.00	\$	450,000.00
POV-78-B	\$	206,000.00	\$	206,000.00	\$	-	\$	113,300.00	\$	206,000.00
PR-2-79	\$	363,000.00	\$	404,402.00	\$	(41,402.00)	\$	363,000.00	\$	404,402.00
PR-38	\$	350,000.00	\$	389,937.00	\$	(39,937.00)	\$	192,500.00	\$	389,937.00
PRESRV-2-23	\$	345,000.00	\$	537,000.00	\$	(192,000.00)	\$	345,000.00	\$	537,000.00
PRUN-C-22	\$	525,000.00	\$	880,000.00	\$	(355,000.00)	\$	525,000.00	\$	880,000.00
RIS-II-3	\$	375,000.00	\$	675,000.00	\$	(300,000.00)	\$	375,000.00	\$	675,000.00
ROTHWELL-1	\$	1,129,548.00	\$	425,622.00	\$	703,926.00	\$	621,251.00	\$	425,622.00
RPL-III-153	\$	787,640.00	\$	840,000.00	\$	(52,360.00)	\$	433,202.00	\$	840,000.00
RPL-IV-177	\$	650,000.00	\$	750,485.00	\$	(100,485.00)	\$	357,500.00	\$	750,485.00
RPL-IV-205	\$	1,150,000.00	\$	1,308,953.00	\$	(158,953.00)	\$	638,848.00	\$	1,308,953.00
RULON-8	\$	53,900.00	\$	53,120.00	\$	780.00	\$	53,900.00	\$	53,120.00
SA-112	\$	418,888.00	\$	418,888.00	\$	-	\$	418,888.00	\$	418,888.00
SL-E-265	\$	471,403.00	\$	471,403.00	\$	-	\$	269,427.00	\$	471,403.00
SLS-32	\$	487,038.00	\$	487,038.00	\$	-	\$	240,370.00	\$	487,038.00
SOL-2-A-108	\$	1,614,668.00	\$	1,614,668.00	\$	-	\$	888,067.00	\$	1,614,668.00
SSS-2-308	\$	475,000.00	\$	534,021.00	\$	(59,021.00)	\$	261,250.00	\$	534,021.00
SSS-2-312	\$	480,000.00	\$	561,924.00	\$	(81,924.00)	\$	264,000.00	\$	561,924.00
SSS-3-427	\$	490,000.00	\$	513,098.00	\$	(23,098.00)	\$	269,500.00	\$	513,098.00
SU-B-13	\$	462,000.00	\$	493,742.00	\$	(31,742.00)	\$	254,100.00	\$	493,742.00
SU-I-22	\$	365,000.00	\$	424,000.00	\$	(59,000.00)	\$	200,750.00	\$	424,000.00

SU-I-49	\$	360,000.00	\$	438,592.00	\$	(78,592.00)	\$	198,000.00	\$	438,592.00
SUNR-SR-52	\$	715,000.00	\$	901,968.00	\$	(186,968.00)	\$	715,000.00	\$	901,968.00
TCS-12	\$	600,000.00	\$	811,755.00	\$	(211,755.00)	\$	600,000.00	\$	811,755.00
TCS-28	\$	832,000.00	\$	949,937.00	\$	(117,937.00)	\$	832,000.00	\$	949,937.00
TJR-11	\$	1,145,679.00	\$	1,145,679.00	\$	-	\$	669,023.00	\$	1,145,679.00
TM-C-49	\$	255,300.00	\$	320,000.00	\$	(64,700.00)	\$	255,300.00	\$	320,000.00
VKCS-10	\$	171,293.00	\$	171,293.00	\$	-	\$	94,211.00	\$	171,293.00
VKCS-5	\$	23,835.00	\$	-	\$	23,835.00	\$	23,835.00	\$	-
WPL-18-AM	\$	1,272,674.00	\$	1,272,674.00	\$	-	\$	699,970.00	\$	1,272,674.00
WV-16	\$	830,000.00	\$	1,359,292.00	\$	(529,292.00)	\$	456,500.00	\$	1,359,292.00
NR-1	\$	849,828.00	\$	1,009,828.00	\$	(160,000.00)	\$	849,828.00	\$	1,009,828.00
PB-11-805	\$	345,000.00	\$	391,619.00	\$	(46,619.00)	\$	189,750.00	\$	391,619.00
PNCR-B-1	\$	183,000.00	\$	200,000.00	\$	(17,000.00)	\$	100,650.00	\$	200,000.00
Totals For 9/12/2012	\$	85,543,886.00	\$	91,568,057.00	\$	(6,024,171.00)	\$	66,650,057.00	\$	91,568,057.00
Totals For 8/29/2012	\$	46,659,094.00	\$	48,620,199.00	\$	(1,961,105.00)	\$	37,170,923.00	\$	48,620,199.00
RunningTotal	\$	132,202,980.00	\$	140,188,256.00	\$	(7,985,276.00)	\$	103,820,980.00	\$	140,188,256.00

Annette,

So far this year(2012)the Market value decrease is (\$ 7,985,276) As of 09/12/2012

**ORDINANCE AMENDING THE
NORTH SUMMIT FIRE SERVICE DISTRICT**

ORDINANCE NO. ____

PREAMBLE

WHEREAS, the North Summit Fire Service District (“District”) should be modified so as to (1) allow the municipalities representation on the administrative control board and (2) prevent conflicts of interest on the board; and,

WHEREAS, this ordinance puts in place these modifications;

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

Section 1. **Amendment.** The District governing regulations shall be amended in accordance with Exhibit A herein.

Section 2. **Effective Date.** In order to preserve the peace, health, or safety of the County and the inhabitants thereof, this Ordinance shall take effect immediately upon publication in a newspaper published in and having general circulation in the County.

Enacted this ____ day of _____, 2012.

ATTEST:

Summit County Council

Kent Jones
Summit County Clerk

David Ure, Chair

Approved as to Form
David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Elliott	_____
Councilmember Robinson	_____
Councilmember Ure	_____
Councilmember Hanrahan	_____
Councilmember McMullin	_____

EXHIBIT A

Chapter 25

NORTH SUMMIT FIRE SERVICE DISTRICT

2-25-1: PURPOSE:

2-25-2: DEFINITIONS:

2-25-3: ESTABLISHED:

2-25-4: MEMBERSHIP:

2-25-5: POWERS AND DUTIES:

2-25-6: GENERAL MANAGER:

2-25-1: PURPOSE:

To provide for the public health, safety, and general welfare of the residents living within the jurisdictional boundaries of north Summit fire service district, the district is authorized to provide fire protection services through facilities or systems acquired or constructed for that purpose through construction, purchase, lease, contract, gift or condemnation or any combination thereof. (Ord. 749-A, 12-15-2010)

2-25-2: DEFINITIONS:

BOARD: The administrative control board of the north Summit fire service district.

BOARD MEMBER: The members of the administrative control board of the north Summit fire service district.

COUNTY: Summit County, Utah.

COUNTY COUNCIL: The Summit County council who exercises legislative authority in the county.

DISTRICT: The north Summit fire service district.

GOVERNING BOARD: The Summit County council, otherwise referred to as the "county council".

MANAGER: The chief of the north Summit fire service district who serves as its executive officer. (Ord. 749-A, 12-15-2010)

2-25-3: ESTABLISHED:

There is hereby established an administrative control board known as "north Summit

fire service district administrative control board", which shall govern, in accordance with state law, the affairs of the north Summit fire service district. (Ord. 749-A, 12-15-2010)

2-25-4: MEMBERSHIP:

The membership of the administrative control board shall consist of ~~no more than seven (7) persons and no fewer than~~ five (5) persons appointed in the following manner: one (1) member shall be appointed by Coalville City, one (1) member shall be appointed by the Town of Henefer, and three (3) members shall be appointed by the county council, ~~pursuant to the procedures set forth in Utah Code Annotated section 17B-1-301 et seq., "board of trustees"~~, each of whom shall be a registered voter within the district. Each term shall be for four (4) years. Each board member may serve a maximum of three (3) terms. No employees of the District shall serve on the board.

Vacancies of the five (5) ~~to seven (7)~~ appointed members of said board, other than by expiration of term, shall be filled by either the appropriate municipality or the county council for the unexpired term of the board member whose vacancy is filled. At the end of a board member's term, the position is considered vacant and the appropriate municipality or the county council may either reappoint the old board member or appoint a new member after following the appointment procedures under Utah law. The county council may remove a board member for cause at any time after a hearing by two-thirds ($\frac{2}{3}$) vote of the county council. (Ord. 749-A, 12-15-2010)

2-25-5: POWERS AND DUTIES:

A. The board shall exercise all powers and duties enumerated in Utah Code Annotated section 17D-1-103, with the following exceptions which are expressly reserved pursuant to Utah Code Annotated section 17D-1-301(4)(a) by the county council as the governing board:

1. The exercise of eminent domain¹;
2. The power to employ one or more officers, employees, or agents, and establish their compensation, including fringe benefits, and manage a human resources or personnel system separate from the county²;
3. The power to borrow money and incur indebtedness, including the issuance of bonds³;
4. The power to annex areas into the district⁴;

5. The power to levy a tax or assessment⁵;
 6. The power to appoint a board of equalization⁶; and
 7. The power to adopt bylaws.
-
- B. The board shall prepare an annual budget for the north Summit fire service district which will conform to Utah Code Annotated section 17B-1-601 et seq., "fiscal procedures for local district" and approve it. The budget shall demonstrate all proposed expenditures and the fees to be established and collected as revenue to the district's budget.

 - C. The board shall conduct its business according to bylaws, which shall be adopted by the county council, with the board meeting as needed to act on the business of the district. The bylaws may be amended from time to time by a majority vote of the county council.

 - D. The board shall elect a chair and vice chair.

 - E. For purposes of advising the county council and transacting the business of the district, the board may meet and confer, adopt recommendations and convey them to the county council verbally or in writing, make decisions regarding district matters, or it may meet with the county council.

 - F. The district shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil or criminal, administrative or investigative, by reason of the fact that he or she is or was the director, officer, employee, or agent of the district. The indemnification shall be for all expenses (including attorney fees), judgments, fines, and amount paid in settlement, actually and reasonably incurred by him or her in connection with the action, suit, or proceeding, including any appeal of the action, suit or proceeding, if he or she acted in good faith or in a manner he or she reasonably believed to be in or not opposed to the best interests of the district, and with respect to any criminal action or proceeding, if he or she had no reasonable cause to believe the conduct was unlawful.

Determination of any action, suit, or proceeding by judgment, order, settlement, conviction or on a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the party did not meet the applicable standard of conduct. Indemnification under this subsection may be paid by the district in advance of the final disposition of any action, suit, or proceeding, on a preliminary determination that the director, officer, employee, or agent met the applicable standard of conduct and on receipt of an undertaking by or on behalf of a director, officer, employee, or agent to repay the amount, unless it is ultimately determined that he or she is entitled to be indemnified by the district as authorized in this subsection. The district shall also indemnify any director, officer, employee, or agent who has been successful on the merits or otherwise, in defense of any action, suit, or proceeding, or in defense of any claim, issue, or matter in the action, suit, or proceeding, against all expenses, including attorney fees, actually and reasonably incurred, without the necessity of an independent determination that a director, officer, employee, or agent met any appropriate standard of conduct.

The indemnification provided for in this subsection shall continue as to any person who has ceased to be a director, officer, employee, or agent, and shall inure to the benefit of the heirs, executors, and administrators of that person.

G. The district shall have power to purchase and maintain insurance on behalf of any person who is a director, officer, employee, or agent of the district against any liability asserted against him or her and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the district would have authority to indemnify him or her against the liability under the provisions of this section, or under law.

H. The county council, as the governing authority of the county, has control and supervisory authority over all activities of the district and may delegate such further powers and authority as provided by statute.

I. The board shall appoint a general manager for the district, who shall have the duties described in section [2-25-6](#) of this chapter.

J. The board, with the guidance of the general manager, shall adopt policies, procedures, and regulations for the district.

K. The district shall make an annual presentation to the county council of its goals, budget and activities. (Ord. 749-A, 12-15-2010)

2-25-6: GENERAL MANAGER:

The governing board hereby delegates the following powers, authorities and duties to a general manager ("fire chief"), who shall oversee the district:

- A. To govern the day to day operations of the district;

- B. To prepare, in cooperation with the governing board, an annual budget for the district, which will conform to Utah Code Annotated section 17B-1-601 et seq., "fiscal procedures for local district". The budget shall demonstrate all proposed expenditures and the fees to be established and collected as revenue to the district's budget;

- C. To provide a recommendation to the board as to the operation of the district, including policies, procedures, and regulations for the district;

- D. To provide a recommendation to the board as to the establishment and collection of the fees and charges;

- E. To record and safeguard all minutes of meetings and actions of the board in accordance with the Utah open meetings act, which includes the appropriate noticing of all meetings. (Ord. 749-A, 12-15-2010)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1:](#) UCA § 17D-1-103(2)(a).

[Footnote 2:](#) UCA § 17D-1-103(2)(j).

[Footnote 3:](#) UCA §§ 17D-1-103(2)(m), (n); 17D-1-301(3)(d), 17D-1-301(3)(e).

[Footnote 4:](#) UCA § 17D-1-301(3)(a).

[Footnote 5:](#) UCA §§ 17D-1-301(3)(c), 17D-1-301(3)(f).

[Footnote 6:](#) UCA § 17D-1-301(3)(h).



MEMORANDUM:

Date: September 12, 2012

To: Council Members

From: Annette Singleton

Re: Timberline Special Service District

Appoint Todd Hoover to the Timberline Special Service District to fill the unexpired term of Jon Owen. Todd Hoover's term to expire December 31, 2014.

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, AUGUST 1, 2012
COUNCIL CHAMBERS
COALVILLE, UTAH

PRESENT:

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

Robert Jasper, Manager
Anita Lewis, Assistant Manager
Dave Thomas, Deputy Attorney
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, 5 to 0.

The Summit County Council met in closed session from 1:00 p.m. to 1:15 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
Chris Robinson, Council Member

Robert Jasper, Manager
Anita Lewis, Assistant Manager
Brian Bellamy, Administrative Services Director

Council Member Hanrahan made a motion to dismiss from closed session to discuss litigation and to convene in closed session for the purpose of discussing property acquisition. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

The Summit County Council met in closed session from 1:15 p.m. to 2:35 p.m. to discuss property acquisition. Those in attendance were:

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

Robert Jasper, Manager
Anita Lewis, Assistant Manager
Brian Bellamy, Administrative Services Director
Dave Thomas, Deputy Attorney

Council Member Hanrahan made a motion to dismiss from closed session to discuss property acquisition and to convene in closed session for the purpose of discussing personnel. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

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

David Ure, Council Chair

Claudia McMullin, Council Vice Chair

Sally Elliott, Council Member

John Hanrahan, Council Member

Chris Robinson, Council Member

Robert Jasper, Manager

Anita Lewis, Assistant Manager

Brian Bellamy, Administrative Services Director

Dave Thomas, Deputy Attorney

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

WORK SESSION

Chair Ure called the work session to order at 3:20 p.m.

- **Council mail review**

Administration Office Manager Annette Singleton and Chair Ure coordinated the Council Members' County Fair involvement. Ms. Singleton reported that the joint meeting with the Snyderville Basin Planning Commission is scheduled for Thursday, August 23, at 6:00 p.m. in the downstairs conference room at the Richins Building. She explained that a dinner is being organized with Senator VanTassel on Thursday, September 12, at 6:00 p.m. Assistant Manager Anita Lewis explained that this is part of the strategic plan goal of strengthening relationships with the legislature.

Council Member Elliott explained that Jenny Smith has offered to organize an event in Park City Mountain Resort for legislators for the sole purpose of exposing them to what they do in Park City. It is not a political event, and she believed it would provide an opportunity to get acquainted with the legislators.

The Council Members discussed whether to cancel the September 5, October 17, and October 31 meetings. The Council Members agreed to cancel the September 5 meeting. They decided to defer a decision on the October meetings until they know what items need to be dealt with.

- **Review and discussion regarding strategic issues and goals; Anita Lewis, Assistant County Manager**

Ms. Lewis recalled that the County Council approved the strategic plan last year, and the packet includes progress reports on the top four strategic issues identified by the Council. She asked if the Council had input on any of the strategic issues and reviewed the report on economic diversification as contained in the staff report.

Council Member McMullin verified with Ms. Lewis that the County received the grant for the survey of businesses in the County and asked where they stand on the business directory. Ms. Lewis replied that the east side businesses are now on the County website. Alison Weyher with the economic diversification task force explained that the information online is based on business license applications. They will send a letter to everyone with a business license throughout the County except for Park City asking if their information is correct, requesting that they provide three key words to define their business, and asking if they would like to include a logo. They can also indicate if they would like to opt out and not have their business listed on the online directory. When they get the information from Park City, they will send a letter to the Park City businesses asking for the same information.

Sustainability Coordinator Ashley Koehler briefly reviewed the staff report on sustainability and commented that so far they are on track, and she hoped they could maintain the reduction and conservation efforts they have seen. She explained that she plans to provide a full update to the Council on the sustainability plan later in August.

Council Member Robinson noted that the tipping fee for the landfill is an arbitrary number, because they have never done a full study of the landfill to know what future costs will be. They have also discussed the possibility of making the landfill an enterprise fund. In order for the landfill to be sustainable, they need to know they are covering the true operating costs. He suggested that they allocate some resources to study that. Ms. Jasper explained that Issa Hamud is currently working on those issues. Council Member Robinson suggested that be added as a goal for sustainability and that the study be a long horizon study.

Council Member Hanrahan asked if the goals shown in the report are still the top goals and how they might be changing. Mr. Jasper stated that he anticipated updating the strategic plan after the next election cycle, because they need a few years to see how they are doing. He noted that they will build next year's budget around the existing goals. Council Member McMullin suggested that managing growth be moved into the top five goals.

With regard to the communications goal, Council Member McMullin stated that she wants a position created for PR and communications from the County. They need a public information officer for the County who can message better and more clearly.

Chair Ure stated that he wants all the special service districts to be able to post their meeting agendas on the County website so the public can go to one place to access that information.

Ms. Lewis noted that the Community Development Department and Scott Loomis with Mountainlands Community Housing Trust have provided a report on workforce housing.

Council Member McMullin confirmed with Community Development Director Don Sargent that the Snyderville Basin Planning Commission has forwarded a recommendation on the current needs assessment.

Council Member Hanrahan asked how things are going with the Liberty Peak apartments. County Planner Kimber Gabryszak replied that they are struggling to fill their units, and by virtue of the high Area Median Income (AMI), they technically meet Federal income restrictions, even though they are renting at close to market rate. She stated that they are between 35% and 40% occupied and are targeting between 40% and 60% of AMI. At 60% of AMI, a person could almost afford a purchase unit and may not necessarily be looking for a rental unit. They are in compliance with the affordable requirements, but at this time, a lot of units are available, and this is a hard time for them to market.

Council Member Robinson asked if they are looking at any means other than incentives in the land use ordinance to provide for affordable housing. Planner Gabryszak explained that the strategic plan committee was concerned about having a single-pronged approach where additional density is incentivized with the development of housing. The report refers to investigating other avenues, and one option being looked at by the Snyderville Basin Planning Commission is increasing the availability of fees in lieu for developers so the County can have a pool of money for other types of programs. Council Member Robinson commented that he would be in favor of a multi-pronged approach.

Ms. Lewis explained that it is important that they talk about goals as they relate to the budget. Council Member Hanrahan stated that he would need some time to digest this information, and it was suggested that a discussion of goals be placed on the agenda in two weeks.

CONVENE AS THE GOVERNING BOARD OF THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT

Council Member Robinson made a motion to convene as the Governing Board of the Mountain Regional Water Special Service District. The motion was seconded by Council Member Hanrahan and passed unanimously, 3 to 0. Council Members McMullin and Elliott were not present for the vote.

The meeting of the Governing Board of the Mountain Regional Water Special Service District was called to order at 4:35 p.m.

CONSIDERATION OF APPROVAL OF PROPERTY TAX LIENS ON PAST-DUE ACCOUNTS FOR MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT

Scott Green with the Mountain Regional Water Special Service District explained that most of the past-due accounts are standby accounts where there is not yet water on the property. Board Member Hanrahan verified with Mr. Green that these accounts are one year past due, not multiple-years in arrears. Mr. Green recalled that they bring the past-due accounts to the Governing Board every year for approval.

Board Member Elliott made a motion to approve the recommended property tax liens as presented. The motion was seconded by Board Member Hanrahan and passed unanimously, 5 to 0.

Nancy Shupe from the County Treasurer's Office and Mr. Green explained the process for collecting the liens.

DISMISS AS THE GOVERNING BOARD OF THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT

Board Member Hanrahan made a motion to dismiss as the Governing Board of the Mountain Regional Water Special Service District. The motion was seconded by Board Member Elliott and passed unanimously, 5 to 0.

The meeting of the Governing Board of the Mountain Regional Water Special Service District adjourned at 4:40 p.m.

CONVENE AS THE GOVERNING BOARD OF PARK RIDGE ESTATES SPECIAL IMPROVEMENT DISTRICT

Council Member Hanrahan made a motion to convene as the Governing Board of the Park Ridge Estates Special Improvement District. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

The meeting of the Governing Board of the Park Ridge Estates Special Improvement District was called to order at 4:40 p.m.

CONSIDERATION OF APPROVAL OF PROPERTY TAX LIENS ON PAST-DUE ACCOUNTS FOR PARK RIDGE ESTATES SPECIAL IMPROVEMENT DISTRICT

Board Member Hanrahan made a motion to approve the property tax liens for Park Ridge Estates Special Improvement District. The motion was seconded by Board Member Elliott.

Ms. Shupe clarified that the Special Improvement District is a line item in the County's budget and is used to pay for a bond approved 20 years ago for water improvements in Park Ridge Estates. She explained that there is only one year remaining on the bond.

The motion passed unanimously, 5 to 0.

DISMISS AS THE GOVERNING BOARD OF THE PARK RIDGE ESTATES SPECIAL IMPROVEMENT DISTRICT AND RECONVENE AS THE SUMMIT COUNTY COUNCIL

Board Member Hanrahan made a motion to dismiss as the Governing Board of the Park Ridge Estates Special Improvement District and to reconvene as the Summit County Council. The motion was seconded by Council Member Elliott and pass unanimously.

The meeting of the Governing Board of the Park Ridge Estates Special Improvement District adjourned at 4:45 p.m.

REGULAR MEETING

Chair Ure called the regular meeting to order at 4:45 p.m.

- Pledge of Allegiance

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE #778 PROVIDING FOR A WEBER RIVER VOLUNTARY ASSESSMENT AREA AND PROVIDING AN EFFECTIVE DATE; DERRICK RADKE, ENGINEER

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE #779, CONFIRMING THE ASSESSMENT LIST AND LEVYING AN ASSESSMENT AGAINST CERTAIN PROPERTIES IN SUMMIT COUNTY, UTAH, WEBER RIVER VOLUNTARY ASSESSMENT AREA FOR THE PURPOSE OF FINANCING THE COST OF CERTAIN FLOOD CONTROL IMPROVEMENTS TO THE WEBER RIVER; PROVIDING FOR CERTAIN REMEDIES UPON DEFAULT IN THE PAYMENT OF ASSESSMENTS; ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE; AND RELATED MATTERS; DERRICK RADKE, ENGINEER

County Engineer Derrick Radke presented the staff report and recalled that he has discussed this item with the Council previously. He explained that, with the flooding on the Weber River for the past two years, the NRCS provided a grant each year for a total of \$3.85 million. Over the two-year period, 50 sites were identified that needed improvement, 37 of which met NRCS criteria. The County offered to do other projects, and 26 property owners agreed to participate in those projects and cover their share of the costs. In 2010, when it looked like the County's match on some projects would be in the thousands of dollars, he asked the Council to consider establishing an assessment district so people could pay back their match over time, and he is here today to put in place the ordinances necessary to do that. Ordinance 778 will provide for establishment of the Weber River Voluntary Assessment Area, which will apply to those property owners who signed up. Ordinance 779 sets up the levying of the assessment against the properties included in the Assessment District. He noted that two property owners have paid their assessments, and the assessments should be amended to read \$76,731. Mr. Radke recommended that the Council approve the two ordinances.

Council Member Robinson made a motion to adopt Ordinance #778 providing for a Weber River Voluntary Assessment Area and providing an effective date. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

Council Member Robinson made a motion to adopt Ordinance #779 confirming the assessment list and levying an assessment against certain properties in Summit County, Utah, Weber River Voluntary Assessment Area for the purpose of financing the cost of certain flood control improvements to the Weber River; providing for certain remedies upon default in the payment of assessments; establishing the effective date of this ordinance; and related matters. The motion was seconded by Council Member McMullin.

Council Member Robinson amended his motion to correct the assessment amount to \$76,731. Council Member McMullin accepted the amendment in her second. The motion passed unanimously, 5 to 0.

Mr. Radke noted that the County paid out approximately \$3.4 million for the project, of which \$900,000 was for County-sponsored sites. In the end, the County is only out about \$45,000 with the County staff time and materials used on site. The County budgeted \$220,000 in 2010 to cover the County's match and ended up only being out \$45,000. The only money the County has not received is the \$76,000 from the Assessment District, which was estimated to be in the \$200,000 range. He explained that the Treasurer's Office has set up a loan fund for the Assessment District and will send a notice to the property owners to notify them of the assessment bill them annually with their tax notices.

CONTINUED DISCUSSION AND POSSIBLE APPROVAL OF PROPOSED AMENDMENTS TO SECTION 10-8-2 OF THE SNYDERVILLE BASIN DEVELOPMENT CODE REGARDING SIGNS BY ADOPTION OF ORDINANCE #769; JENNIFER STRADER, COUNTY PLANNER

County Planner Jennifer Strader submitted the amendments to the Council Members and noted that the ones included in their packets were inaccurate. She noted that Staff has not amended the language since it was presented at the June 20 Council meeting and strongly recommends that the Council adopt the language as proposed. The language has been significantly amended compared to what was approved by the Planning Commission. Staff has met with community representatives as directed by the Council, and most of their concerns are reflected in the proposed language. She explained that Staff has spent numerous hours researching and discussing the language to provide more flexibility and content neutrality while trying to maintain insure that the community's needs are balanced. She noted that the Planning Commission did request that the language come back within one year for review, and Staff would like an opportunity to apply this language, evaluate it, and report in a year as to how it is working. Staff recommended that the Council adopt the amendments by an ordinance.

Council Member Elliott made a motion to approve the proposed amendments to Section 10-8-2 of the Snyderville Basin Development Code regarding signs by adoption of Ordinance #769. The motion was seconded by Council Member McMullin.

Council Member Hanrahan stated that he agrees with Staff's sentiments that this makes dramatic changes in expanding signage and that going further would be too much. He agreed with the one-year review, which will allow the Council to make changes if they need to. He asked if there are areas where Staff believes they have gone too far beyond the Planning Commission's recommendations. Planner Strader confirmed that Staff is very comfortable with the proposed language. Council Member Hanrahan asked Planner Strader to highlight where significant changes have been made from the Planning Commission's recommendation. Council Member Robinson added that he would also like to know what changes the business owners wanted that Staff is not recommending.

Planner Strader explained that the Planning Commission recommended one freestanding sign per development, and Staff is proposing two. The Planning Commission recommended 1 square foot of sign area for every 3 lineal feet of building façade for wall signs up to 40 square feet. In working with the community representatives, Staff is recommending 1 square foot for every 2 lineal feet up to 60 square feet. In addition, if the building façade exceeds 250 lineal feet, the sign may be up to 75 square feet. A provision is also being made for banners on light poles, which was not addressed with the Planning Commission. The only thing the community

representatives requested that Staff did not agree with was increasing projecting and suspended signs to 12 square feet. The Planning Commission recommended 6 square feet, and Staff felt comfortable with up to 8 square feet. With regard to temporary signs, the Planning Commission recommended three types of signs, Classes I, II, and III. After doing further research with Sandy City, Staff recommended that the classifications be changed to properties that are subject to construction or development, properties subject to sale or rent, and non-commercial opinion signs.

Council Member Hanrahan asked for clarification of window signs. Planner Strader explained that if there is 12 inches or more between the windows, they are considered to be separate windows. Otherwise, they are all considered to be one window.

Council Member Robinson noted that he had received comment about there being confusion about how to determine the building frontage for wall signs. Planner Strader explained that issue was brought up by Dave Allen in a discussion of the comprehensive sign plan for the research park. Mr. Allen requested that they not measure the building frontage but just the street frontage. He claimed that, if the frontage is restricted to where the primary entrance to the use is located, people will put doors on each side of the building and call that their primary access. Planner Strader explained that there are some instances, such as Fresh Market in Quarry Village, where the building access is from the parking lot, and that access cannot be seen from the highway. In some cases, businesses may have access from a parking lot but no road frontage, and there is a question as to how to address the frontage issue in that case. It is Staff's position that the primary access is where the primary wall sign should be located. There is a provision for a secondary wall sign that is half the size of the primary wall sign, which could be placed on any other façade. If someone wants to claim they have primary access on all sides of a building, the Community Development Director has the discretion to review and determine that on a case-by-case basis. Council Member Robinson commented that he has received input from two businesses on the east side of Highway 40 about the importance of visibility from the highway and asked how this would affect them. Planner Strader explained that this ordinance would not allow them to have a monument sign facing Highway 40. She explained that the General Plan for that neighborhood states that they do not want to attract customers from the freeway. They could have a secondary wall sign on the back of their building, but the monument signs would have to be located next to their primary access. Council Member Robinson suggested that they may want to look at that again when the sign code is reviewed in a year and the General Plan has been amended.

Council Member Hanrahan recalled that he had a concern about flagpoles, and in looking at what is allowed in other jurisdictions, he believed this ordinance is more conservative than most.

The motion passed unanimously, 5 to 0.

Planner Strader stated for the record that the Richins Building sign is not 8 feet tall as has been stated in many public hearings.

APPROVAL OF COUNCIL MINUTES

JUNE 25, 2012

Council Member McMullin made a motion to approve the minutes of the June 25, 2012, Summit County Council meeting with the changes recommended by Council Member Elliott. The motion was seconded by Council Member Robinson and passed unanimously, 4 to 0. Council Member Elliott abstained from the vote, as she did not attend the June 25 meeting.

MANAGER'S COMMENTS

Mr. Jasper stated that he had a concern about the meeting with the entities in South Summit. He explained that Park City Fire Chief Paul Hewitt asked him to attend the meeting. He understood that the South Summit Ambulance Association is not part of the fire district or any governmental entity. Several years ago, North Summit was struggling with their ambulance service and asked Park City Fire District to handle the administration of their ambulance service. Terry Taylor with the South Summit Ambulance Association had indicated that she would like to have Park City handle the ambulance service for South Summit so she could retire. At the meeting, the mayor of Kamas indicated that was not the case. Mr. Jasper suggested that they hold a work session with all the parties to discuss how best to proceed. Chair Ure stated that he knows several of the people involved, and he believed the Manager was set up because someone did not have the courage to face their colleagues. He believed things were already in place for the Ambulance Association to move forward without Ms. Taylor and suggested that they let the issue die for now. Council Member Elliott agreed that the issue is dead and that they should let it go. It was her opinion, given other meetings with the mayors in South Summit, that the meeting was extremely productive.

Council Member McMullin asked about the discussion of school district boundaries. Council Member Elliott replied that the discussions were positive, and the School District asked why they do not receive notice of the Planning Commission meetings. She requested that Staff put the South Summit School District on the meeting notice distribution.

Mr. Jasper explained that the School District was concerned about the density of the Silver Creek Village development and the impact of the proposed affordable housing. The parcel of land provided for the school has contaminated soils, and they were concerned about how to meet the need. There was also a question of whether the students would want to go to school in Park City. He stated that he would start to facilitate discussions between superintendents to talk about school boundaries.

Council Member Elliott stated that the cities were very clear that they do not want the County pushing urban density into their annexation declaration zones, but they would like commercial development in their annexation zones. She announced that the next meeting of the South Summit entities will be October 29 at 6:00 p.m. She stated that they have indicated that they need more meetings with County and local planning staff and planning commissioners.

Council Member Robinson stated that he did not get the impression that there was any will to consolidate the school districts.

Assistant Manager Anita Lewis reported that the Fair Board did a mailing to the Park City/Snyderville area. If a resident who receives a card fills it out and brings it to the fair, they will be placed into a drawing to receive a \$500 gift certificate. The Chamber Bureau has purchased demolition derby and rodeo tickets which will be given to Park City residents who will come to the fair. At the fair, there will be postcards for residents on the eastern side of Summit County that they can fill out, and they will be eligible for the drawing as well.

Mr. Jasper reported that he received a request from Scott Loomis to come up with more money to pay Bob Rosenthal for the needs assessment. He stated that he is hesitant to do so, since he believed they had a contract for a specific amount.

Mr. Jasper discussed the issue of internet companies collecting sales taxes and people who do not live in Park City being charged the Park City sales tax rate. Another concern is whether the County receives the sales taxes collected by internet companies. Matt Leavitt with the Auditor's Office reported that his research shows that the County does not receive any sales tax revenue from Amazon. Mr. Thomas confirmed that this is a big issue with online companies, because they collect sales tax, but many of them just keep it. Mr. Jasper stated that there is also an allegation that people shopping at the outlet stores sometimes pay the Park City tax rate. He does not have any solutions, but he wanted the Council to know that they are looking into it. Mr. Leavitt explained that he spoke with the general manager of Tanger Outlets, and they are careful to inform new tenants more than once of the appropriate tax rate. If they find that a tenant is charging the wrong rate, they will go after them to be sure they correct it. She has agreed to send a letter to all the tenants to inform them of the proper rate.

COUNCIL COMMENTS

Council Member Elliott provided her notes from the Intergovernmental Round Table for Mr. Jasper. She reported that they are giving a series of seminars at Deer Valley Snow Park Lodge where people from different agencies in the State will come to see what Park City has to offer and talk about State-wide tourism. She stated that Lt. Governor Bell spoke to them about the subject of immigration and never referred to people as undocumented alien immigrants but referred to them as illegals. He also did not refer to children born of immigrant parents in the United States as citizens but referred to them as anchor babies. She stated that she would like to have a discussion after the fair about the kinds of things they could do with the TRT money. She would also like to discuss banning plastic bags in Summit County and the idling ordinance. She requested that Rich Bullough talk to the Council about the County's particulate and ozone air monitoring.

Council Member Hanrahan explained that the County's particulate matter has always been high. The Health Board authorized the purchase of two machines to monitor ozone levels, but the State decided it wants to monitor ozone in the County and has set up seven monitors. He noted that ozone levels have been close to the maximum several times.

Mr. Jasper reported that the County has been working with Valley Mental Health to redesign how they do mental health, and they have asked Judge Kerr and law enforcement and others involved to meet with the Council at some point. Council Member Elliott requested that they also discuss drug court. She stated that she would also like to see a printed Manager's report.

Council Member Hanrahan asked if anything was resolved regarding trash collection, because he continues to receive more and more complaints. Council Member Elliott stated that every time she gets a complaint, she forwards it to Gordon Raymond, and she was pleased with his responses. Mr. Jasper stated that he was under the impression that they were down to just a few problem areas. Council Member Hanrahan requested that the Manager call Mr. Raymond and let him know how upset the Council Members are about this issue and hold him accountable for getting the problems resolved. After further Council discussion regarding recycling and waste management services, he requested that Allied write a letter addressing the issues that have been discussed that can be sent to people who complain. He stated that they need to get the message out better. Ms. Lewis commented that in her area, she has heard mostly positive comments, and people are happy that they have an opportunity to recycle. They felt that it was explained well and appreciated what the County has done.

Council Member Robinson stated that he was approached by a constituent who had been to Aspen and noted that the bark beetle had decimated the conifers in that area. He asked if the ski resorts in Summit County are doing anything to remove infected trees and take measures to protect against that. He commented that it would change the face of Park City if all the conifers are brown. He suggested that they check with Park City to see if they have any plans in that regard and if there is anything they should be doing.

PUBLIC INPUT

Chair Ure opened the public input.

Roger Peay with Valley Mental Health explained that he is responding to a telephone call. He spoke with the County Auditor's Office to find out what was needed and then talked to his financial department, and they are pursuing this with the outside auditor. He apologized for the lateness of their financial report and stated that his financial department was not aware that there was a report due or of the June 30 deadline. He stated that they will do whatever is necessary to get that report in. He also addressed drug court and explained that they do not have a full-fledged drug court in Summit County. He acknowledged that there has been some interest in a drug court for quite some time, but one requirement is that the County must have a full-time judge. In the past, different judges have come to the County, but in order to do drug court, they need to have the same judge every week. He explained that they are in the process of preparing some data and will make a proposal to the Council regarding a drug court.

Council Member Hanrahan asked if there is any way to work toward assistance for people who cannot afford an in-patient substance abuse treatment program. Mr. Peay replied that he is working on trying to get concrete numbers about how many people would need funding for treatment and will make some recommendations. Mr. Jasper explained that he has been working with Rich Bullough at the County Health Department, and they will be looking at the whole mental health system and will meet with the Council in a work session.

Chair Ure closed the public input.

COUNCIL COMMENTS – (Continued)

Council Member Hanrahan stated that he would like to discuss attendance at Planning Commission meetings. Although he does not have time to attend the Planning Commission meetings, he believes it is one of the most critical meetings the County Council should attend. He stated that it would be much more valuable for him to attend a Planning Commission meeting than a Library Board meeting. He suggested that they set up a rotating schedule for Council Members to attend the Planning Commission meetings. If there is an issue addressed at those meetings that could be appealed to the Council, they could leave the meeting. He asked if there is any interest in committing to attending Planning Commission meetings. Council Member McMullin stated that she has no interest in attending the Planning Commission meetings. Council Member Elliott stated that she believes it is important to establish liaisons in the community with organizations that feel they need direct communication with the Council, but they have statutory requirements. The Council is elected to do a job, and she believed they should do what they think is right. Mr. Thomas explained that this issue came up this week with litigation regarding the Discovery CORE project. He is receiving requests from the attorney in one case to have Planning Commission meeting minutes inserted into the official County record because County Council members attended the meeting. That could mean that Council Members could be subject to subpoena if they attend those meetings. The information an individual Council Member may receive at a Planning Commission meeting is not the same information that is given to the entire Council, and if they go outside the normal process, the outside attorneys want to bring additional information into the case, which may or may not injure the County's case. Chair Ure stated that, when it comes to the Planning Commission setting policy, he believed Council Members should be there and listen. When it comes to a specific case like Discovery CORE, they should not be attending for the reason stated by Mr. Thomas. Council Member Hanrahan stated that he felt it would be helpful to sit in on a few of the meetings when they are discussing legislative matters. When the Council gets it, it is totally new to them, and they don't know what the Planning Commission talked about. He felt there was a breakdown between the Council and Planning Commissions at this point. Mr. Jasper stated that the best way to deal with it is to have separate joint meetings with the Planning Commissions where all the Council Members can meet with them together and get the same information.

Mr. Jasper commented that the Planning Commissioners are requesting more money to compensate for their service. Council Member Hanrahan suggested that, if he feels strongly about changing that, they could use money from the Council's contingency fund. Chair Ure requested that they put it on an agenda in a few weeks, discuss it, and then make that decision.

Chair Ure reported that he spoke with Mayor Marchant, and he has been talking to Cliff Blonquist for quite some time regarding the trash in Samak. He stated that it is a major health and safety issue as well as an eyesore.

Chair Ure referred to a situation in Oakley where dogs bark when foxes and raccoons are getting into the property owner's hen house, and a neighbor is putting pressure on animal control to cite the property owner because of the barking dogs. He recalled that the Council previously discussed trying to pass an ordinance to address that issue. Council Member McMullin explained that Deputy County Attorney Helen Strachan was working on amendments to the ordinance, but she had asked Ms. Strachan to set them aside for a while, because the issues were so heated at the time. She agreed to that they need to amend the ordinance to address working

dogs. Chair Ure requested that Mr. Jasper inform animal control that the Council is working on an amendment to address this issue.

The County Council meeting adjourned at 6:45 p.m.

Council Chair, David Ure

County Clerk, Kent Jones



Staff Report

From: Kimber Gabryszak, AICP
To: Summit County Council (SCC)
Date: Thursday, September 6, 2012
Meeting: Wednesday, September 12, 2012
Re: Summit Research Park / Park City Tech Center Development Agreement (DA)

Executive Summary: The SCC and Snyderville Basin Planning Commission (SBPC) have expressed concern over the Summit Research Park / Park City Tech Center Development Agreement (DA); in particular, they have asked questions about the allowed uses, the process for development, the approval history, and implementation of the DA. Staff has assembled a short history and summary of the DA for review; Dave Allen, representative for the Boyer Company, will be in attendance to provide a presentation on the vision for the development and answer questions.

A. Project Description

- **Project name:** Summit Research Park / Park City Tech Center
- **Applicant(s):** Boyer Company
- **Location:** Kimball Junction (Exhibit A)
- **Zone district:** Community Commercial (CC)
- **Adjacent land uses:** Commercial, residential, open space
- **Type of process:** Administrative
- **Type of meeting:** Work Session

B. Background

The ~89 acre Summit Research Park Development Agreement was approved in December 2008, along with a rezone of the property from Rural Residential and Hillside Stewardship to the Community Commercial (CC) zone. The CC zone does not have a delineated density, and so projects within the CC zone are limited in density only by required open space, setbacks, parking, landscaping, and other design requirements.

In March, 2012, the Snyderville Basin Planning Commission (SBPC) reviewed a minor subdivision and condominium plat for the Park City Tech Center (PCTC) according to the Summit Research Park Development Agreement (DA).

At that meeting, the SBPC reviewed the history of the DA, and requested several items from Staff and the applicant, David Allen on behalf of the Boyer Company:

- A phasing plan
- A status update on the project and compliance with the DA
- An ongoing tally of open space in the project

The applicant presented a phasing plan in May of 2012 (Exhibit B), and briefly discussed the status of the project. Due to scheduling issues the larger status update / vision overview discussion was

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postponed to a later date. The status update for the SBPC was scheduled for August 28, 2012; the SBPC discussion was tabled and then rescheduled for the SCC instead.

C. Community Review

This item has been noticed as a work session. Noticed public hearings were held in 2008 during the approval process for the DA; additional public hearings were held for the various subdivision plats in the project, and public meetings held for each final site plan (FSP) to date.

D. Identification and Analysis of Issues

DA Summary & Uses

The DA allows for a non-specified amount of office space, with a theoretical maximum of around 1.3 million square feet of office / commercial space, once the other site requirements are taken into account.

Required components of the project include the following:

- 139 affordable Workforce Unit Equivalents (150 units currently under construction)
- 25% open space
- Landscaping in each phase
- Compliance with architectural standards as outlined in the approved design guidelines
- Parking to be available during evenings and weekends for event parking
- Trail connections through and within the project

Allowed uses are:

- Laboratories, offices, and prototype production facilities related to research facilities and technology.
- Sports medicine related uses, including research and treatment facilities (no hospital allowed)
- Incidental commercial uses principally located within the Research park to support other permitted and approved conditional uses, such as restaurants, private clubs, retail, banks, financial services, recreation facilities, health care facilities, accessory uses authorized by the Code as of the Vesting Date and facilities for limited indoor production, warehousing and distribution.
- Churches
- Utility Facilities, Water lines, Sewer lines

Conditional uses are:

- Offices and/or research facilities for outdoor product oriented companies
- Public Service Facilities
- Chamber Bureau Visitor's Center
- Transit Facilities

DA Review Processes

Each building in the research park is reviewed and approved through the Final Site Plan (FSP) process. Some uses also require a Conditional Use Permit, and if a building or use will be owned separately, a subdivision is also required.

- **Final Site Plan:** reviewed and recommended by the Design Review Committee; reviewed by Staff for compliance with the DA and Design Guidelines; reviewed and recommended by the SBPC for compliance with the DA and Design Guidelines; approved or denied by the County Manager. No public hearing required.

- **Conditional Use Permit (CUP):** reviewed by Staff for compliance with the DA and Design Guidelines; reviewed by the SBPC for the same; approved or denied by the SBPC. No public hearing required.
- **Low Impact Permit:** reviewed and approved or denied by the County Manager. No public hearing required, but is allowed if the County Manager determines it is necessary.
- **Subdivision Plats:** These are slightly different, as the project is still subject to the requirements of the Development Code for subdivisions. These will be reviewed by Staff for compliance with the DA and Code; reviewed by the SBPC for the same; and approved or denied by the SBPC through the minor subdivision approval process after a public hearing.

Findings and Requirements

For both CUPs and FSPs, the DA contains language that states:

- *The [recommendation/decision] shall be based solely upon Developer's compliance with the requirements and standards set forth in this Agreement and the Code, to the extent not modified or vested by this Agreement, and state law.*

Therefore, when reviewing a project, Staff and the SBPC are bound by the contents of the DA and Design Guidelines; the Development Code is only applicable where an item has not been addressed or modified in the DA. When making findings to recommend favorably, recommend negatively, approve, or deny an application, the SBPC should address as specifically as possible:

- Whether the application complies with the requirements of the DA.
 - If not, the SPBC or Manager must state which specific section the application does not comply with, and specifically how it does not comply.
- Whether the application complies with the requirements of the Design Guidelines.
 - If not, the SPBC or Manager must state which specific section the application does not comply with, and specifically how it does not comply. The reasons cannot be personal preference as to the style, and must be specific to the design guidelines.
- Whether the application complies with the Development Code - only those portions which are still applicable due to not being superseded by or modified within the DA.
 - If not, the SPBC or Manager must state which specific section with which the application does not comply, and specifically how it does not comply.
- When considering a recommendation or decision, the SBPC or Manager should consider whether there are ways in which an application could be modified to address the areas of noncompliance, and/or whether there are conditions that could be placed on the project to bring it into compliance.
 - If there are conditions that can be placed on the project to bring it into compliance, the SBPC must articulate as many conditions as they believe are necessary, as clearly as possible. Some examples could be:
 - Forwarding a positive recommendation to the Manager on a Final Site Plan, with a condition limiting the height to a certain level.
 - Forwarding a positive recommendation to the Manager on a Final Site Plan, with a condition requiring clearly articulated modifications to architecture, parking, orientation, snow storage, and/or size.
 - Approving a Conditional Use Permit with specific limitations on lighting, hours of operation, signage, and/or parking.

Role of the General Plan

The SBPC has also inquired as to the role of the General Plan. The DA and rezone were found to be in compliance with the Snyderville Basin General Plan when approved by the Summit County Board of Commissioners (BCC) in December, 2008. Whether or not the current SBPC and SCC agree with this

determination, it was stated as part of the official findings by the Board of County Commissioners (BCC). Therefore, the allowed uses and general configuration are still considered to be in compliance with the goals of the General Plan.

Status update / tracker

Staff has assembled a table to track the requirements of the DA, as well as a tracker template to be included as a note on future Final Site Plans (Exhibit C).

Staff will continue to update the table as projects come forward, and would like SBPC feedback on the potential tracking note. Staff requests SBPC review and comment on the provided information, and any suggestions for changes or improvements to the information format for future use.

Vision

The applicant will come to the meeting prepared to discuss the overall vision of the Research Park, and address various questions and issues with the SCC.

Clarifications / wish-list

The SCC, SBPC, and Staff have expressed concerns with the language in the DA, and requested that Staff compile a 'wish-list' concerning areas where clarification may be needed, or changes warranted. Based on experiences over the past two years with the application of the DA, Staff would suggest a preliminary list that includes but is not limited to the following:

- **Definitions for the allowed and conditional uses.** The current language can be interpreted very narrowly or very broadly, as there are no clear definitions. Community concerns over some tenants has been voiced. To enable a consistent application of the allowed uses in the future, clarification and definitions would be helpful.
- **Addition of a process for approving uses.** Currently, the only time that a proposed use is reviewed is at either the tenant improvement building permit stage, or at the time of business license application. By this time, the potential tenant has likely signed a lease or agreement with the developer. It would be helpful to add a process that ensures the proposed use is reviewed earlier in the process to avoid undue expense on the part of a tenant that may be denied occupancy later.
- **Consistency between the DA and the Design Guidelines.** There are several contradictions between the DA & Design Guidelines, including how height is measured, parking requirements, and architecture. This makes it difficult to review projects.
- **Removal of exceptions.** The DA contains language that allows building permits to be issued on a fast-track basis, and also exempts the development from the public hearing requirements that are typically applied to other similar projects.

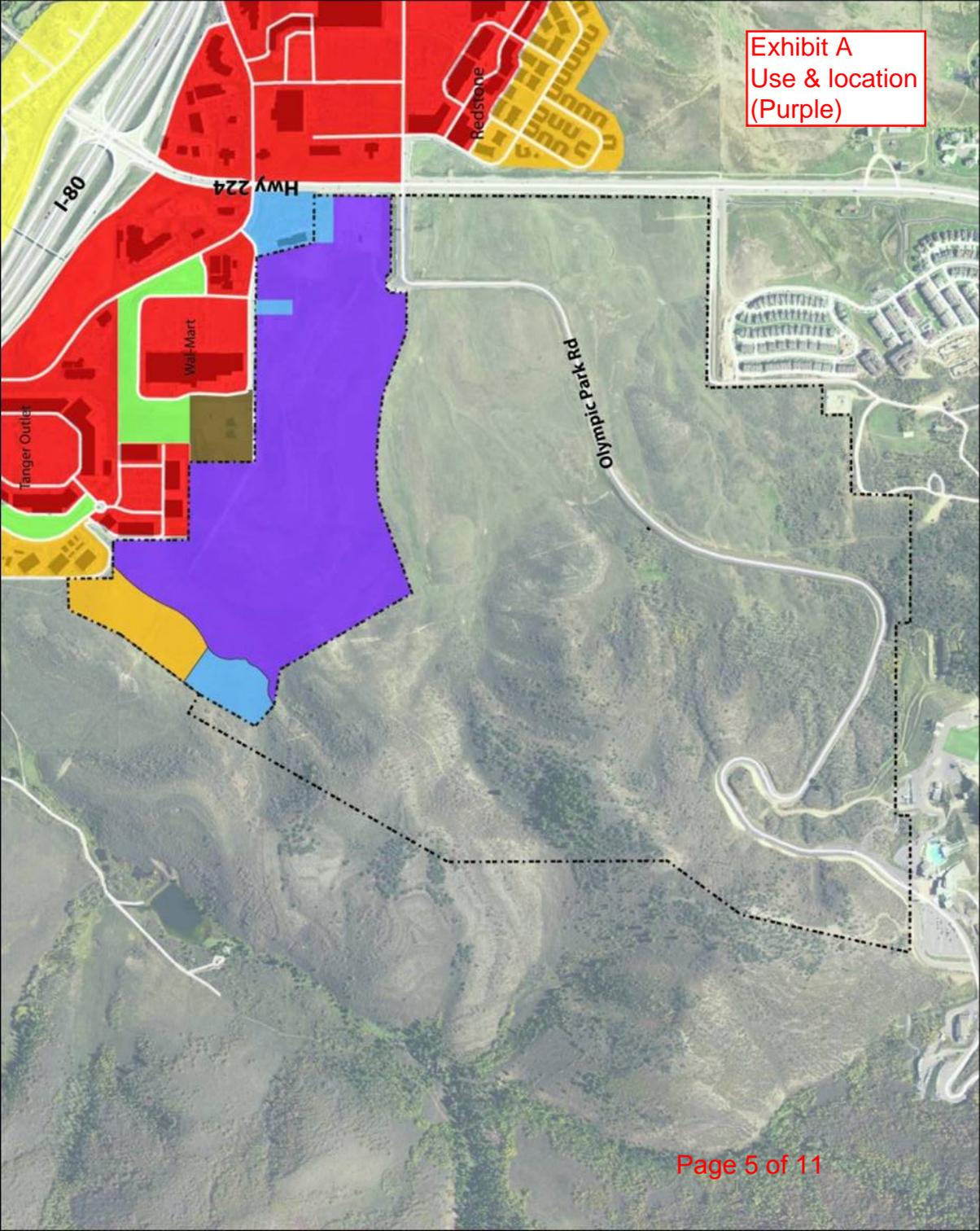
E. Recommendation

Staff recommends that the SCC review and discuss the Park City Tech Center and DA, and ask any questions of Staff and the applicant to help the SCC understand the history and entitlements and vision of the DA. Knowing that development of the project may occur over the next 15-20 years, Staff would like to move forward with a shared understanding of the DA entitlements, a shared understanding of its vision, and a shared understanding of how to move forward in a positive and cooperative manner.

Exhibits:

- A) Location & use context map (page 5)
- B) Applicant phasing plan (pages 6-9)
- C) Development Agreement Status tracker / note (page 10)
- D) Visual rendering – early (page 11)

Exhibit A
Use & location
(Purple)



Updated as of April 2012

1) Phase I

- a. Purpose/Goal: Provide basic access and utility back bone, complete planning.
- b. Roads:
 - i. Complete construction of Landmark Drive extension
 - 1. County portion
 - 2. Boyer portion and enhancements
 - 3. Olympic Park Roundabout
 - ii. Olympic Park
 - 1. Add new turning lanes
 - 2. Add center barriers and landscape medians
- c. Structures
 - i. Move temporary Chamber of Commerce visitor's center and find alternative location for temporary.
 - ii. Conclude planning with Summit County for "Richin's Building" expansion property.
- d. Planning
 - i. Finalize plan for bus depot property working with County and complete transfer of property to Summit County.
 - ii. Complete road plan for "main street" and initial layout for area east of Landmark Drive.
 - iii. Work with Planning Commission to complete and approve Design Guidelines.
 - iv. Finalize location and plan for affordable housing.
- e. Landscaping/Open Space
 - i. Complete augmented landscaping of Landmark Drive extension and center planter strips.
 - ii. Rough grade and finish grade Landmark drainage areas.
 - iii. Create Landmark open space corridor.
- f. Utilities
 - i. Develop over-all infrastructure plans with providers including sewer, water, power, and telephone.
 - ii. Install crossings/conduit under Landmark extension and anywhere else construction is taking place.
 - iii. NOTE: Since PC Tech is using existing providers with existing access, no major offsite or onsite utility projects are required (such as a water tank, water wells, etc....).
- g. Trails
 - i. Work with Rec. District on external trails, focusing on 224 link and Powderwood area.

- ii. Participate with Utah Open Lands and Rec. District on trail links and master planning for adjacent open space trails.
 - h. Completion time frames: 2009, some construction may carry over into 2010.
- 2) Phase II
- a. Purpose/Goal: Begin affordable housing, develop marketing plan.
 - b. Roads
 - i. Begin and complete construction of Overland Road as necessary for affordable housing, including section through Crestview Condos.
 - ii. Mass grading necessary for main street, including buildings pads and rough cut road.
 - c. Structures
 - i. Full scale commencement of affordable housing project.
 - ii. Design, planning, and construction of first building, east of Landmark.
 - iii. Design and construction of other buildings east of Landmark.
 - d. Planning
 - i. Process first site plan and begin construction of first office building (goal is 50% leased prior to construction).
 - ii. Subdivisions as necessary.
 - e. Landscaping/Open Space
 - i. Open space adjacent to affordable housing.
 - ii. 224 100 foot buffer open space created and defined.
 - iii. Complete Overland drive landscaping (part Boyer, part affordable housing).
 - f. Utilities
 - i. Install as necessary for affordable housing (working from Powderwood Drive side of project).
 - ii. Install utilities necessary for Building A (coming from 224).
 - iii. Install any utilities that need to cross Building A parcel to serve other parts of project (principally conduits, sewer, water backbone).
 - g. Trails
 - i. Complete Crestview area trail connection and Overland trail.
 - ii. As part of building 1, work with Rec District to complete 224 trail connection.
 - iii. Boyer to enhance and protect gravesites adjacent to trail.
 - h. Completion time frames: 2010-2012.

3) Phase III

- a. Purpose/Goal: Expand project into core main street area.
- b. Roads
 - i. Complete and asphalt Tech Center Drive (“main street” or spine road). Anticipated August 2012.
 - ii. Sidewalk will initial be done as part of buildings on main street since construction activities will destroy sidewalk.
- c. Structures
 - i. Construct core project buildings on main street.
 - ii. County transit center: County project, but requires Boyer cooperation. Currently working together on design. Hopefully constructed by County in 2013 (pending funding).
 - iii. Possible parking structures.
- d. Planning: Process each site plan, subdivisions as needed.
- e. Landscaping/Open Space
 - i. Complete main street landscaping including drainage swell on north side.
 - ii. Complete drainage corridors, both in terms of drainage function and landscaping.
 - iii. Enhance wetlands on County open space.
 - 1. Includes construction of new retention pond near Oly Park roundabout, as originally planned and agreed to with County.
 - 2. Planning on this is underway in 2012 with Snyderville Rec District, Utah Open Lands, and Summit County.
- f. Utilities: finish loop connections for all utilities connecting Crestview side with Landmark side.
- g. Trails
 - i. 224 Underpass
 - ii. Trail connection from 224 Millennium Trail to Overland/Crestview area trail. (joint project with Rec District)
 - 1. Summer 2012 Rec District and Utah Open Lands are performing a study on wetlands, wetland enhancement opportunities, and developing a trail location.
 - 2. 2012/2013 complete design of trail
 - 3. Construct trail as funds available
- h. Completion time frames: 2012-2022

Park City Tech Center Phasing Map



- Phase 1
- Phase 2
- Phase 3



REQUIREMENTS:	STATUS	NOTES
Open space: 22.25 acres (25%)	15.171	Completion required prior to certificate of occupancy on any other building.
Affordable housing (132 WUEs) Phasing Plan	<input checked="" type="checkbox"/>	
Landmark Connection	Draft provided <input checked="" type="checkbox"/>	Completed. Transit facility in planning / approval process.
Transit Facility property conveyance Trail connections / walkability	<input checked="" type="checkbox"/>	Completed. Transit facility in planning / approval process.
Highway 224 underpass contribution	Project by project <input checked="" type="checkbox"/>	Completed, and underpass constructed.

Project by project stats:	OS acreage	Trails / Walkability
TOTAL TO DATE	15.171	
Landmark Drive / spine road	4.195	Along road
Liberty Peak Apartments	9.5	Along road
Building A	1.476	224 trail; sidewalk

PLAT NOTE:

Development Requirements	[Name of this FSP]	Previously Provided	Running Total
Open space: 22.25 acres (25%)		15.171 acres	
Trail connections / walkability			